



***** 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 '11-' 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

October 24, 2011

I. CLOSED SESSION – 3:30 PM

- [11-1753](#) (A) Roll Call. **Present: Cownie, Coleman, Griess, Hensley, Mahaffey and Moore. Absent: Meyer.**
- [11-1754](#) (B) Recess, and reconvene in closed session pursuant to Iowa Code Subsection 21.5(1) (c) and Subsection 20.17(3). **Moved by Hensley to adopt. Motion Carried 6-1.**
- [11-1755](#) (C) Closed Session.
- [11-1756](#) (D) Terminate closed session and reconvene in open session. **Moved by Moore to adopt. Motion Carried 6-1.**
- [11-1757](#) (E) Motion to adjourn. **Moved by Griess to adjourn at 4:06 PM. Motion Carried 6-1.**

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INVOCATION: Council Member Meyer

- [11-1758](#) 1. ROLL CALL: **Present: Cownie, Coleman, Griess, Hensley, Mahaffey, Meyer and Moore.**
- [11-1759](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**

[11-1760](#)

3. APPROVING CONSENT AGENDA * – items 3 through 50: **Moved by Mahaffey to adopt the balance of the consent agenda. Motion Carried 7-0.**

***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.**

LICENSES AND PERMITS

[11-1761](#)

4. **Approving** Alcoholic Beverage License Applications for the following: **Moved by Mahaffey to adopt. Motion Carried 7-0.**

NEW APPLICATIONS

- | | | | |
|-----|---------------------------|----------------|-------------|
| (A) | CHEESE SHOP OF DES MOINES | 833 42ND ST | C Beer/Wine |
| (B) | GIT N GO STORE #42 | 806 SE 14TH ST | C Beer |

RENEWAL APPLICATIONS

- | | | | |
|-----|---------------------------|-------------------|-------------|
| (C) | APEX OIL | 1200 SE 30TH ST | C Beer |
| (D) | BIG CITY BURGERS & GREENS | 400 LOCUST ST | C Liquor |
| (E) | BORDENAROS PIZZA | 6108 SW 9TH ST | C Liquor |
| (F) | CENTRO RESTAURANT | 1011 LOCUST ST | C Liquor |
| (G) | DAHLS FOODS | 4343 MERLE HAY RD | E Liquor |
| (H) | DUBLIN | 2307 UNIVERSITY | C Liquor |
| (I) | DUDS N SUDS | 2629 BEAVER AVE | B Beer |
| (J) | GIT N GO STORE #33 | 865 42ND ST | C Beer |
| (K) | GRAND VIEW COLLEGE | 1500 MORTON AVE | C Beer/Wine |
| (L) | HESSEN HAUS | 101 4TH STREET | C Liquor |
| (M) | KAMODO KLUB SAKE N SUSHI | 214 3RD ST | C Liquor |
| (N) | SHOP N SAVE | 2127 MLK JR PKWY | E Liquor |

SPECIAL EVENTS APPLICATIONS

(O) GAS LAMP 1501 GRAND AVE Five (5) Day License
Class C Liquor License for Pumpkin Bash on October 29, 2011. Pending approval of Building Department.

(P) GLAZA STUDIO 502 E LOCUST ST Five (5) Day License
Class C Liquor License for Accidental Industry Fashion Show on November 4, 2011.

(Q) TASTE TO GO 519 PARK ST Five (5) Day License
Class C Liquor License for fundraiser event for Iowa State University on November 4, 2011.

(R) WATLAO BUDDHAVAS 3000 E GRAND AVE Five (5) Day License
Class B Beer License for an event on November 12, 2011.

