

SUMMARY OF DES MOINES CITY COUNCIL MEETING

January 15 1996 4:30 P.M.

SPECIAL PRESENTATIONS - 4:00 P.M.

By Dr. Gary Wegenke, Des Moines Public Schools, Presenting proceeds from sale of New Horizons House at 1136-14th, \$57,665.80

PROCLAMATIONS - 4:00 P.M.:

(a) Jaycee Week

**** HEARINGS START AT 5:30 P.M. ****

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INVOCATION: Gene Phillips, Council Member Ward IV

CONSENT AGENDA ITEMS 1 through 31 -- See Page 3.

96-142 ROLL CALL: **Present: Davis, Phillips, Daniels, Flagg, Hensley, McPherson and Vlassis.**

96-143 APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by McPherson to adopt. Motion Carried 7-0.**

A G E N D A

PERMITS AND LICENSES

January 15, 1996

APPROVING

96-144 1. Communication from Legal Department regarding January 15, 1996 Permit and License Agenda. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

CLASS "C" BEER-WINE LICENSES

96-145 2. L & Q Inc., Christian LaVia, President dba Helen & Pat's Restaurant & Lounge, 5418 Douglas; Renewal - Expires 1-25-96 (With Sunday Sales) - Application submitted 12-22-95. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-146 3. Mr. V's Inc., Joseph Vivone, President dba Mr. V's, 206 Indianola Road; Renewal - Expires 1-21-96 - Application submitted 12-6-95. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-147 4. VDT Foods Service Corporation, June Huynh, President dba Peking Restaurant, 6206 Douglas; New Application (With Sunday Sales) - Application submitted 12-19-95. **Moved by Vlassis to adopt. Motion Carried 7-0.**

CLASS "C" LIQUOR LICENSES

96-148 5. Barb Moyer dba Barb's Lounge, 2301 Hubbell; Renewal - Expires 1-16-96 (With Sunday Sales) - Application submitted 12-22-95. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Daniels.**

96-149 6. Benoit Enterprises, Jack Benoit, President dba Diamond Jack's, 3000 East Grand, Iowa State Fairgrounds; Renewal - Expires 1-31-96 (With Sunday Sales and Beer Garden) Application submitted 12-21-95. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Daniels.**

96-150 7. Wanda Chambers dba Just Wanda's, 4369 Merle Hay Road; Renewal - Expires 1-25-96 (With Sunday Sales) - Application submitted 12-13-95. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Daniels.**

96-151 8. Sheffield's Inc., Joseph Acri, President dba Sheffield's, 319 Court Avenue; Renewal - Expires 1-18-96 (With Sunday Sales and Beer Garden) - Application submitted 12-22-95. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Daniels.**

96-152 9. Ken Inc., Bobby L. Wahe, President dba The Spotlight (F/K/A Our Place), 424 East Locust; Renewal - Expired 1-10-96 (With Sunday Sales) - Application submitted 12-21-95. **RECOMMENDATION FROM VICE CONTROL UNIT TO DENY. Moved by Daniels to deny the license due to lack of financial responsibility, pursuant to Section 5 of the Des Moines Municipal Code and Chapter 123 of the Code of Iowa, and the rules and regulations thereof; and, that there is evidence that other persons have a greater than 10 percent (10%) financial interest in the business and that this person or persons has not**

been reported on the application as required by City and Iowa Code. Motion Carried 5-1-1. Nays: Davis. Pass: Flagg.

CLASS "E" LIQUOR LICENSES

96-153 10. Hy Vee Food Stores, Inc., Ronald D. Pearson, President dba Hy Vee Food and Drugstore #4, 4707 Fleur Drive; Renewal - Expires 1-24-96 - Application submitted 12-15-95. **Moved by Vlassis to adopt. Motion Carried 7-0.**

AUTHORIZING

96-154 11. City Clerk to issue Coin-Operated Machine Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**

EXTRA ITEMS

96-155 1. Class "C" Beer-Wine License to David M Blesz dba Dave's Pizza House, 2222 Forest Avenue; New Application (With Sunday Sales) - Application submitted 12-28-95. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-156 2. Class "C" Liquor License to PBL, Inc., Edward H. Savage, President dba Tacky's, 515 East 6th Street; New Application (With Sunday Sales) - Application submitted 12-28-95. **Moved by Vlassis to adopt. Motion Carried 7-0.**

***** CONSENT AGENDA *****

(Items 1 through 31)

