

REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

NOVEMBER 6, 2008

The regular meeting of the Ames City Council was called to order by Mayor Campbell at 6:30 p.m. on November 6, 2008, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Doll, Larson, Mahayni, Popken, and Rice. *Ex Officio* Member Tracy was also present. Council Member Goodman arrived at 6:47 p.m.

Mayor Campbell noted that the Council would be working from an Amended Agenda. In addition, Item No. 14 pertaining to the amendment to the Dauntless Subdivision Developer's Agreement had been pulled from the Agenda because the signed Agreement still has not been received by the City.

UPDATE ON STATUS OF RICHMOND CENTER: Mayor Campbell advised that the City had received a request for emergency funding from the Richmond Center. She introduced Assistant City Manager Sheila Lundt, who administers the Human Services contracts on behalf of the City. Ms. Lundt stated that the purpose of this item being placed on the City Council's Agenda was to provide an update as to the management agreement for and financial situation of the Richmond Center.

Mayor Campbell noted that, in addition to those present from the Richmond Center and Community & Family Resources, representatives of Story County United Way, the Story County Board of Supervisors, and Mary Greeley Medical Center were in attendance.

The Mayor introduced Harvey Terpstra, President of the Richmond Center Board, who would be presenting information. Mr. Terpstra advised that the Richmond Center has been experiencing significant financial problems over the past two to three years. The budget shortfall has become more apparent as the cash reserves have been depleted. On behalf of its Board, Mr. Terpstra asked for emergency funding from the City of Ames, Story County, Story County United Way, and Mary Greeley Medical Center.

According to Mr. Terpstra, the Richmond Center has begun exploring the possibility of a merger with Community and Family Resources (CFR), which is the local substance abuse treatment center serving Story County and seven adjacent counties. Currently, CFR is providing the Director and management staff for the Richmond Center. Mr. Terpstra explained that the merger might take several months; however, for the merger to be completed, the Richmond Center must be in a relatively sound financial condition. He noted that discussions were started several months ago with the City of Ames, et al, concerning the condition of the Richmond Center. At that time, additional funding was requested, but not approved. Mr. Terpstra stated that the situation has not gotten better, continues to deteriorate, and at this time, he is making a last plea for emergency funding to enable the Richmond Center to remain open to serve its clients and get into a position that would allow for an eventual merger with CFR.

On behalf of the Richmond Board, Mr. Terpstra asked for a total of approximately \$178,000 in emergency funding from the City of Ames, United Way, Story County Board of Supervisors, and Mary Greeley Medical Center. Mr. Terpstra noted that the itemization of the funding was already provided to the City Council and other prospective funders. He stressed that without the receipt of the requested emergency funding, the Richmond Center will have to close within the next 30 days, which will leave its clients in a very difficult situation. Mr. Terpstra acknowledged that the Richmond Center Board now recognizes that it should have acted much earlier. He asked, however, that the four entities not focus on the funding request as an attempt to simply save the Richmond

Center. It was pointed out that the Richmond Center will not exist as a separate entity much longer;

it is already under CFR management, and it hopes to completely merge with CFR in a few months.

Mr. Terpstra asked the four entities to focus on the need for mental health services, particularly for those with limited ability to pay. He emphasized that it would be a very critical situation for many clients if the services suddenly did not exist. Mr. Terpstra advised that the Board's preference would be for the funding to be given in the form of grants, but under certain circumstances, it could consider low-interest or principal-only loans. Those would not be able to be repaid, however, until its financial condition is much more stable. The financial assistance would allow the Richmond Center to stay open and get itself in the position to merge with CFR.

According to Mr. Terpstra, the Board feels that this a merger with CFR is the best plan possible to provide mental health services in Story County at this time. The two agencies share a similar mission of service, and many clients have both mental health and substance abuse issues.