- [11-1762](#) 5. [Consideration](#) of new Class C Liquor License for Pelican Club, 208 3rd Street. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1763](#) 5-I Council discussion regarding approval of liquor licenses. **Moved by Hensley to refer to the City Attorney to work with the City Manager and Council Members for the next 60 days on creating a recommendation for stronger liquor control policies, including a stronger definition of “good moral character”. Motion Carried 7-0.**
- [11-1764](#) 6. [City](#) Clerk to issue Cigarette Licenses. **Moved by Mahaffey to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**
- [11-1765](#) 7. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

- [11-1766](#) 8. [Ordering](#) construction of 2011 Sewer Repair - Contract 1 - Receiving bids, (11-8-11), and Setting date of hearing, (11-21-11). (Construction Estimate - \$935,000). ([Council Communication No. 11-649](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1767](#) 9. [Revise](#) previous authorization for the City Manager to submit Iowa Clean Air Attainment Program (ICAAP) Fund Applications to the Iowa Department of Transportation (IDOT) for (1) Traffic Observation Camera System and Downtown Wayfinding CMS System Upgrade, \$270,000; and (2) Downtown Bicycle Plan Implementation – Phase 1, \$330,000 – to incorporate additional wording regarding maintenance and operation of project improvements. ([Council Communication No. 11-652](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1768](#) 10. [Approving](#) Professional Services Agreement with Geotechnical Services, Inc., for materials testing and special inspection services for the Fire Station No.1 Replacement, not to exceed \$27,500. ([Council Communication No. 11-651](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1769](#) 11. [Communication](#) from Dore & Associates Contracting, Inc. requesting permission to sublet certain items on Demolition at 717 Grand Avenue former YWCA. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1770](#) 12. [Accepting](#) completed construction and approving final payment for Waveland Trail – 40th to 42nd Street, P.G. Construction Inc. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [11-1771](#) 13. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule No. 2011-13. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1772](#) 14. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2011-08. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1773](#) 15. [Approving](#) deletion of NAC-Emergency Assessment at various properties. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1774](#) 16. [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility credits for October 2011. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [11-1775](#) 17. [Recommendation](#) from Council Member Bob Mahaffey to appoint Marjorie Ramsey to the Neighborhood Revitalization Board, Seat 3, for a three-year term commencing June 30, 2009 to expire June 30, 2012. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1776](#) 17-I [Recommendation](#) from Council Member Christine Hensley to appoint Matt Grohe to the Citizen Odor Board, Seat 2, for a three-year term commencing April 1, 2010 to expire April 1, 2013. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1777](#) 18. [Communication](#) from Mack Morgan advising of his resignation from the Housing Appeals Board, Seat 7, effective immediately. **Moved by Mahaffey to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [11-1778](#) 19. [Regarding](#) request from Kristin Konchalski, owner 729 Bell Avenue, for vacation of a segment of SW 8th Street, east of and adjoining the subject property, and west of the travelled, improved portion of the street, subject to conditions. **Moved by Mahaffey to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**
- [11-1779](#) 20. [Regarding](#) City Council-initiated request to vacate a segment of Broad Street from Indianola Avenue to SE 8th Street. **Moved by Mahaffey to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [11-1780](#) 21. [On](#) conveyance of City-owned property to Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for the WRA New Main Outfall Sewer Phase 17, Segments 3 & 4 Project, \$88,700, (11-7-11). **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1781](#) 22. [On](#) conveyance of the Des Moines Building at 405 6th Avenue and 513 Locust Street to the Des Moines Apartments, LP, \$150,000, (11-7-11). ([Council Communication No. 11-658](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1782](#) 23. [On](#) request from Christopher Seunt Jens to rezone property in the vicinity of 3422 57th Street from “R1-60” (One-Family Low-Density Residential) to Ltd. “R-2” (One and Two-Family Residential) to allow for infill development with two-family dwellings, subject to conditions, (11-7-11). **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1783](#) 24. [On](#) request from Jose Villarreal to rezone 2013 Clark Street from “C-0” (Commercial Residential) to “R1-60” (One-Family Low-Density Residential) to allow for financing of existing single-family dwelling, (11-7-11). **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1784](#) 25. [On](#) request from Mayorga & Mayorga Partners to rezone 1800 SE 14th Street from “C-2” (General Retail and Highway Oriented Commercial) with a VDL (Vehicle Display Lot Overlay) to remove the Overlay and rezone to Ltd. “C-2” (General Retail and Highway Oriented Commercial) to allow for expansion of the existing vehicle display lot adjoining on the south, subject to conditions, (11-7-11). **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1785](#) 26. [On](#) request from Russell Parks to rezone property in the vicinity of 4805 Observatory Road from “R1-80” (One-Family Residential) to Ltd. “R-3” (Multiple Family Residential) to allow for infill development of no more than six units with three single-family semi-detached dwellings, all contained within a commonly owned parcel with access from Observatory Road, subject to conditions, (11-7-11). **Moved by Mahaffey to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

