

**COUNCIL ACTION FORM**

**SUBJECT: REPEALING THE WARD AND PRECINCT ASSIGNMENT FOR THE BELITSOS/WOLFE AND CRANE PROPERTIES (TRINITAS).**

**BACKGROUND:**

The City of Ames annexed 35.69 acres in March 2017 at the request of the property owners (Resolution #17-126, 3/07/17) for the Trinitas development, which the Council ultimately did not approve. The annexation was made up of four parcels, two owned by George Belitsos and Peter Wolfe, and two by John Crane. In March 2017, the Council approved an ordinance assigning this newly annexed area to Ward 3, Precinct 4 for election purposes. (Ordinance 4304, 5/23/17)

In February 2018 the Council severed (“de-annexed”) the territory from the City of Ames, per the request of the property owners in the territory, pursuant to Iowa Code section 368.8 and the terms of the Pre-Annexation Agreement. (Resolution 18-070, 2/13/18). **Since this area is no longer part of the City of Ames, it is now necessary to repeal the Ward and Precinct designation for this area.** Because primary elections in Iowa are scheduled for June 5, 2018, and early voting begins May 7, repealing the Ward and Precinct designation has some urgency.

**The attached ordinance deletes the former subsection (9), which assigned the relevant area to a Ward and Precinct for election purposes.**

**ALTERNATIVES:**

1. Approve the ordinance repealing the Ward and Precinct designation for the Belitsos/Wolfe and Crane properties.
2. Refer the item back to staff for additional information and continue consideration of the item to a later date.

**CITY MANAGER’S RECOMMENDED ACTION:**

The area at issue was annexed into the City of Ames, and was subsequently de-annexed. Since the territory is no longer a part of the City of Ames, it should not have a Ward and Precinct designation for election purposes.

**Therefore, it is the recommendation of the City Manager that the City Council act In accordance with Alternative #1, thereby approving the attached ordinance repealing the assignment of a Ward and Precinct for the Belitsos/Wolfe and Crane properties.**

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**DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER**

Prepared by: Mark O. Lambert, City Attorney, 515 Clark Ave., Ames, IA 50010 (515-239-5146)  
Return recorded document to: City Clerk, City of Ames, 515 Clark Avenue, Ames, Iowa 50010

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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTION 6.14(9) THEREOF, FOR THE PURPOSE OF UPDATING WARDS AND PRECINCTS; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.**

**BE IT ENACTED**, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Section 6.14(9) as follows:

**“Sec. 6.14. ANNEXATIONS.**

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“(9) Territory annexed by Resolution #17-126, 03/07/17 (Trinitas) is attached to Ward 3, Precinct 4.”

Section Two. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Three. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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Diane R. Voss, City Clerk

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John A. Haila, Mayor