



\*\*\* 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 '08-' 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**

March 24, 2008

Closed Session	3:30 PM
Municipal Housing Agency Governing Board	4:15 PM
Regular Meeting	4:30 PM

I. CLOSED SESSION – 3:30 PM

- [08-443](#) (A) Roll Call. **Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey and Vlassis. Absent: Meyer.**
- [08-444](#) (B) Recess, and reconvene in closed session pursuant to Section 21.5(c) of the Code of Iowa. **Moved by Vlassis to adopt. Motion Carried 6-1.**
- [08-445](#) (C) Closed Session.
- [08-446](#) (D) Terminate closed session and reconvene in open session. **Moved by Vlassis to adopt. Motion Carried 6-1.**
- [08-447](#) (E) Motion to Adjourn. **Moved by Vlassis to adjourn at 4:03 P.M. Motion Carried 6-1.**

**INVOCATION:** Pastor Carol Archer  
College Avenue Christian Church  
4440 College Avenue

- [08-454](#) 1. ROLL CALL: **Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey, Meyer, and Vlassis.**
- [08-455](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Vlassis to adopt. 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.**

[08-456](#)

3. APPROVING CONSENT AGENDA – items 3 through 46: **Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 7-0.**

### LICENSES AND PERMITS

[08-457](#)

4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Vlassis to adopt. Motion Carried 7-0.**

#### NEW APPLICATIONS

(A) AMICI ESPRESSO	206 6TH AVE	B Wine
(B) GRANDSTAND/STATE FAIR	3000 E GRAND AVE	B Beer

#### RENEWAL APPLICATIONS

(C) CAMPBELLS CONCESSIONS	3000 E GRAND AVE	B Beer
(D) CHICAGO SPEAKEASY	1520 EUCLID AVE	C Liquor
<del>(E) GATEWAY MARKET</del>	<del>2002 WOODLAND AVE</del>	<del>C Beer/Wine</del>
(F) GREAT MIDWESTERN CAFÉ	909 ROBERT D. RAY DR	C Liquor
(G) HIGHLAND PARK COUNTRY CLUB	518 EUCLID AVENUE	C Liquor
(H) JOHNNYS ITALIAN STEAKHOUSE	6800 FLEUR DR	B Liquor
(I) KUNG FU TAP & TACO	210 INDIANOLA AVE	C Liquor
(J) LCS CORNER	344 E JACKSON AVE	C Liquor
(K) NAT FOOD MART #1	3804 HUBBELL AVE	C Beer
(L) NEW ORIENTAL FOOD STORE	515 E GRAND AVE	C Beer
(M) NUT POB RESTAURANT	3322 INDIANOLA AVE	C Beer/Wine
(N) SOUTHRIDGE AMOCO	6300 SE 14TH ST	C Beer
(O) TIM FLANAGANS	2120 INGERSOLL AVE	C Liquor
(P) WEST END LOUNGE	2309 FOREST AVE	C Liquor

[08-458](#)

- 4-I [Consideration](#) of Class C Liquor License for Party Town at 1820 E. Army Post Rd. Pending approval of Board of Adjustment and Zoning Department. **Moved by Vlassis to adopt. Pending approval of Board of Adjustment and Zoning Department. Motion Carried 7-0.**

[08-459](#)

5. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**

## PUBLIC IMPROVEMENTS

### 6. Ordering construction of the following:

- [08-460](#) (A) [13<sup>th</sup> Street & Jefferson Avenue Overflow Elimination](#) – Receiving of bids, (4-8-08), and Setting date of hearing, (4-21-08). (Construction Estimate - \$1,439,191). ([Council Communication No. 08-167](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-461](#) (B) [2008 Storm Sewer Repair Contract 1](#) - Receiving of bids, (4-8-08), and Setting date of hearing, (4-21-08). (Construction Estimate - \$596,305). ([Council Communication No. 08-168](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-462](#) (C) [Fire Station No. 4 Renovation](#) - Receiving of bids, (4-22-08), and Setting date of hearing, (5-5-08). (Construction Estimate - \$439,350). ([Council Communication No. 08-169](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-463](#) 7. [Approving](#) execution of Iowa Department of Transportation (IDOT) Agreement for Grand Avenue over Walnut Creek Bridge Replacement. ([Council Communication No. 08-159](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-464](#) 8. [Approving](#) execution of Iowa Department of Transportation (IDOT) Predesign Agreement for Merle Hay Road (Iowa 28) Widening at Urbandale Avenue. ([Council Communication No. 08-158](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [08-465](#) 9. [Approving](#) Change Order No. 4 with Des Moines Asphalt & Paving Co. for additional work on the 2007 Expanded Street Resurfacing Program Contract 2, not to exceed \$106,562.85. ([Council Communication No. 08-160](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-466](#) 10. [Approving](#) Private Construction Contract between Gator Excavating, Inc. and Koester Construction Co., Inc. for alley paving improvements in alley east of 19<sup>th</sup> Street for 1815 High Street. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-467](#) 11. [Approving](#) request from Neumann Brothers, Inc. to sublet certain items for Skywalks 11D-12D & 11C-12B at Allied project. **Moved by Vlassis to adopt. Motion Carried 7-0.**

