

★ Roll Call Number

Agenda Item Number

62A

Date July 10, 2006

Petition in opposition to the establishment of the Linden Heights Historic Street Lighting Self-Supported Municipal Improvement District (SSMID).

MOVED by _____ to receive and file and refer to the Plan and Zoning Commission.

FORM APPROVED:

Roger K. Brown
Roger K. Brown
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BROOKS, COLEMAN, HENSLEY, MAHAFFEY, KIERNAN, VLASSIS, and TOTAL.

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED

APPROVED

Mayor

City Clerk

FILED
Andy Ball
9 Foster Drive
Des Moines, IA 50319
515-274-2243
andyball@mchsc.com
CITY CLERK
DES MOINES, IOWA

July 6, 2006

Dear Mayor Cownie,

Today members of the Linden Heights Neighborhood Association filed a petition in remonstrance with the City Clerk against an antique streetlight Self-Supporting Municipal Improvement District (SSMID) petition filed by other members of the Linden Heights Neighborhood Association.

This remonstrance petition was signed by 51 out of 134 (or 38%) of the homeowners in the neighborhood who represent \$16,498,500 in property out of \$53,218,700 (or 31%) of the neighborhood property at assessed value.

The antique streetlight proposal does not enjoy widespread support. The SSMID petition was signed by 72 homeowners, but 4 of these homeowners have changed their minds and signed the petition in remonstrance. The remaining 68 homeowners only represent 50.7% of the neighborhood total. Furthermore, two Linden Heights Neighborhood Association board members, Rod Lahodny and Marjorie Spevak, have petitioned against the SSMID.

Area residents oppose the antique streetlight petition for a variety of reasons:

- The costs are too high during a period of already rising property taxes. The average homeowner would pay between \$4,841 and \$5,937 in additional tax over a 10-year period, depending on whether the SSMID's probable projection or maximum levy is used to calculate the new tax burden.
- Turn-of-the-century antique streetlights are out of character for many of the area's homes that were built after World War II.
- There is no private sponsorship for the SSMID. Some feel that a precedent was set when decorative columns were erected at neighborhood entrances with private funds.
- Until the 1970s, the neighborhood had antique streetlights on 20-plus-foot poles, as the SSMID proposes now. But they were low enough for kids to knock out with rocks so, under a special levy, they were replaced.
- 38% of the existing streetlight poles would remain standing under the SSMID because they carry other service lines. "Antique" streetlights running close to existing poles with hanging wires could look odd. The number of poles in or near homeowner yards where existing poles remain standing would more than double because the antique lights must sit closer together to yield the same amount of illumination that the current streetlights provide.

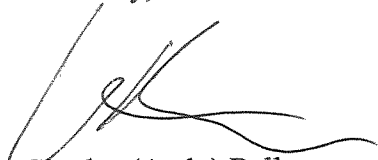
- An expensive project like this isn't the best use of funds. Some people would rather use the money to put their children through school or donate to a local charity or, in the case of some on fixed incomes, just pay bills.

Another point of contention is the rushed manner in which the Linden Heights Neighborhood Association pushed the SSMID through. Requests for lighting diagrams and fixed-cost construction quotes at our public meeting were ignored. And while no one thinks that the neighborhood organization intended to trample anyone's rights or opinions, their zeal to do what they think is best (install antique streetlights) has left people feeling disenfranchised. It would have been more appropriate if the association had played the part of an honest broker between those who wanted, and those who didn't want, antique streetlights.

Because only 50.7 of our residents supported the SSMID, and 38% voted against it, we ask that you do so, too. An expensive, long-term project such as this should be well-thought out, well-supported and well-financed by private donations before unwilling residents are asked to support it.

Thank you for your time and consideration.

Sincerely,



Charles (Andy) Ball

Cc: Des Moines City Council
Des Moines Planning and Zoning Commission

Notes:

Area residents who originally signed the SSMID petition and then changed their minds and signed in remonstrance against the SSMID are Patricia Sink of 315 Foster Drive, Stanley and Martha Hogan of 4249 Woodlawn Drive, Scott Reinhardt of 606 Glenview Drive and Leslie Whippen of 304 Glenview.

Lot 26 in Linden Heights appears to be claimed in the SSMID filing by both the Urban's of 214 Foster Drive and Grundberg's of 224 Foster Drive.

The property at 201 Foster Drive is listed on the petitions of both S-R Development Company and William Stephen. The Polk County Assessor web-site attributes it to the William Stephen.