27. Approving payment to the following for workers’ compensation claims:

- [11-1786](#) (A) [Christopher](#) Coco and his attorney David Coco, \$50,000. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1787](#) (B) [Troy](#) Cavil and his attorney Nicholas Shaull, \$28,678. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [11-1788](#) 28. [Submitting](#) travel and training requests for T.M. Franklin Cownie. ([Council Communication No. 11-668](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**

APPROVING

- [11-1789](#) 29. [2011](#) Department of Housing and Urban Development (HUD) Supportive Housing Program (SHP) Continuum of Care Application. ([Council Communication No. 11-659](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1790](#) 30. [Third](#) Year Action Plan (2012) Environmental Review Record, Finding of No Significant Impact on the Environment and Notice of Intent to Request Release of Funds. ([Council Communication No. 11-660](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1791](#) 31. [Contract](#) amendments to the 2008 Community Development Block Grant (CDBG) Disaster Recovery Hazard Mitigation Grant Program property acquisition contracts with Iowa Department of Economic Development. ([Council Communication No. 11-650](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1792](#) 32. [Amending](#) restrictive covenants on property at 3132 Kingman Boulevard to allow demolition of existing building and new construction of residential property. ([Council Communication No. 11-665](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1793](#) 33. [Neighborhood](#) Commercial Revitalization Program Predevelopment Grant for \$5,000 and a Neighborhood Commercial Revitalization Program Façade Grant for \$15,000 for renovations to 210 Court Avenue. ([Council Communication No. 11-662](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1794](#) 34. [Neighborhood](#) Commercial Revitalization Program \$15,000 Façade Grant, a \$5,000 Predevelopment Grant, and a \$135,000 Economic Development Bridge Loan for renovations to 424 E. Locust Street. ([Council Communication No. 11-666](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1795](#) 35. [Agreement](#) for Economic Development Forgivable Loan to Life Care Services, LLC and LCS Real Estate, Inc. to retain and expand its home office in Des Moines, \$196,000. ([Council Communication No. 11-667](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1796](#) 36. [Submittal](#) of an application for free technical assistance from Smart Growth America regarding a sustainable land use code audit. ([Council Communication No. 11-657](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**

- [11-1797](#) 37. [Revisions](#) to proposed Fourth Amendment to the SE Agribusiness Urban Renewal Plan. ([Council Communication No. 11-669](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1798](#) 38. [Second](#) Renewal Agreement and Amendment to Concession Agreement with Des Moines Riverfront Development Authority (RDA) for the Management, Operation and Maintenance of Brenton Skating Plaza. ([Council Communication No. 11-663](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1799](#) 39. [Agreement](#) with the Iowa Insurance Division's Senior Health Insurance Information Program (SHIIP) to identify and assist with applications of individuals who may qualify for the Social Security Administration Low-Income Subsidy (LIS) Prescription Drug Program. ([Council Communication No. 11-655](#)) **Moved by Mahaffey to approve. Motion Carried 7-0.**
- [11-1800](#) 40. [Communication](#) from the Civic Center of Greater Des Moines requesting permission to place a temporary banner on the north wall of the Civic Center announcing the return of the Broadway Musical Wicked commencing October 25 through December 5, 2011. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
41. Items regarding Airport Business Park: ([Council Communication No. 11-656](#))
- (A) Approving completion and acceptance of private construction contracts for the following:
- [11-1801](#) (1) [Storm](#) sewer improvements, Gannett Drive between Register Drive and SW 37th Street, between the Underground Company, Ltd. and Army Post Development, LC. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1802](#) (2) [Storm](#) and sanitary sewer improvements, Airport Business Park Plat 3, between Elder Corporation and ODC Gannett Ave., LLC. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1803](#) (3) [Paving](#) improvements, Gannett Drive between Register Drive and SW 37th Street, between Sternquist Construction, Inc. and Army Post Development, LC. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1804](#) (4) [Paving](#) improvements, Airport Business Park Plat 3, between Sternquist Construction, Inc. and ODC Gannett Ave., LLC. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1805](#) (B) [Approving](#) issuance of Certificate of Final Completion to ABC Partners, LP. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