## SPECIAL ASSESSMENTS

- [08-468](#) 12. [Levying](#) assessments for cost of Nuisance Abatement-NAC Emergency Order (Community Development) Schedule No. 2008-05. **Moved by Vlassis to adopt. Motion Carried 7-0.**

13. Approving deletion of NAC Emergency Assessments for the following:
  - (A) [08-469](#) [2320](#) Dean Avenue. **Moved by Vlassis to adopt. Motion Carried 7-0.**
  - (B) [08-470](#) [1330](#) Jefferson Avenue. **Moved by Vlassis to adopt. Motion Carried 7-0.**
14. [08-471](#) [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Credits for February 2008. **Moved by Vlassis to adopt. Motion Carried 7-0.**
15. [08-472](#) [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Fees for February 2008. **Moved by Vlassis to adopt. Motion Carried 7-0.**

### LAND/PROPERTY TRANSACTIONS

- [08-473](#) 16. [Establishing](#) Fair Market Value for multiple properties for the Southeast Connector Project – SE 6<sup>th</sup> Street to SE 14<sup>th</sup> Street Phase. ([Council Communication No. 08-163](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-474](#) 17. [Release](#) of Subdivision Bond No. IAC25954 from Merchants Bonding Company in amount of \$37,488 as security for completion of required sidewalk improvements for Easter Lake Pointe Plat 2. ([Council Communication No. 08-147](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-475](#) 18. [Release](#) of Subdivision Bond No. IAC25164 from Merchants Bonding Company in amount of \$25,973 as security for completion of required sidewalk improvements for Easter Lake Estates Plat 4. ([Council Communication No. 08-149](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-476](#) 19. [Release](#) of Subdivision Bond No. IAC25953 from Merchants Bonding Company in amount of \$29,425 as security for completion of required sidewalk improvements for Easter Lake Estates Plat 5. ([Council Communication No. 08-150](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-477](#) 20. [Release](#) of Subdivision Bond No. IAC27294 from Merchants Bonding Company in amount of \$24,690 as security for completion of required sidewalk improvements for Easter Lake Estates Plat 6. ([Council Communication No. 08-148](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-478](#) 21. [Release](#) of Irrevocable Letter of Credit No. SLCWMIL01173 from US National Bank in amount of \$16,129 as security for completion of required sidewalk improvements for Three Lakes Estates Plat 1. ([Council Communication No. 08-151](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[08-479](#) 22. [Approving](#) Tax Abatement application for additional value added by improvements completed in 2007 to 4821 Sawyers Drive. ([Council Communication No. 08-152](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[08-480](#) 23. [Authorization](#) to proceed with acquisition of necessary right-of-way and easements for SW 7<sup>th</sup> Street and Indianola Road Intersection Improvements Project. ([Council Communication No. 08-164](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

#### **BOARDS/COMMISSIONS/NEIGHBORHOODS**

[08-481](#) 24. [Recommendation](#) from Neighborhood Revitalization Board regarding removal of Fairground Neighbors for Community Improvement from list of Recognized Neighborhood Associations. ([Council Communication No. 08-142](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

[08-482](#) 25. [Recommendation](#) from Council Member Christine Hensley to appoint James Michael Hoff to Seat 9 on the Historic Preservation Commission for a three-year term to expire on October 18, 2008. **Moved by Vlassis to adopt. Motion Carried 7-0.**

26. NUMBER NOT USED.

[08-483](#) 27. [Communication](#) from Michael D. Barber advising of his resignation from the Access Advisory Board, Seat 5, effective immediately. **Moved by Vlassis to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**