Johnny Hammond, member of the Richmond Center Board, agreed that they are not "trying to save the Richmond Center." She noted that the Center celebrated its 50th anniversary last December; however, they know that it cannot be saved. Ms. Hammond stressed that they want to be able to continue providing mental health services for clients who have nowhere else to go, particularly the Medicaid patients. Ms. Hammond said that the Board believes, once it merges with CFR, its services will be even better. She explained that there is a lot of overlap between mentally ill and substance abuse clients. According to the Board, the following will be the consequences of closing the doors of the Richmond Center:

1. Many clients will go to the Emergency Department of Mary Greeley Medical Center. There will be much greater use of medical providers because the client is hurting and has nowhere else to turn.
2. Some clients will self-medicate, sometimes will use illegal drugs. This will put additional burden on law enforcement personnel.
3. There will be higher transportation costs for the County to get clients to other locations to receive services.
4. There will be many, many clients who will simply not get the services they need and hurt enormously in their homes.

Ms. Hammond indicated that, in preparing for the merger with CFR, the Richmond Center has evaluated some of its services and policies. She specifically named the following steps that have been taken to improve operations:

1. There have been a lot of "no-shows," particularly over the winter months. It was non-productive since staff was being paid; that was very costly. Changes are being made to remedy this issue.
2. The Richmond Center hopes to sell its building and move to a more-cost-effective building.
3. A CPA has been hired to work part-time to more aggressively pursue collections of accounts.
4. The proposed merger will reduce the number of general administrative staff.

Ms. Hammond also stressed that the merger will not occur unless the Richmond Center's financial condition is more stable. She introduced Mindie Druery, CFO of CFR, who was present to answer financial questions.

Susan Greulich, Community Representative for the Richmond Center, advised that she was a former client of the Richmond Center and is now well enough to advocate for her peers. According to Ms. Greulich, one in four people will be diagnosed with a mental illness in his or her lifetime. She pleaded for assistance to be given so that the Richmond Center will be allowed to continue its services.

Mindie Druery pointed out that information had already been provided as to what the emergency funds would be used for and what the long-term financial situation could look like after a merger with CFR. She explained that it would take a lot of time to go over each item in detail and volunteered to answer questions over the material.

Mayor Campbell requested to hear from the other three entities being asked to provide emergency funding. She noted that no action would be taken on the request at this meeting, but information would be provided to assist each entity in making a decision regarding emergency funding.

Jane Halliburton, representing the Story County Board of Supervisors, advised that she also serves on the State Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission, which has the responsibility of accreditation for all service-providers. She advised that the situation that is occurring with the Richmond Center is not unique; it is being played-out across the state of Iowa. The Commission sees amended managed care plans month after month as the waiting lists grow. Ms. Halliburton cited two major reasons for these financial challenges: (1) The Medicaid reimbursement rate for these services in the state of Iowa is among the very lowest in the nation, and (2) The recruiting of psychiatrists is especially challenging for the state of Iowa, due in part, to the low Medicaid reimbursement rate.

Ms. Halliburton emphasized that a Continuity of Services Plan must be developed for the Richmond Center/CFR. She noted that this area is also being challenged from outside sources: Trinity Hospital in Fort Dodge closed all of its in-patient psychiatric beds. Many of those patients are coming to Story County to be served, and Story County residents are forced at times to go to other places for services. Ms. Halliburton also strongly encouraged that the discussion on mental health services be broadened to include neighboring counties and Iowa State University, whose students comprise a significant portion of the area's population. She stated that she understands the importance of timeliness regarding this issue, but believes that it is very important to broaden the discussion. Ms. Halliburton pointed out that the state of Iowa has laws, which have recently gone into effect, that deal with crisis situations; it is not known whether those would apply to the Richmond Center's situation. Ms. Halliburton advised that the Story County Board of Supervisors has not met on the Richmond Center's request for funding; however, it will be a topic on the Board's upcoming Agenda.