***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.**

96-157 Approving Consent Agenda **Moved by Flagg to adopt the balance of the Consent Agenda. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

1. Resolution Ordering Construction of the following:

96-158 (a) Ashby Park Storm Sewer Repair, Receiving of Bids, (1-30-96), and Setting Date of Hearing, (2-5-96). (Construction Estimate - \$15,570) **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-159 (b) Chautauqua Parkway Ditch Improvements, Receiving of Bids, (1-30-96), and Setting Date of Hearing, (2-5-96). (Construction Estimate - \$214,840) **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-160 2. Levying assessments for cost of Nuisance Abatement-NAC (Driveway approaches-City crews), Schedule No. 1995-45, and providing for payment. **Moved by Flagg to adopt. Motion Carried 7-0.**

3. Report of Chief Civil Engineer showing cost of construction of the following:

96-161 (a) Hickman Road Storm Sewer Repair, Corell Contractor, Inc., \$769.50 is now due and remaining balance of \$5,419.74 to be paid at the end of 30 days. **Moved by Flagg to adopt. Motion Carried 7-0.**

96-162 (b) SW 28th Street Subdrain-3500 block, Eco Tech Contractors, Inc., \$655.86 remaining balance is to be paid at the end of 30 days. **Moved by Flagg to adopt. Motion Carried 7-0.**

96-163 (c) SW 14th Street & Porter Avenue Storm Sewer, \$3,155.04 is now due and remaining balance of \$501.76 to be paid at the end of 30 days. **Moved by Flagg to adopt. Motion Carried 7-0.**

96-164 4. Approving partial payment on five public improvement projects. (See roll call for list). **Moved by Flagg to adopt. Motion Carried 7-0.**

96-165 5. Approving request from Big Boy's Construction Company, Contractors, for the Fire Station No. 1 Remodeling-Phase 3, for extension of time to January 19, 1996. **Moved by Flagg to adopt. Motion Carried 7-0.**

96-166 6. Authorizing Assessment Clerk to delete sewer rental charges-\$25.59, and solid waste charges-\$20.50, for 2909 E. 37th Court, Schedule No, 1995-27 (already paid). **Moved by Flagg to adopt. Motion Carried 7-0.**

COMMUNICATIONS

96-167 7. From TCI Cablevision providing notification to the local franchise authority of proposed filing dates. **Moved by Flagg to receive and file; refer to City Manager and Legal. Motion Carried 6-0. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-168 8. Des Moines Water Works regarding request for additional water service by the City of Cumming. **Moved by Hensley to receive, file and refer to the City Manager for review and recommendation by the January 30 meeting date. Motion Carried 6-1. Nays: Vlassis.**

COMMUNICATION FROM PLAN AND ZONING

96-169 9. Regarding request from City Engineering Department for vacation and conveyance of a portion of the E. 29th Street right-of-way in vicinity of E. 29th and Larnard Drive. **Moved by Flagg to adopt and to refer to the Legal Department and City Manager for implementation. Motion Carried 7-0.**

96-170 10. Regarding request from City Legal Department, for vacation and conveyance of a portion of SW First Street right-of-way in vicinity of Elm Street. **Moved by Flagg to adopt and refer to the Legal Department and City Manager for implementation. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

96-171 11. On Proposed Urban Renewal Plan for the Sixth Avenue Urban Renewal Area, (2-19-96). **Moved by Flagg to adopt. Motion Carried 7-0.**

96-172 12. On reconsideration of vacation and conveyance of property in vicinity of Twana Drive and 40th Street, to John Prigge and Donald Pease, \$5,610, (due to error in legal description), (1-22-96). **Moved by Flagg to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

96-173 13. Approving payment of \$2,609.18 to Richard Townsend and Attorney, Robert Pratt, for workers compensation claim. **Moved by Flagg to adopt. Motion Carried 7-0.**

96-174 14. Approving payment of \$14,953.50 to Billy Gene Myers for an injury during the course of his employment with the City. **Moved by Flagg to adopt. Motion Carried 7-0.**

96-175 15. Approving Thomas Zurek and the firm of Nyemaster, Goode, McLaughlin, Voights, West, Hansell & O'Brien, P.C., to consult with and perform services with respect to labor and personnel matters in conjunction with the reorganization and related matters, \$95 per hour. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

APPROVING

96-176 16. Temporary Easement for Construction from Leslie L. and Tammy J. Vaughn, 3116, 40th Street, in connection with Storm Sewer Repair in the 3100 block of 40th Street - \$50. **Moved by Flagg to adopt. Motion Carried 7-0.**