#### **SETTING DATE OF HEARINGS**

[08-484](#) 28. [On](#) request from Kenoyer and Associates to rezone property at 1721 Keosauqua Way from “R1-60” (One-Family Low-Density Residential) to “C-1” (Neighborhood Retail) to allow for development of property for mixed office and residential use, subject to conditions, (4-7-08). **Moved by Vlassis to adopt. Motion Carried 7-0.**

[08-485](#) (A) [Communication](#) from Plan and Zoning Commission regarding request from Kenoyer and Associates to vacate and convey 18<sup>th</sup> Street between Carpenter Avenue and Keosauqua Way, subject to conditions. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [08-486](#) 29. [Approving](#) payment of \$1,301.18 to Ahlers & Cooney, P.C. for services related to environmental legal services for the SE Connector Project. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-487](#) 30. [Approving](#) payment of \$14,064.72 to Hall & Associates for services related to the combined sewer system and combined sewer overflows related to the NPDES Permit. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-488](#) 31. [Approving](#) payment of \$23,312.50 to Hansen, McClintock & Riley for services related to enforcing a contract for insurance held by the City. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-489](#) 32. [Approving](#) payment of \$362.80 to Myers & Jenkins Law Firm for services related to the UAL Corporation, ATA Holdings Corp., Delta Air Lines, Inc, et.al. (Comair, Inc.) and Northwest Airlines Corporation, et.al. bankruptcies. **Moved by Vlassis to adopt. Motion Carried 7-0.**

## CITY MANAGER COMMUNICATIONS

- [08-490](#) 33. [Submitting](#) training requests for Nancy Bobo, Robert Crouse, Jennifer Dakovich, Mike Matthes, James McKinney, Mark R. Miller, Rodell Nydam, Benjamin Page, Douglas Romig, and Luke Wilson and submitting travel requests for T.M. Franklin Cownie and John Scarlett. ([Council Communication No. 08-171](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

## APPROVING

- [08-491](#) 34. [Community](#) Services Block Grant (CSBG) Contract (Community Action Plan) with Iowa Department of Human Rights for the 2007-2008 CSBG Program Year. ([Council Communication No. 08-141](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-492](#) 35. [Environmental](#) Certification and Request for Release of Funds from United States Department of Housing and Urban Development (HUD) for the Department of Housing Services' 2008 Capital Fund Program. ([Council Communication No. 08-153](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-493](#) 36. [Designation](#) of multiple depositories for City funds. ([Council Communication No. 08-140](#)) **Moved by Vlassis to adopt. Motion Carried 6-0. Council Member Hensley declares a conflict of interest and abstains from voting.**
- [08-494](#) 37. [Continued](#) retention of Ahlers & Cooney, P.C. as Bond Counsel. **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [08-495](#) 38. [Application](#) for United States Department of Homeland Security Assistance to Firefighters Grant to be used for twelve (12) Automatic Chest Compression Devices. ([Council Communication No. 08-139](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-496](#) 39. [Request](#) from Downtown Community Alliance for approval of banner designs for the Meredith Corporation for 14 banners in downtown Des Moines to be displayed on Locust Street. **Moved by Vlassis to receive, file and approve banner design. Motion Carried 7-0.**
- [08-497](#) 40. [Request](#) from Downtown Community Alliance for approval of banner design for the Greater Des Moines Convention and Visitor's Bureau (USA Taekwondo) for 24 banners in downtown Des Moines to be displayed on Locust Street. **Moved by Vlassis to receive, file and approve banner design. Motion Carried 7-0.**
41. Bids for the following:
- [08-498](#) (A) [Hewlett](#) Packard Co. for computer equipment to be used by Police Dispatch per Western States Contracting Alliance (WSCA) price agreement, \$35,664. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-499](#) (B) [Intergraph](#) Corporation for non-competitive procurement of annual software maintenance and support for Computer Aided Dispatch (CAD) and Records Management Systems (RMS), \$73,661.52. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-500](#) (C) [Various](#) vendors for an annual contract with two (2) additional one year renewal options to furnish various medical and pharmaceutical supplies for use by the Fire Department, annual estimated cost of \$145,000. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-501](#) 42. [Receipt](#) of the Legislative Update for the 82nd Iowa General Assembly. **Moved by Coleman to receive and file the report. Motion Carried 6-0. Council Member Meyer declares a conflict of interest and abstains from voting.**
- [08-502](#) 43. [Civil](#) Service Entrance List for User Support Technician. **Moved by Vlassis to receive and file. Motion Carried 7-0.**
- [08-503](#) 44. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of March 24 and March 31; to draw checks for the bills of the [Des Moines Municipal Housing Agency](#) for the weeks of March 24 and March 31; and to draw checks for biweekly payroll due March 28, 2008. **Moved by Vlassis to adopt. Motion Carried 7-0.**