Brian Dieter, Chief Executive Officer for Mary Greeley Medical Center (MGMC), advised that the hospital's role in providing mental health "safety net" services has grown significantly, well beyond its normal geographic reach. Mary Greeley definitely feels the impact of the shortage of beds in Des Moines and the closure of the in-patient facility in Fort Dodge. Mr. Dieter stated that MGMC has not yet considered the Richmond Center's request for funding; however, he anticipates that it will receive full consideration at the Mary Greeley Board of Trustees' meeting to be held later this month. According to Mr. Dieter, the hospital does recognize that stabilized community mental

health services are an extension of its natural services, and it is very interested in helping shape, as well as support, a long-term plan. Mental health services in the state of Iowa, as a system, are failing its citizens. Mr. Dieter stated that the hospital is open 24 hours/day seven days/week and sees the ramifications of shortfalls in service and gaps in coverage on a daily basis in its Emergency Department. He does not see this as solely a Richmond Center issue; it is the failure of society to take care of people who need help the most.

Rick Hugdahl, President of United Way of Story County, advised that over 1,200 Story County residents will be affected if the Richmond Center closes. The United Way Board of Directors will meet later this month, and the recommendation will be to assist with the funding request if the other three entities will also approve support. Mr. Hugdahl noted that mental health was shown to be one of the top three needs in the County according to the Human Needs Study performed a few years ago.

Fran Berger, 2518 Kellogg, Ames, stated that she was the former Director of the Alliance for the Mentally Ill of Central Iowa. She stressed how important services are to residents of this community. There is a shortage of psychiatrists who are willing to serve so many people for such low pay. She noted that the federal government seems to be unwilling to change the pattern of the low rate of Medicaid pay; however, the lack of funding cannot continue.

Johnny Hammond pointed out that four of the five local legislators were present. She and Jane Halliburton voiced their appreciation of the legislators' presence. They were invited because legislative action might be required in the future.

George Belitsos, Executive Director of Youth & Shelter Services (YSS), stated that an offer to buy the Richmond Center had been made. Youth & Shelter Services will act on that offer by February 1, 2009. YSS is currently performing a feasibility study to measure support for the expansion of YSS facilities, which would allow them to better meet the needs of its clients. If YSS is able to act on the offer, it would give the Richmond Center a return on its equity in the property, which would help its financial situation. An appraisal has been made on the property, considering the original cost and improvements made to the building. Due to delayed maintenance of the building, the roof on the Richmond Center building was bad. A new roof has been installed; however, the outside facade is rotting; it, as well as all the windows, need to be replaced. A proposal has been sent to YSS donors, and it will be known by February 1, 2009, if there is support for the purchase of the Richmond Center building.

Marilyn Paplow advised that she has been employed as a Nurse Practitioner at the Richmond Center for the past two years. She said that she has seen the social impact of the clients that it serves and emphasized that the costs of the Richmond Center cannot be evaluated without looking at the long-term costs of not meeting the needs of its clients. Clients include people who have been released from prison, single mothers, and those with drug and/or alcohol addiction. If those persons are not treated, it will cost the County and society much more than treatment. Ms. Paplow stated that mental health care makes a difference. She sees it in the people who are able to return to work and families who were able to be reunited and maintain a healthy family life. Ms. Paplow asked the four entities to reach out to those in need to help them become and stay productive members of society.

Council Member Doll advised that, as a Board Member of CFR, he will be abstaining from this and future discussions and decisions on this topic.

Council Member Popken said that he was concerned about the continuity of service. He asked if it were possible to transfer the Richmond Center services to CFR without a merger. Mr. Popken thought perhaps it would be better to provide for continuity of service by directly funding CFR and allowing the Richmond Center to declare bankruptcy. He added that his highest priority is to find the best way to provide the needed services.

Mindie Druery advised that, long-term, the goal is to merge the two agencies and CFR would then absorb all the services being provided by the Richmond Center. However, short-term, it is not a viable option since CFR is not accredited to provide mental health services. It is necessary to have the time for CFR to go through the accreditation process. If the sale of the building does not take place by February 1, perhaps CFR will be in a position to assume the role as a mental-health provider.

Jim Overland, Chief of the Bureau of Accreditation for the Iowa Department of Human Services, advised that the accreditation services do not happen quickly. He explained the steps necessary for new providers to receive accreditation; it is not transferrable due to a merger. Mr. Overland advised that, currently, there is an abeyance on new community mental health centers coming into existence in Iowa; CFR would have to apply as an "other mental health service provider." The decision is ultimately made by the State Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission. Mr. Overland felt that it would be possible for CFR to be accredited by February 2009.