- [11-1806](#) 42. [Civil](#) Service Entrance Lists for Real Estate Records & Property Technician and Senior Refuse Collector and Promotional Lists for Light Equipment Operator. **Moved by Mahaffey to receive and file. Motion Carried 7-0.**
43. Bids from the following:
- [11-1807](#) (A) [ABC](#) Electrical Contractors (W. David Ward, President) for streetlight fixture replacement services along Martin Luther King Jr. Pkwy. (Ingersoll Avenue to SW 16th Street) for use by the Engineering Department, \$103,357. (Nine bids mailed, four received). **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1808](#) (B) [The](#) Omega Group (Milan Mueller, President), as sole area-wide distributor, for software upgrade and annual maintenance and support for Crime View, the current software used for crime analysis to develop crime patterns and trends, for use by the Police Department, \$50,948. ([Council Communication No. 11-661](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1809](#) 44. [Exception](#) to procurement ordinance competitive bidding requirements for good cause and approving Professional Services Contract with ETC Institute (Christopher Tatham, Vice President) for the development and implementation of the 2011 Resident and Business Satisfaction Surveys, \$33,250. ([Council Communication No. 11-654](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1810](#) 45. [Exception](#) to procurement ordinance competitive bidding requirements for good cause and approving agreement with Iowa Methodist Occupational Medicine (Eric Crowell, President and CEO) for occupation health services for employees for a period up to three years, \$224,572 for remainder of FY2012. ([Council Communication No. 11-653](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1811](#) 46. [City](#) Council meeting schedule for 2012. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1812](#) 47. [Receive](#) and file Quarterly Treasurer's Report as of September 30, 2011. **Moved by Mahaffey to receive and file. Motion Carried 7-0.**

[11-1813](#) 48. [Amendments](#) to the City Precinct and Ward Boundaries and approving amended agreements with Polk County for Combined Precincts. ([Council Communication No. 11-671](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[11-1814](#) (A) [First](#) consideration of ordinance above. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[11-1815](#) (B) [Final](#) consideration of ordinance above (waiver requested by City Manager), requires six votes. **Moved by Mahaffey 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, [#15,055](#). Motion Carried 7-0.**

[11-1816](#) 49. [Authorizing](#) Finance Director to draw checks on [registers](#) for weeks of October 24 and October 31, 2011; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for weeks of October 24 and October 31, 2011; and to draw checks for biweekly payroll due November 4, 2011. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

[11-1817](#) 50. [On](#) amendment to Zoning ordinance text in Chapter 134 and Site Plan ordinance text in Chapter 82 establishing a Downtown Overlay District which provides site plan guidelines for an area generally bound by Interstate 235 on the north, Raccoon and Des Moines Rivers on the south, E. 14th Street on the east and M.L. King Jr. Parkway on the west. **Moved by Mahaffey that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

ORDINANCES - FINAL CONSIDERATION

[11-1818](#) 51. [Amending](#) Chapter 114 of the Municipal Code, to add streets in five neighborhoods to the list of Snow Ordinance Street designations. **Moved by Griess that this ordinance do now pass, [#15,056](#). Motion Carried 7-0.**

COUNCIL REQUESTS

[11-1819](#) 52. [Follow](#)-up discussion from the October 10th Council meeting regarding compensation for Mayor and Council Members. **Moved by Hensley to receive and file the communication from the City Council Personnel Committee. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 53 THRU 58)