96-177 17. Request from MidAmerican Energy Company for an Underground Electric Line Easement in the vicinity of Fleur Drive and Leland Avenue. **Moved by Flagg to adopt. Motion Carried 7-0.**

96-178 18. Backslope and Property Adjustment Easement and Release in connection with Martin Luther King, Jr., Parkway Widening at Urbandale Avenue, from Vinh and Vilay Nguyen, 2402 Welbeck Road - \$525. **Moved by Flagg to adopt. Motion Carried 7-0.**

96-179 19. Backslope and Property Adjustment Easement and Release and Warranty Deed from Universal Outdoor, Inc. in connection with Martin Luther King, Jr. Parkway widening at Urbandale Avenue - \$387. **Moved by Flagg to adopt. Motion Carried 7-0.**

96-180 20. Backslope and Property Adjustment Easement and Release in connection with Iowa 28 (63rd Street)/University Avenue Intersection Improvement, from Denise Derscheid, 1232 -

63rd Street - \$50, and Joseph and Beth Riede, 1200-62nd, \$1,050. **Moved by Flagg to adopt. Motion Carried 7-0.**

21. Backslope and Property Adjustment Easements and Releases in connection with the 1995 Paving Program No. 1 - Indianapolis Avenue from the following:

96-181 (a) Gladys and Jarrett Day, 2715 Indianapolis Avenue - \$1. **Moved by Flagg to adopt. Motion Carried 7-0.**

96-182 (b) Archie and Lynn Cook, 2637 Indianapolis Avenue - \$100. **Moved by Flagg to adopt. Motion Carried 7-0.**

96-183 22. Backslope and Property Adjustment Easements and Releases in connection with Iowa 28 (63rd Street)/University Avenue Intersection improvement, from the following: Varel and Paulette Wiley, 905-64th Street - \$50; Jimmy W. Deremiah, 1024/1026-63rd Street - \$150; Hugh and Louise Clatterbuck, 1056-63rd Street - \$50; Robert and JoAnn Jordan, 1100-63rd Street - \$190; William and Beverly Marchino, 1108-63rd Street - \$90; and Timothy J. Ostwinkle, 1013-63rd Street - \$50. **Moved by Flagg to adopt. Motion Carried 7-0.**

23. 1996 Community Development Block Grant Contracts, January 1 to December 31, 1996, with the following:

96-184 (a) CCI--CCI Housing Project, \$39,853. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-185 (b) Community Services/Public Works Departments--SCRUB Project, \$60,800. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-186 (c) Engineering Department--Supplemental Special Assessment Subsidy Program, \$50,000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-187 (d) Greater East Side Development--Neighborhood Support Services Project, \$18,500. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-188 (e) Pace/Orchard Place - Des Moines Childrens Homes-- Neighborhood Operation Work Study (NOW) Project, \$47,500. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-189 (f) Public Works Department--Curb Replacement in Neighborhood Areas Project, \$100,000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-190 (g) Woodland Willkie Site Office--F.A.D.S. \$9,828. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-191 (h) YWCA of Greater Des Moines--Literacy/Pre-Employment Skills Project, \$35,220. **Moved by Vlassis to adopt. Motion Carried 5-0. Mayor Davis and Council Member Hensley declare a conflict of interest, and abstain from voting.**

96-192 24. Certification of Accuracy for Fiscal Year 1989 and 1990 Rental Rehabilitation funds. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Daniels.**

96-193 25. Accepting Iowa Community Cultural Grant of \$6,000, to fund programs for the amphitheater. **Moved by Flagg to adopt. Motion Carried 7-0.**

96-194 26. Subdivision plat AIRPORT COMMERCE PARK PLAT 1, vicinity of Rittenhouse Street and Fleur Drive, (incorrectly referred to in Roll Call 95-4684 as AIRPORT COMMERCE PARK). **Moved by Flagg to adopt. Motion Carried 7-0.**

96-195 27. Bid from Charles Gabus Ford, Inc., (4545 Merle Hay Road) for a one-tone truck with dump body and snow plow to be used by the Public Works Department (Street Maintenance), \$31,034. (Nine Bids mailed-four received). **Moved by Flagg to adopt. Motion Carried 7-0.**

96-196 28. Certificates of insurance for various City activities. **Moved by McPherson to adopt. Motion Carried 5-2. Absent: Daniels and Flagg.**