Council Member Popken asked if the Richmond Center could make it until February if it received the requested emergency funding. Ms. Druery said that she was confident that it could and possibly could make it through July 2009.

Assistant City Manager Lundt advised that the City currently has a contract with the Richmond Center for \$18,000. The City pays for the crisis line and community support services; it does not pay for individual therapy services. If additional funding is approved, services need to be provided in exchange for that funding. The funding has to be provided for a specific purpose at a specific cost. If the City Council wants to make a recommendation on the funding request at this meeting, it would need to be referred to staff to come back for approval at its November 25, 2008, meeting. By that time, the audit should be concluded, the amount of outstanding debt known, and the decisions from the other entities would be known.

Council Member Mahayni said that the basic premise is that the community cannot afford not to have this service. He said that he realizes the importance of economics, but "human life is worth much more than the dollar." Mr. Mahayni emphasized that regional answers need to be given to this dilemma. The issue now, however, is to make sure that the short-range problem is addressed before the end of November 2008.

Moved by Mahayni, seconded by Popken, to direct staff to indicate the best way to handle the immediate crisis in terms of the end-of-the-month deadline, and to devise a process or a strategy to deal with the long-range issues with the providers and the funders.

Mayor Campbell clarified that this would be done in conjunction with the other funders.

Council Member Rice indicated that he was concerned that Story County and Mary Greeley representatives had indicated that this would not be discussed until after the beginning of November.

He wants to make sure that the Richmond Center is not inhibited by Board meetings occurring so late in terms of the end-of-month deadlines.

Mindie Druery indicated concerns over that action. They need to set a date for closing the Richmond Center and do not want to find out late in the month that there is no funding and they have to shut down on the 30th. It is necessary to be able to notify the affected clients.

Deb Schildroth, Story County Community Services, indicated that Story County is under funding regulations similar to those of the City. She said that the services provided need to be clearly documented. The County has to ensure that it is not duplicating services paid for by Medicaid. Ms. Schildroth explained the disparity between what Story County pays for services and what Medicaid pays. Story County pays approximately double what Medicaid pays; however, Medicaid is not going to raise its payment. Ms. Schildroth agreed that services must be provided locally.

Vote on Motion: 5-0-1. Voting aye: Goodman, Larson, Mahayni, Popken, Rice. Voting nay: None. Abstaining: Doll. Motion declared carried.

The meeting recessed at 7:30 p.m. and reconvened at 7:40 p.m.

PROCLAMATION FOR NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK: Mayor Campbell proclaimed November 16 - 22, 2008, as National Hunger and Homelessness Awareness Week. Accepting the Proclamation were representatives of ACCESS, Bethesda Lutheran Church, Emergency Residence Project, First United Methodist Church, Good Neighbor, Mid-Iowa Community Action, The Help Center, and Youth & Shelter Services.

Steffani Zimbric, Board Member for the Iowa Council on Homelessness, thanked the City of Ames and local homeless service providers.

Gary Dodge, Director of Community Investment for the Federal Home Loan Bank of Des Moines, donated \$1,000 to the City of Ames to kick off its "Skip a Meal" event during the National Hunger and Homelessness Awareness Week, which will occur on November 19 from 11:30 a.m. to 1:30 p.m. in front of City Hall. He stated that Vanessa Baker Latimer is one of the members of its Affordable Housing Advisory Council and had recommended to the Bank that the "Skip a Meal" event would be a worthy cause to receive kick-off funds. In addition to the City of Ames, Ms. Baker Latimer named KASI, the Advertiser, Cub Foods, HyVee, Alpha Copies, and Iowa State Recreation Services as sponsors. She also introduced Eric Lindquist from Iowa State Athletics and the "Delta (Academy) Gems," who will be promoting and fund-raising for this event. The City Council members will also be present on November 19 to "Scoop a Soup."