- [11-1820](#) 53. **On** request from McDonald’s Corporation to rezone 3002 Forest Avenue from Ltd. “C-1” (Neighborhood Retail Commercial) to a revised Ltd. “C-1” (Neighborhood Retail Commercial) to allow revision of conditions defining the site circulation and parking configuration and exterior design of the building, subject to conditions. **Moved by Griess to adopt and approve the rezoning. Motion Carried 7-0.**
- [11-1821](#) (A) **First** consideration of ordinance above. **Moved by Griess that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [11-1822](#) (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Griess 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, #15,057. Motion Carried 7-0.**
- [11-1823](#) 54. **On** intent to vacate and convey property interests in certain sanitary sewer facilities to Des Moines Metropolitan Wastewater Reclamation Authority. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1824](#) (A) **First** consideration of ordinance above. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [11-1825](#) (B) **Final** consideration of ordinance above (waiver requested by William Stowe), requires six 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, #15,058. Motion Carried 7-0.**
- [11-1826](#) 55. **On** text amendments to Chapter 134 regarding zoning regulations of businesses selling alcoholic liquor, wine and beer in “C-1” (Neighborhood Retail Commercial District). (**Council Communication No. 11-664**) **Moved by Hensley to adopt and approve the amendments to Chapter 134 of the Municipal Code of the City of Des Moines. Motion Carried 7-0.**
- [11-1827](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [11-1828](#) (B) **Final** consideration of ordinance above (waiver requested by Community Development Director), requires six 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, #15,059. Motion Carried 7-0.**
- [11-1829](#) 56. **On** proposed Third (2012) Year Action Plan of the 2010-2014 U.S. Department of Housing and Urban Development (HUD) Consolidated Plan and **to continue to November 7, 2011 at 5:00 PM. Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-1830](#) 57. **On** request from Capstone Ventures, LLC to rezone 315 SW 14th Street from “C-3B” (Central Business District Mixed Use) to “PUD” (Planned Unit Development). **Moved by Hensley to adopt and to continue the hearing until December 5, 2011 at 5:00 PM. Motion Carried 7-0.**
- [11-1831](#) 58. **On** Council-initiated request to rezone the properties surrounding Southern Meadows Apartments, vicinity of SE 8th Street and Indianola Avenue, from Ltd. “R-3” (Multiple Family Residential) and “R1-60” (Low-Density Single-Family Residential) To PUD (Planned Unit Development). **Moved by Meyer to adopt and to continue the hearing until November 21, 2011 at 5:00 PM. Motion Carried 7-0.**

*** END HEARINGS AT 5:20 PM ***

APPROVING

- [11-1832](#) 59. **Receipt** of informal offer to purchase 801 University Avenue (formerly occupied by Top Value Foods) for \$1,200,000. (**Council Communication No. 11-670**) **Moved by Griess to receive, file and refer to the City Manager and City Attorney for preparation of sales documents in accordance with Council Communication No. 11-670. Motion Carried 7-0.**

BOARD OF HEALTH

- [11-1833](#) MOTION TO CONVENE. **Moved by Griess that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.**
1. Approving the Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations:
- [11-1834](#) (A) **1839** E. Grand Avenue, main structure and garage structure, Titleholder: Timothy L. Zender (deceased). **Moved by Mahaffey to adopt. Motion Carried 7-0.**

- [11-1835](#) (B) [2359](#) E. Grand Avenue, main structure (commercial), Titleholder: Stan Gruen. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- (C) Number not used.
- [11-1836](#) (D) [1809](#) Larnard Avenue, main structure and garage structure, Titleholder: Charles E. Karns, Mortgage Holder: J. P. Morgan Chase. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1837](#) (E) [1989](#) SW 9th Street, collapsed retaining wall, Titleholder: Federal National Mortgage Association. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1838](#) (F) [2821](#) SW 9th Street, main structure (commercial), Titleholder: Williams Wilbert Vault Works, Inc. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1839](#) 2. [Communication](#) from State Farm Insurance Companies that the insured's, Linda and Dan Murphy, 1954 E. Bell Avenue, sustained a fire loss on September 25, 2011 and a fire escrow is being held. **Moved by Hensley to receive and file and to direct that the City Attorney bring legal action within one hundred eighty days (180 days) of receipt of notice if owners have not demolished or renovated the structure. Motion Carried 7-0.**
- [11-1840](#) MOTION TO ADJOURN. **Moved by Griess to adjourn at 6:10 PM. Motion Carried 7-0.**

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