**ORDINANCES - FINAL CONSIDERATION**

[08-504](#) 45. Amending Section 118-149 of the Municipal Code regarding sewer service charges. **Moved by Vlassis that this ordinance do now pass, #14,749. Motion Carried 7-0.**

[08-505](#) 46. Amending the definition of Transient Merchant and removing the exemption for merchants with a one-year lease. **Moved by Meyer that this ordinance do now pass, #14,750. Motion Carried 7-0.**

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

\*\*Council considered Item 65 next\*\*

**ORDINANCES - FIRST CONSIDERATION**

[08-506](#) 47. Amending Chapter 42 of the Municipal Code regarding noise. (Council Communication No. 08-166) **Moved by Kiernan that this ordinance be considered and given first vote for passage; refer to the City Manager to look at creating an “Entertainment District” classification that operates by a different set of rules and standards than the residential neighborhoods. Motion Carried 6-1. Nays: Coleman.**

WITHDRAWN

[08-507](#) (A) ~~Final consideration of ordinance above, (waiver requested by City Manager), requires 6 votes.~~

WITHDRAWN

[08-508](#) 48. ~~Amending Chapter 26 of the Municipal Code regarding building and building regulation licensing.~~

[08-509](#) 49. Amending Chapter 74 of the Municipal Code regarding miniature golf fees. (Council Communication No. 08-154) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Coleman.**

**COUNCIL REQUESTS**

[08-510](#) 50. From Council Members Brian Meyer and Robert Mahaffey to discuss the proposed used car lot moratorium. **Moved by Meyer to receive and file comments. Motion Carried 7-0.**

[08-510A](#) (A) Approving temporary moratorium of 92 days (through June 24, 2008) on the creation or expansion of vehicle display lots pending a comprehensive review of applicable



regulations and guidelines. **Moved by Meyer to adopt. Motion Carried 7-0.**

## COMMUNICATIONS/REPORTS

- [08-511](#) 51. **From** Cowles Foundation and Civic Center of Greater Des Moines regarding “revising” of Nollen Plaza and requesting cooperation and assistance from the City. ([Council Communication No. 08-146](#)) **Moved by Vlassis to receive and file the letter. Motion Carried 7-0.**
- [08-512](#) 52. **From** Denny Marchand, Des Moines, to speak regarding the property at 651 27<sup>th</sup> Street. **Moved by Hensley to receive and file comments; to allow Mr. Marchand to build a two story American 4-square home and remove the non-rental covenant on the property. Motion Carried 7-0.**
- [08-513](#) 53. **From** Percy Smith, 514 Franklin Avenue, to speak regarding the reintroduction of the trolley. **Moved by Hensley to receive and file comments. Motion Carried 7-0.**

**\*\*Council considered Item 63 and 64 next\*\***

## HEARINGS (OPEN AT 5:17 P.M.) (ITEMS 54 THRU 62)

- [08-514](#) 54. **On** 2007 HUD Consolidated Annual Performance and Evaluation Report (CAPER). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-515](#) 55. **On** vacation of parkland at the former Science Center Site and lease of the building to The Academy. ([Council Communication No. 08-157](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Meyer.**
- [08-516](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Meyer.**
- [08-517](#) (B) Final consideration of ordinance above. **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, [#14,751](#). Motion Carried 6-1. Absent: Meyer.**