PRESENTATION OF NEIGHBORHOOD IMPROVEMENT PROJECT IN SOMERSET NEIGHBORHOOD: Tammy Stegman, neighborhood representative, said that this project started with an idea shared at the neighborhood book club meeting and blossomed into a huge project. Jennifer Peterson, Grant Coordinator, gave a presentation on the Somerset Neighborhood playground project in "Triangle Park." The park area has now been named "Landon's Lawn" in memory of Landon Bentley, who passed away in January 2008 from Sudden Infant Death Syndrome. Landon's parents, Laura and Jeff Bentley, had initially wanted to donate a slide to a neighborhood park, and it turned into over 100 neighbors, area business owners, and Somerset developers providing over 700 hours of labor, materials, and financial contributions to build an entire playground in Landon's memory. Ms. Peterson expressed her thanks for the overwhelming support for this project. She stated that the playground build occurred on October 11, 2008.

PRESENTATION OF AWARD NAMING AMES AS THE “TOURISM COMMUNITY OF THE YEAR”: John McCarroll, Board Member for the Ames Convention & Visitors Bureau (ACVB), stated that the Iowa Tourism Conference recently met in Sioux City. At that Conference, Ames received the top award for communities over 10,000 in population; it was named the “Iowa Tourism Community of the Year.” Mr. McCarroll advised that tourism in Iowa represented a \$6.3 billion business last year. The plaque was presented to Mayor Campbell, who accepted it on behalf of the City of Ames.

Julie Weeks, Director of the ACVB, listed many events that had been held in the City during 2008. She recognized the extra duties that are necessary to be done well in order to make the events successful and thanked City staff members for their hard work and support.

CONSENT AGENDA: Moved by Rice, seconded by Doll, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
 2. Motion approving minutes of Regular Meeting of October 28, 2008, and Special Meeting of October 31, 2008
 3. Motion approving change in Regular Meeting date to December 16 from December 23, 2008, and setting Special Meeting for January 6, 2009
 4. Motion approving Report of Contract Change Orders for October 15-31, 2008
 5. Motion approving renewal of the following liquor licenses, beer permits & wine permits:
 - a. Class C Liquor - Legends American Grill, 119 Stanton Avenue, Ste. 700
 - b. Class C Beer & B Wine - Wheatsfield Grocery, 413 Douglas Avenue
 - c. Class C Beer - Southgate Expresse, 110 Airport Road
 - d. Class B Native Wine - Kitchen, Bath & Home, 201 Main Street
 - e. Class B Liquor - Country Inn & Suites, 2605 S.E. 16th Street
 - f. Class E Liquor, B Wine, and C Beer - Hy-Vee Wine & Spirits, 3615 Lincoln Way
 6. RESOLUTION NO. 08-479 approving Severe Weather Relief Program Agreement in conjunction with the 2008 Jumpstart Iowa Flood Program
 7. RESOLUTION NO. 08-480 approving amendment to the Human Services agreement with Good Neighbor
 8. RESOLUTION NO. 08-481 approving amendment to Agreement with A Mid-Iowa Organizing Strategy (AMOS) pertaining to reallocation of funding
 9. RESOLUTION NO. 08-482 approving preliminary plans and specifications for 2006/07 Annual Residential Street Low Point Drainage Improvements (Stanton Avenue/Chamberlain Street); setting December 3, 2008, as bid due date and December 9, 2008, as date of public hearing
 10. RESOLUTION NO. 08-483 accepting final completion of 2006/07 and 2007/08 Asphalt Resurfacing and Seal Coat Removal/Asphalt Reconstruction Programs
- Roll Call Vote: 6-0. Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

PUBLIC FORUM: No one spoke during this time.

ENCROACHMENT PERMIT FOR SIGN AT CYCLE TECH: Moved by Mahayni, seconded by Larson, to approve an Encroachment Permit for a sign at CycleTech, 126 Elm Avenue.
Vote on Motion: 6-0. Motion declared carried unanimously.

ISU BASKETBALL PRACTICE FACILITY: This item was pulled from the Agenda.