ORDINANCES - FINAL CONSIDERATION

96-197 29. Amending Chapter 27 of the Municipal Code regarding the following traffic regulation changes: Corner Clearance on both sides of 16th Street south of Ingersoll; parking restriction-traffic signal revisions due to construction of bus insets at Goodrell Middle School and Douglas Elementary; Speed limit revision on 63rd street, from Grand to 1000 feet south of Railroad; and modification to coincide with existing No Parking signing on Pleasant Drive from 56th to 63rd. **Moved by Flagg that this ordinance do now pass, #13,295. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

96-198 30. Amending Chapter 27 of the Municipal Code regarding the following traffic regulation changes: Parking meter time change from 2- to 10-Hour meters on the north side of E. Locust from E. Fourth to E. Fifth; Designating Euclid Avenue as a "through" street from 30th to Post; Designating Snow Routes on Meredith Drive from Beaver Avenue to Merle Hay, and on Tuttle Street from SW 2nd to SW 3rd; and corner clearance requests on the south side of Morton East of E. Ninth, and on the north side of Corning Avenue east of Fifth Avenue. **Moved by Flagg that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

96-199 31. Amending Chapter 2 of the Municipal Code to correct references to the City Plan and Zoning Commission, (code update for clarification). **Moved by Flagg that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

96-200 32. Amending Chapter 15 of the Municipal Code regarding cemetery fees. (Council Communication No. 96-024) **Moved by Phillips to defer action to 1-22-96 to allow staff to provide additional information. Motion Carried 7-0.**

****Council considered Hearing Items 36 thru 40 next ****

96-201 33. Amending Chapter 27 of the Municipal Code regarding the following traffic regulation changes: Handicapped Parking Zone at Lincoln High School; Snow Route Designations on Center Street from Second to Keo, on Park from Keo to Second, on Madison from 6th to 12th, and on 12th from Euclid to North City Limits; Parking restriction on the west side of 12th Street from 50' south of Euclid to Clinton; and revised bus loading/unloading zones on 37th Street and 38th Place-Greenwood Elementary School. **Moved by Daniels to that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

COMMUNICATION FROM CITY MANAGER

96-202 34. Regarding authorization to proceed with various projects included in the 1995-96 Capital Improvements Program. (Council Communication No. 96-019) **Moved by Vlassis to receive, file and authorize the City Manager to proceed with the projects outlined in Council Communication No. 96-019. Motion Carried 7-0.**

96-203 35. Regarding City of Des Moines Legislative Update for Seventy-Sixth General Assembly. **Moved by Hensley to receive and file the attached report. Motion Carried 7-0.**

****Council considered Items 41 thru end of agenda next****

HEARINGS (Opened at 5:35 P.M.) (Items 36 thru 40)

96-204 36. On Proposed Connection Fee Ordinance for Southwest Airport Trunk Sewer System Benefitted District. **Moved by Hensley to adopt. Motion Carried 4-1-1-1. Nays: Flagg. Pass: Daniels. Absent: Vlassis.**

96-205 (a) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 4-1-1-1. Nays: Flagg. Pass: Daniels. Absent: Vlassis.**

96-206 (b) Southwest Airport Trunk Sanitary Sewer: Approving plans, specifications, form of contract documents, Engineer's estimate and submission of bids. **Moved by Hensley to adopt. Motion Carried 4-1-1-1. Nays: Flagg. Pass: Daniels. Absent: Vlassis.**

96-207 37. On reconsideration of rezoning property in vicinity of 1212 E. Herold, (Heilig Meyers), from R-2 to Ltd. C-2, (Ordinance 13,251 contained an error in legal description). **Moved by Vlassis to adopt. Motion Carried 6-0. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-208 (a) First consideration of ordinance above. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-0. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-209 (b) Final consideration of ordinance above, (waiver requested by applicant). **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, #13,296. Motion Carried 6-0. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-210 38. On conveyance of excess city-owned property in the vicinity of E. Sheridan and E. 36th Street, to R.M. Madden Construction, \$9,650. **Moved by McPherson to adopt. Motion Carried 7-0.**

96-211 39. On conveyance of the East/West alley in vicinity of Mahaska and E. 33rd, to Ronald and Beverly Hayes, \$25 plus costs. **Moved by McPherson to adopt. Motion Carried 7-0.**

96-212 40. On Administrative Hearing Officer's decision regarding Vehicle Impound of William A. Shell II. **Moved by Daniels to receive, file and uphold the decision of the Hearing Officer and find that there was probable cause to impound the vehicle. Motion Carried 7-0.**