- [08-518](#) 56. **On** amendments to Des Moines Municipal Code Chapter 82 (Site Plan Ordinance) regarding site plan design guidelines for gas stations and convenience stores and Chapter 134 (Zoning Ordinance) regarding zoning and site plan review regulations for gas stations and convenience stores. **Moved by Kiernan to refer to City Manager to place this item on a workshop agenda for discussion and to have second consideration of the ordinances after that workshop. Motion Carried 7-0.**
- [08-519](#) (A) **First** consideration of ordinance amending Chapter 82. **Moved by Kiernan that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [08-520](#) (B) **First** consideration of ordinance amending Chapter 134. **Moved by Kiernan that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [08-521](#) 57. **On** conveyance of electric line easement across city-owned property in vicinity of Mattern Avenue and Dixon Street in Guthrie Avenue Business Park to MidAmerican Energy Company, \$1. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-522](#) 58. **On** conveyance of gas pipeline easement across city-owned property south of Easton Boulevard and west of E. 38<sup>th</sup> Street to MidAmerican Energy Company, \$500. ([Council Communication No. 08-162](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1. Absent: Coleman.**
- [08-523](#) 59. **On** conveyance of underground electric line easement across a portion of Martin Luther King Jr. Park to MidAmerican Energy Company, \$1. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-524](#) 60. **On** request from Cornerstone Family Church to approve a PBP (Planned Business Park) Concept Plan for “Cornerstone Family Church” in the vicinity of 4375 SW 63<sup>rd</sup> St. to allow development of 16.3 acres as an office/business park use and a four (4) acre outlots, subject to conditions. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Coleman.**
61. On appeals of the Denial of Certificate of Appropriateness’ for demolition of the following: ([Council Communication No. 08-161](#))
- [08-525](#) (A) **Kingsway** Cathedral, 901 19<sup>th</sup> Street. **Moved by Kiernan to continue the public hearing for an indefinite period, not to exceed six months. If within six months Kingsway Cathedral does not request that a hearing be scheduled on the appeal, then the appeal shall be considered denied. Motion Carried 7-0.**
- [08-526](#) (B) **Two**-story brick building, 900 18<sup>th</sup> Street. **Moved by Kiernan to continue the**

**public hearing for an indefinite period, not to exceed six months. If within six months Kingsway Cathedral does not request that a hearing be scheduled on the appeal, then the appeal shall be considered denied. Motion Carried 7-0.**

[08-527](#) 62. **On** Ingersoll Run Storm Sewer – 34<sup>th</sup> Street to 35<sup>th</sup> Street: Resolution approving plans, specifications, form of contract documents, Engineer’s Estimate and designating lowest responsible bidder as Van Hauen & Associates, Inc. (Mark Van Hauen, CEO/Vice President), \$588,000. ([Council Communication No. 08-170](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Coleman.**

[08-528](#) (A) **Approving** contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Coleman.**

[08-529](#) (B) **Approving** real estate documents for property at 3425 Ingersoll Avenue from Foods, Inc., \$1. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Coleman.**

**\*\*END HEARINGS AT 6:23 P.M.\*\***

**\*\*Council considered Item 49 thru 53 next\*\***

#### **APPROVING**

[08-530](#) 63. **Notice** of Intent to Withdraw from the Regional Workforce Investment Alliance. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Meyer.**

[08-531](#) 64. **Waveland** Trail Phase I recommended trail route. ([Council Communication No. 08-156](#)) **Moved by Hensley to approve. Motion Carried 6-1. Absent: Meyer.**

**\*\*Council considered Board of Health Items next\*\***

65. Items regarding the John and Mary Pappajohn Sculpture Park, in Western Gateway Park:

[08-532](#) (A) **Approving** Schematic Plan. ([Council Communication No. 08-155](#)) **Moved by Hensley to approve. Motion Carried 7-0.**

[08-533](#) (B) **Approving** agreement with Edmondson Art Foundation, Inc., d/b/a Des Moines Art Center, and naming of the Sculpture Park. ([Council Communication No. 08-173](#)) **Moved by Hensley to approve. Motion Carried 7-0.**

[08-534](#) (C) **Approving** Professional Services Agreement with Agrest and Gandelsonas Architects, LLC, \$271,200. ([Council Communication No. 08-172](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

**\*\*Council considered Hearing Items 54 thru 62 next\*\***

**BOARD OF HEALTH**

[08-535](#)

**MOTION TO CONVENE. Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 6-1. Absent: Coleman.**

**AUTHORIZING:**

1. The Legal Department to proceed with court action seeking authority to abate the public nuisance at the following location:

[08-536](#)

(A) [1075](#) 17<sup>th</sup> Street, Titleholder: Floyd M. Loggins. **Moved by Kiernan to adopt. Motion Carried 6-1. Absent: Coleman.**

[08-537](#)

**MOTION TO ADJOURN. Moved by Vlassis to adjourn at 7:59 P.M. Motion Carried 6-1. Absent: Coleman.**

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All-America City  
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