CONTINUATION OF HEARING ON AMENDMENTS TO MAJOR SITE DEVELOPMENT

PLAN (MSDP) TO SOMERSET SUBDIVISION: Steve Osguthorpe, Planning and Housing Director, noted that the hearing was initially opened on October 14, 2008, was continued to October 28, and continued again to this meeting. He clarified that the reason for the continuation of the hearing was to allow for the adoption of the ordinance pertaining to row houses prior to action being taken on this item. Mr. Osguthorpe advised that multiple revisions had been requested to the approved MSDP for Somerset Subdivision. The proposed revisions were detailed by Director Osguthorpe.

According to Mr. Osguthorpe, the Planning & Zoning Commission, at its meeting of October 1, 2008, had recommended approval of the proposed revisions to the overall dimensions of lots in Phase 22 of the Somerset Subdivision, with a number of stipulations. He advised that the revised Preliminary Plat making the requested changes had been received by staff, and staff is now recommending that it be approved by the City Council.

Council Member Popken asked how the location of the gas line affected the configuration of the lots. Mr. Osguthorpe stated that there are still the same number of lots; some were made larger and others were made smaller.

Moved by Mahayni, seconded by Larson, to pass on third reading and adopt ORDINANCE NO. 3972 making a zoning text amendment to Municipal Code Table 29.1201(6) to state that “row houses” in combination with “side-yard houses” will be considered to be one land use type for the purpose of calculating required minimum residential land use allocation in Village Residential projects. Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Mahayni, seconded by Larson, to adopt RESOLUTION NO. 08-485 approving an amendment to the Major Site Development Plan/Preliminary Plat for Somerset Subdivision. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

IN-TOWN 161/69-kV TRANSMISSION LINE CONSTRUCTION: Lyndon Cook, Electrical Engineering Manager, stated that this project is for the construction of a 161k-V transmission line from the Stange Road substation to the Ames Power Plant substation. The continuation of this portion of the tie line project has value to the City even with delay in the southbound portion of the line. By constructing this “in-town” section of transmission line, Ames will still be limited to only the outside 161-kV tie line to CIPCO for importing larger amounts of power, but will be able to utilize its second 161-kV/69-kV transformer at the Ames Plant substation as an alternate path to this source. This provides valuable redundancy for system reliability should either transformer fail or need to be removed from service for inspection or maintenance purposes. This redundancy is particularly important during summer months when peak power usage is an issue. Also, the construction of this line at this time will also permit the use of existing materials purchased under prior contracts, which are in storage and should be placed in service soon.

Council Member Larson asked Mr. Cook to address disruptions to service that might occur. Mr. Cook stated that the contractor will be leaving some of the work to be done by the City of Ames, so that the City can perform the work at certain times so as to create the least amount of disruption. Some of the work will be done during the winter months.

Moved by Larson, seconded by Mahayni, to adopt RESOLUTION NO. 08-486 approving preliminary plans and specifications for In-Town 161/69-kV Transmission Line Construction (Stange Road Substation to Ames Plant); setting December 10, 2008, as bid due date and December 16, 2008,

as date of public hearing.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

COAL AND COAL DELIVERY SERVICES: Assistant Electric Services Director Brian Trower stated that Requests for Proposals for Coal Supply, Movement, and Delivery were issued to five coal companies and three coal movement and delivery services. As a result, four proposals for coal supply and two proposals for coal movement/delivery services were received. Mr. Trower reported that proposals for coal are still being evaluated and will be brought before the City Council at a later date.

Mr. Trower advised that the City's current coal contract/delivery contract expires on December 31, 2009. With the recent volatility in the various commodity markets, staff feels that it would be to the City's advantage to lock down coal purchase terms and the necessary handling and delivery services well in advance of that date. The company being recommended came in with pricing valid for five years, which is significant. The two entities submitting proposals for coal movement and delivery services were named as Alliant Energy - Williams Bulk Transfer (AE-WBT) and Central Iowa Terminal (CIT). The positives and negatives of each proposal were reviewed. In analyzing the two proposals, staff believes that the one submitted by Central Iowa Terminal offers significant cost savings as compared to the other delivery proposal, the security of a five-year proposal versus a one-year proposal, and a safety reserve due to the storage capability of 30,000 tons within nine miles of the City's Power Plant. The safety reserve would allow the Power Plant to reduce its stockpile size, which will result in improved local dust control.