* * END HEARINGS at 6:05 P.M. * *

****Council considered items 33 thru 35 next****

APPROVING

96-213 41. Reconsideration of Amendment to the Submission Requirements for proposals for Purchase and Rehabilitation of the former Younker's Warehouse Building. (Council Communication No. 96-022) **Moved by Vlassis to receive and file. Motion Carried 5-1. Nays: McPherson. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-214 42. Directing Sale of \$1,800,000 Taxable Airport Revenue Capital Loan Notes, and \$1,200,000 Airport Revenue Capital Loan Notes. **Moved by Hensley to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Vlassis.**

96-215 (a) On Proceedings to take additional action for the authorization of a loan Agreement and issuance of \$3,000,000 Airport Revenue Capital Loan Notes, (continued from 1-2-96). (Council Communication No. 96-028) **Moved by Hensley to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Vlassis.**

96-216 43. Cemetery Evaluation Report and Recommendations from the Park Board Cemetery Evaluation Committee. (Council Communication No. 96-025) **Moved by Flagg to adopt. Motion Carried 4-3. Absent: Daniels, Hensley and Vlassis.**

****Council Member Daniels left the meeting at 6:40 P.M.****

96-217 44. Cemetery Vandalism Report and Recommendations from the Park Board Cemetery Committee. (Council Communication No. 96-023) **Moved by Flagg to defer action one week to 1-22-96. Motion Carried 5-2. Absent: Daniels and McPherson.**

96-218 45. Reconsideration of Recommendation from Plan and Zoning, regarding request from Ralph Bumpilori of Auto Park Corporation, for vacation of a portion of north/south alley right-of-way in vicinity of 105-5th Avenue, and DENIAL of his request for sale and conveyance of such property, (to be leased only). **Moved by Hensley to adopt and refer to the City Manager and Legal Department for implementation. Motion Carried 5-2. Absent: Daniels and McPherson.**

46. Highway Bridges of Iowa nominations of the following, to the National Register of Historic Places, (Council Communication No. 96-030):

96-219 (a) S.W. Fifth Street Bridge. **Moved by Phillips to adopt. Motion Carried 6-1. Absent: Daniels.**

96-220 (b) Court Avenue Bridge. **Moved by Phillips to adopt. Motion Carried 6-1. Absent: Daniels.**

WITHDRAWN 96-221 (c) Second Avenue Overpass.

47. Nominations of the following River Bend Neighborhood sites, to the National Register of Historic Places (Council Communication No. 96-029):

96-222 (a) Sixth and Forest Historic District. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

96-223 (b) The Oaklands Historic District. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

96-224 (c) Riverview Park Plat Historic District. **Moved by Vlassis to adopt and refer to Park Board for review. Motion Carried 6-1. Absent: Daniels.**

96-225 (d) Bates Park Historic District. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

96-226 (e) Byron A. Beeson House. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

96-227 (f) C.H. Baker Double House. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

96-228 (g) Dr. Anna E. and Andrew A. Johnstone House. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

96-229 (h) Kromer Flats. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

96-230 (i) The Maine. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

96-231 (j) The New Lawn. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

96-232 (k) Perry and Brainard Block. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

96-233 (l) Franklin Apartments. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

96-234 (m) The Ayrshire Apartments. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

96-235 (n) Trent-Beaver House. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

96-236 (o) William A. and Etta Baum Cottage. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

96-237 (p) William H. and Alice Bailey House. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

96-238 47. (q) William B. Hayes House. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

96-239 48. Certificate of partial completion for Disposition Parcel No. 20A (1761 Guthrie)/Guthrie Avenue Business Park Urban Renewal Area, to MWM Properties, L.C. and partial release of Good Faith Deposit. (Council Communication No. 96-021) **Moved by McPherson to approve. Motion Carried 6-1. Absent: Daniels.**

96-240 49. Letter of proposal to the Governor's Alliance on Substance Abuse, for purchase of a photocopier for the Crime Free Multi-Housing Program. (Council Communication No. 96-027) **Moved by Flagg to adopt. Motion Carried 6-1. Absent: Daniels.**

50. NUMBER NOT USED.

51. NUMBER NOT USED.

96-241 52. Amendment No. 3 to the Engineering Services Agreement of RUST/Metcalf & Eddy, to perform professional engineering and related services for various Capital Improvements at the Des Moines ICA Regional Wastewater Treatment Plant-increasing fee by \$45,000. (Council Communication No. 96-020). **Moved by McPherson to adopt. Motion Carried 6-1. Absent: Daniels.**

96-242 53. Modified job specifications for Firefighter. (Des Moines Association of Professional Fire Fighters, Range 20). (Council Communication No. 96-017) **Moved by Phillips to adopt. Motion Carried 6-1. Absent: Daniels.**

96-243 54. Voluntary Settlement Agreement between City and the Central Iowa Public Employees Council to a prohibited practice complaint. (Council Communication No. 96-018) **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

96-244 55. Appointment of Mayor Arthur Davis as Member Representative of the Des Moines Metropolitan Planning Organization (MPO) to replace John P. Dorrian, effective immediately. **Moved by Hensley to adopt. Motion Carried 5-1-1. Pass: Davis. Absent: Daniels.**

96-245 56. Communication from Robert W. Gernes, submitting his resignation from the Des Moines Access Advisory Board, effectively immediately. **Moved by Vlassis to receive, file and accept with deep regret. Motion Carried 6-1. Absent: Daniels.**

96-246 57. Communication from Ralph B. Stevens, submitting his resignation from the Des Moines Traffic Safety Committee, effective immediately. **Moved by Vlassis to receive, file and accept with deep regret. Motion Carried 6-1. Absent: Daniels.**

96-247 58. Authorizing Finance Director to draw warrants on register of January 19, 1996; bills of the Des Moines Municipal Housing Agency for the week beginning January 15, 1996, and the biweekly payroll due employees on January 19, 1996. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

COMMUNICATIONS/REPORTS

96-248 59. Communication from Terry and Sue Haltom, 2304-39th, requesting an extension of a building permit for six months beyond the December 28, 1995 extension date, (continued from 1-2-96). **Moved by Vlassis to receive, file and approve the six (6) month extension, as requested. Motion Carried 6-1. Absent: Daniels.**

96-249 60. From Thomas Pohlman, President, Blank Park Zoo Foundation regarding the Foundations' Feasibility Study and long range planning for the Zoo operation. **Moved by Vlassis to receive and file. Motion Carried 6-1. Absent: Daniels.**

96-250 61. From Amy Johnson, 2230 Logan, regarding assessments levied against her property. **Moved by Flagg to receive and file. Motion Carried 6-1. Absent: Daniels.**

96-251 62. Oral request of Council Member Mike McPherson, to discuss naming of the Recreational/Bike Trail from S.E. 14th and Maury to the North City Limits, as the "John Pat Dorrian Recreational Trail". **Moved by McPherson to receive, file and refer to the Park Board for review and recommendation; also include any new trails to be constructed along the river corridor in this same vicinity. Motion Carried 6-1. Absent: Daniels.**

96-252 63. From Council Member At Large George E. Flagg regarding Airport Operating Budget Issues. **Moved by Flagg to receive and file. Motion Carried 5-2. Absent: Daniels and Vlassis.**

96-253 64. From Council Member At Large George E. Flagg regarding expenditure of Des Moines Public Housing funds. **Moved by McPherson to receive, file and direct staff to convey Council's concerns about this proposed expenditure to the Public Housing Board. Motion Carried 6-1. Absent: Daniels.**

96-254 65. Oral request of Council Member Vlassis to discuss Council appointment to the Des Moines Metropolitan Transit Authority Funding Study Committee. **Moved by Vlassis to discuss, and appoint Council Member Phillips to the Committee. Motion Carried 5-1-1. Pass: Phillips. Absent: Daniels.**

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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.

96-255 1. Recommendation of City Council Employee Evaluation Sub-Committee, regarding Corporation Counsel. SPONSOR: Vlassis. **Moved by Vlassis to defer consideration to the meeting of 1-22-96. Motion Carried 5-2. Absent: Daniels and McPherson.**

A G E N D A

BOARD OF HEALTH

January 15, 1996

96-256 MOTION TO CONVENE. **Moved by Vlassis that the City Council Adjourn and Convene as a Board of Health. Motion Carried 5-2. Absent: Daniels and Flagg.**

AUTHORIZING

96-257 1. Court authority to abate the public nuisance at 4049 Plainview Dr. (vacant)
TITLEHOLDER/LANDLORD: James Hetzel; LEGAL INTEREST HOLDER: Frontline
Investors, Inc. **Moved by McPherson to adopt. Motion Carried 5-2. Absent: Daniels and Flagg.**

96-258 MOTION TO ADJOURN. **Moved by McPherson to adjourn at 7:22 P.M.**