Mr. Trower explained that the unloading/storage facility is in the permitting stage and construction has not commenced. He further advised that CIT has established a contingency plan to provide for uninterrupted delivery of coal to the Power Plant should CIT's terminal not be operational by January 1, 2010.

Chris Lloyd, resident of Nevada, Iowa, advised that she lives one and one-half mile south from the proposed facility. She stated that she and her neighbors in Nevada did not learn of this until last Saturday. Ms. Lloyd said that what they have been told is that this project is in its infancy.

Council Member Rice asked to know what other customers plan to use the proposed facility. Mr. Trower said that he understands CIT had purchased a 160-acre parcel with 13 acres for coal storage. According to Mr. Trower, the company has other customers; none were specifically named.

Council Member Goodman asked if this is a realistic project. Mr. Trower advised that the company seems very solid, and the credit crisis is not impacting them.

Moved by Mahayni, seconded by Rice, to direct Electric Services staff to engage with Central Iowa Terminal to negotiate and develop contract agreement for coal delivery services.

Vote on Motion: 6-0. Motion declared carried unanimously.

ORDINANCE PERTAINING TO REMOVAL OF MEMBERS OF THE LIBRARY BOARD OF TRUSTEES: Moved by Mahayni, seconded by Rice, to pass on second reading an ordinance pertaining to removal of members of the Library Board of Trustees.

Roll Call Vote: 6-0. Motion declared carried unanimously.

ORDINANCE PROVIDING FOR CONTRACTS WITH OTHER LIBRARIES AND POLITICAL

SUBDIVISIONS FOR THE LENDING OF BOOKS AND MATERIALS: Moved by Mahayni, seconded by Popken, to pass on second reading an ordinance providing for contracts with other libraries and political subdivisions for the lending of books and materials.
Roll Call Vote: 6-0. Motion declared carried unanimously.

ORDINANCE AMENDING SECTION 29.406 TO CLARIFY THE EXISTING FRONT-YARD PARKING PROHIBITION IN RESIDENTIAL ZONES: Moved by Rice, seconded by Goodman, to pass on second passage an ordinance amending Section 29.406 to clarify the existing front-yard parking prohibition in residential zones.
Roll Call Vote: 6-0. Motion declared carried unanimously.

ORDINANCE AMENDING SECTION 18.15 PERTAINING TO FRONT-YARD PARKING: Moved by Doll, seconded by Rice, to pass on second passage an ordinance amending Section 18.15 pertaining to front-yard parking.
Roll Call Vote: 6-0. Motion declared carried unanimously.

ORDINANCE PERTAINING TO SALES AND SERVICING OF MOTORIZED BICYCLES IN COMMERCIAL ZONING DISTRICTS: Moved by Doll, seconded by Mahayni, to pass on third reading and adopt ORDINANCE NO. 3971 making a zoning text amendment to Municipal Code Section 29.201 and Table 29.501(4)-3 to include sales and servicing of motorized bicycles as a permitted use in all commercial zoning districts.
Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

ORDINANCE ALLOWING SIGNS/BANNERS TO BE POSTED ON FENCES OF SOFTBALL/BASEBALL DIAMONDS IN THE GOVERNMENT/AIRPORT (S-GA) DISTRICT: Moved by Rice, seconded by Popken, to pass on third reading and adopt ORDINANCE NO. 3973 allowing signs/banners to be posted on fences of softball/baseball diamonds in the Government/Airport (S-GA) District.
Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

COMMENTS: Moved by Popken, seconded by Doll, to direct staff to prepare a memo to the Council regarding progress on the “quiet zones” and the Bloomington Road crossing.
Vote on Motion: 6-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Doll, seconded by Goodman, to adjourn the meeting at 8:40 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor