

## MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JANUARY 10, 2012

The Regular Meeting of the Ames City Council was called to order by Mayor Campbell at 7:00 p.m. on January 10, 2012, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Davis, Goodman, Larson, Orazem, Szopinski, and Wacha. *Ex officio* Member Finseth was also present.

**CONSENT AGENDA:** Mayor Campbell advised that this afternoon, the City Clerk's Office had been notified by the owner of Coe's Floral and Gifts that he had decided not to renew the Class B Native Wine Permit for his business located at 2619 Northridge Parkway. Therefore, Item 5d was pulled from the Agenda.

The Mayor announced that Council Member Larson will serve as Mayor Pro-Tem for 2012.

Moved by Davis, seconded by Wacha, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
  2. Motion approving Minutes of Regular Meeting of December 20, 2011
  3. Motion approving Contract Change Orders for December 16-31, 2011
  4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
    - a. Special Class C Liquor – Vesuvius Wood-Fired Pizza, 1620 South Kellogg Avenue
    - b. Class C Liquor – Café Beau, 2504 Lincoln Way
    - c. Class A Liquor – American Legion Ames Post #37, 225 Main Street
    - d. Special Class C Liquor – Shogun Japanese Steakhouse, 3704 Lincoln Way
    - e. Class C Beer – Casey's General Store #2560, 3020 South Duff Avenue
  5. RESOLUTION NO. 12-001 approving application for procurement card for Council Member Victoria Szopinski and setting transaction limits
  6. RESOLUTION NO. 12-002 approving appointment of Council Member Victoria Szopinski to Ames Convention and Visitors Bureau Board of Directors
  7. RESOLUTION NO. 12-003 approving preliminary plans and specifications for 2011/12 Resource Recovery System Improvements (New Scale Platform); setting February 1, 2012, for bid due date and February 14, 2012, as date of public hearing
  8. RESOLUTION NO. 12-004 approving Change Order Nos. 1 - 4 for 2009/10 Arterial Street Pavement Improvements (13<sup>th</sup> Street)
  9. RESOLUTION NO. 12-005 accepting final completion of 2009/10 and 2010/11 Asphalt Pavement Improvements Program (Northwood)
  10. RESOLUTION NO. 12-006 accepting final completion of 2011/12 Water System Improvements (Graeber/Hughes)
  11. RESOLUTION NO. 12-007 accepting final completion of WPC Facility Methane Engine Generator Rehabilitation
  12. RESOLUTION NO. 12-008 approving Plat of Survey for property on 190<sup>th</sup> Street - Section 22-84-24 (Quarry Estates)
- 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.

**HEARING ON ADAPTIVE REUSE FOR 2501 AND 2801 GRAND AVENUE AND 2801 FERNDALE AVENUE/MAJOR SITE DEVELOPMENT PLAN FOR NORTH GRAND MALL:** City Manager Schainker noted that, on September 13, 2011, when discussing the

proposed Adaptive Reuse Agreement, the City Council directed that he negotiate a date that was acceptable to the owner that would trigger the calling of the Performance Bond and revert back to the original requirement of the reconfiguration of Lot 2 if it were not met. Mr. Schainker reported that he had met with Greg Kveton, who represented G. K. Development, on several occasions. According to City Manager Schainker, after their most-recent meeting, Mr. Kveton indicated that he was willing to agree to allow the City to examine and evaluate, by September 1, 2012, copies of (1) signed leases with two new tenants in “Retail A” and “Retail D,” and (2) a financial investment in the form of a loan commitment in the amount not less than \$8,000,000. As requested by the Council, the Supplemental Agreement included a performance deadline for specific desired actions on the part of the owner and a reversion provision that allows the City to revoke the amended Adaptive Reuse Site Plan and other permits or approvals related to the site plan. Because of those provisions, the existing Performance Bond would be maintained until the required actions were accomplished. If they were not, the Performance Bond would be called by the City and the proceeds used to reconfigure the parking on Lot 2 in accordance with the existing Adaptive Reuse Plan. Mr. Schainker reported the Remote Parking Agreement had been signed by G. K. Development.

City Manager Schainker advised the options available to the City Council: the City Council could approve the Supplemental Agreement or decide not to approve the Supplemental Agreement and send the matter back to City staff with further direction concerning what modifications to the proposed agreement were needed before it could be supported. According to Mr. Schainker, the City Council must decide if the provisions of the proposed Agreement related to [1] the actions that need to be performed (signed leases/construction loan commitment) and [2] the deadline to perform those actions (September 1, 2012) went far enough to provide the desired level of protection.

Mayor Campbell opened the public hearing.

Greg Kveton, G. K. Development, Barrington, Illinois, said that the two anchor tenants are not allowing Mr. Kveton to announce their names at this point. He advised, however, that the anchor that will be housed in the former Sears building (“Retail D”) had signed the lease and is ready to begin re-construction of the space. According to Mr. Kveton, “Retail A” is moving forward with the deal and is in negotiations with G. K. Development. It is anticipated that the lease will be signed within the next 30 days or sooner. According to Mr. Kveton, “Retail A” will be a ground lease, which means that the retailer leases the building pad and constructs its own building. Before it will commit to the lease, all zoning regulations must be in place. He also stated that “Retail D” is contingent on “Retail A” opening on the site. Mr. Kveton said that the developer has to demolish buildings, which will cost approximately \$500,000, and get plans approved before it closes on the construction loan. The lender will not close on the loan unless there are signed leases with the two anchor tenants, the rezoning has been approved, the site plan has been approved, all equity for the project is in place, and all the title clearances have been satisfied.

Noting that the community wants something to happen at North Grand Mall, Council Member Larson asked why September 1, 2012, was selected as the date to provide the leases to the City Council. Mr. Kveton said that date was chosen to give them “room should something delay the leases.” He noted that he is very hopeful and fairly confident that the leases will be signed possibly before the end of the month. Mr. Kveton reported that the construction financing has to occur no later than March 2012; construction is scheduled to begin on the site by April 2012.

At this time, “Retail D” plans to open in the fall of 2012. That tenant has the option, but not the obligation, to open in Fall 2012. Mr. Larson said he had concerns about waiting until September; he preferred to see the leases by May 2012. Mr. Kveton reported that the pad must be turned over to “Retail A” by August 2012; however, the lease has not yet been finalized.

Council Member Goodman asked if there could be two dates; the lease for “Retail D” could be provided prior to September 2012 and the lease for “Retail A” could be provided by September 2012. Mr. Kveton informed the Council that the retailers have the right to decide when they will open; although G. K. Development would like to collect rent on the space as soon as possible, that date is not up to G. K. Development. Delays occur sometimes, and the developer wants to allow for that.

Council Member Davis asked how long after the leases are executed would the developer notify the City. Mr. Kveton said it would be a few days to a week. He reported that it is crucial to the lenders that the zoning contingency be eliminated; the key element is that the rezoning be in place so the loan can close.

Council Member Orazem said that he was not in favor of challenging the dates. He believes that the developer has incentives to act as quickly as possible; therefore, he is fine with the proposed September 2012 date.

Adaptive Reuse Plan/Major Site Development Plan. Planner Charlie Kuester noted that, in 2007, the City Council approved an Adaptive Reuse Plan for North Grand Mall; that approval was for the entire mall site from 24<sup>th</sup> Street to 30<sup>th</sup> Street, including a small parcel on the west side of Ferndale Avenue west of the mall. Since that site plan had been approved, only the Walgreens store had been built, the KFC restaurant had been demolished, and the Wells Fargo and Furman buildings are now vacant. Mr. Kuester advised that the owners (Grand Center Partners and North Grand Mall Partners) are now requesting changes to the Adaptive Reuse Plan in response to the changing economic environment since 2007 and to meet the space needs of their new potential tenants. The Sears building and buildings south of that will be demolished as will the Wells Fargo and Furman buildings. The owner proposes to renovate the former Sears store, build new retail space, improve landscaping, and change traffic flow into and within the site. Mr. Kuester described the proposed site development in more detail. He noted that the proposed revisions to the Adaptive Reuse Plan include a new entrance along the west edge of the mall property. It consists of two exit lanes that allow for left and right turns onto 24<sup>th</sup> Street and a single entry lane; that is intended to be the main entrance off of 24<sup>th</sup> Street for the new retail spaces.

Mr. Kuester advised that two restaurant sites were proposed for which no specific building footprint had been submitted. The “Restaurant F” site sits within the mall parking area in Lot 2 and is set back 50 feet from property lines. The “Restaurant G” site sits on a grassy area where the former KFC building was located on Lot 1. The mall owner intends to market these sites for tenants and then build to suit.

Pertaining to landscaping, Mr. Kuester advised that, as part of the Adaptive Reuse Plan that was approved in 2007, landscaping along the perimeter of the site was to increase and include some site landscaping in the adjacent rights-of-way. He reported that the Adaptive Reuse provisions of the *Code* allow discretion by the City Council in meeting the development standards of the Zoning Ordinance. In 2007, the City Council waived some of the interior landscaping in return for increased perimeter landscaping in the rights-of-way and more color and texture in the

pavement design. On September 13, 2011, the Council allowed lesser landscaping; however, it was not explicit in its discussion on what level of landscaping would be appropriate for Lot 2. The landscaping plan that was recently submitted includes both Lots 1 and 2. The landscaping shown on Lot 1 is consistent with the plan presented to the City Council on September 13, 2011. On Lot 2, the plan is similar to Lot 1 on the east side along Grand Avenue; however, on the west side, there are no additional landscaping features. According to Mr. Kuester, it remains consistent with the original landscape plan of 1970, which is a reduction from what was approved in the 2007 plan.

Also according to Mr. Kuester, the City Council has the authority to decide that the landscaping shown on the submitted site plan was adequate under the provisions of the Adaptive Reuse standards or to require a greater or lesser degree of landscaping. The specific waivers being requested by the owners were explained by Mr. Kuester, as follows:

1. Waiver of minimum building setback requirement. The proposed “Retail E” does not meet the required 50-foot setback from the public right-of-way.
2. Waiver of landscaping in setbacks abutting a residentially zoned lot requirement. The area abutting the apartment building on 24<sup>th</sup> Street is screened with shrubs and trees, but is only 12 feet in width, not the required 20 feet. The applicant proposes to install a six-foot wooden fence at the property line in addition to the six-foot shrubs.
3. Waiver of minimum landscape area requirement. The zoning standards require a 15% minimum landscape area on the development. Currently, the entire site comprises 4.42% of landscaping. The proposed site plan increases the landscaping area to 6.99%, which is a 58% increase in what is there now.

Planner Kuester noted that, since the site is a redeveloped site, non-conformities are not required to be brought up to current standards unless they are removed entirely. In this case, much of the parking lot will remain.

4. Waiver of setback and perimeter landscaping requirements. Standards require shrubs to be spaced four feet apart between the trees. The spacing shown on the proposed site plan indicates that shrubs will be spaced eight to ten feet apart. Also, shrubs are shown only along the south, east, and a portion of the north property lines.

According to Mr. Kuester, what is shown is consistent with what the City Council saw in September 2011, to which it gave tacit approval.

5. Waiver of surface parking area interior landscaping requirements. Parking lots of the size of this redevelopment require a 9'x16' landscape island for every 20 interior parking spaces and a 15-foot-wide landscaped median for every three contiguous double-loaded drive aisles. The owner proposes landscaped islands at each end of the parking rows.

It was pointed out by Mr. Kuester that, if the owner were to install all the required islands and medians, it would reduce the available parking to below the tenants’ needs or City requirements.

6. Waiver of surface parking lot landscape plan requirements. Parking areas of more than 16 spaces must have landscaped areas equal to ten percent of the parking lot surface area within and surrounding the parking lot. The total area of the parking area is 868,482 square feet, requiring 86,948 square feet of landscaping within or adjacent to the parking area. The total landscaping on Lots 1 and 2 is 78,890 square feet.
7. Waiver of driveway widths. One driveway on Ferndale Avenue exceeds the maximum followed by the Statewide Urban Design and Specifications (SUDAS) Manual. In this instance, the applicant has provided turning movement information that supports the need for the 52-foot driveway to accommodate the expected 67-foot wheelbase semi-trailer trucks that will serve the retail space.

According to Mr. Kuester, the City Traffic Engineer supports the proposed waiver.

Planner Kuester advised that the Adaptive Reuse/Major Site Development Plan reflects the existing lots that were created in 2007 as the Streets of North Grand Subdivision; however, the owner has indicated that, at some future time, "Retail A" will want to be on its own separately platted lot. Platting will be needed by the tenant of "Retail A" for leasing and tax purposes, which will require the submittal of a subdivision plat for review and action by the City Council.

Upon being questioned by Council Member Larson, Mr. Kuester stated that screening of mechanical units will be necessary.

Mr. Kuester advised that staff had received all required submittals needed to approve development for "Retail A, B, C, and D."

Council Member Larson asked staff to look at the "fence" in front of Walgreen's on the west side of Grand where there is a drop-off down to the parking lot. He had gotten a call from a constituent alleging that the fence was not safe and is disrepair. Mr. Larson had gone to the site and verified that the fence appeared to be unsafe. Mr. Kuester said that he believed that fence belonged to Walgreens, but had been built on City right-of-way. He will follow up on the concern.

There being no one else wishing to speak, the Mayor closed the hearing.

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 12-009 approving the Supplemental Development Agreement for Streets of North Grand Subdivision.

Although he said he would not be voting against approving the Agreement, Council Member Larson stated that he disagreed with Council Member Orazem suggesting that there would be no ramifications to leaving the date as September 2012 for identifying the lessees. The developer has incentives to get the project accomplished as soon as possible; however, the proposed tenants can opt to delay.

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

Moved by Goodman, seconded by Larson, to adopt RESOLUTION NO. 12-010 approving the Adaptive Reuse/Major Site Development Plan for North Grand Mall, with the specific waivers requested, with the following conditions:

1. That a Remote Parking Agreement be submitted and approved by the City Council allowing the excess parking spaces on Lot 1 to make up the deficit on Lot 2;
2. That approval of the Adaptive Reuse/Major Site Development Plan be subject to approval of a Supplemental Development Agreement pertaining to the Streets of North Grand Subdivision by the City and the owner;
3. That the Agreement for the 45-foot access easement be submitted for review by the City prior to seeking authorization for “Alternative A” for “Retail E.” (If not submitted for review, the “Retail E” layout as shown on Sheet C3.0 is approved);
4. That the entire area of all landscaped traffic islands be excavated to a depth one foot below the bottom of the root ball of the proposed trees and that clean soil be installed; which also includes the explicit authorization of the City Council to allow the Planning and Housing Director to approve the development of “Retail E” and “Restaurant F” upon review and submittal of a Minor Site Development Plan that meets the following conditions:
  - a. The Minor Site Development Plan for “Retail E” must be consistent with the approved Adaptive Reuse Plan for North Grand Mall and comply with the specific waivers granted.
  - b. The Minor Site Development Plan for “Retail E” must include elevation drawings that indicate that the finish materials and architectural features are consistent on all four sides of the structure. Window and door patterns (or equivalent design features) will also need to be carried around the building in a manner that ensures the design of the rear of the structure is appropriate for such a prominent public exposure.
  - c. The Minor Site Development Plan for “Restaurant F” must be consistent with the approved Adaptive Reuse Plan for North Grand Mall and comply with the specific waivers granted.
  - d. The Minor Site Development Plan for “Restaurants F” and “G” must not allow for a deficit of parking to occur on Lots 1 and 2 combined.
  - e. The Minor Site Development Plan for “Restaurant F” must contain a minimum of 960 square feet of landscape. This is equivalent to a three-foot border of landscaping around the proposed building although this landscaping can be placed anywhere within the 0.45 -acre “Restaurant F” site.

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

Moved by Davis, seconded by Larson, to adopt RESOLUTION NO. 12-011 approving the Remote Parking Agreement.

Council Member Goodman stated that he was particularly pleased that the City was creating some flexibility to re-use existing space.

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

**HEARING ON ULTRAVIOLET DISINFECTION EQUIPMENT FOR WATER POLLUTION CONTROL FACILITY:** The public hearing was opened by the Mayor. She closed same after no one came forward to speak.

Moved by Davis, seconded by Goodman, to adopt RESOLUTION NO. 12-012 approving final plans and specifications and awarding contract to Trojan Technologies of London, Ontario, Canada, in the amount of \$371,800.00.

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

**HEARING ON NATIONAL CENTERS FOR ANIMAL HEALTH (NCAH) PUMP STATION AND WASTEWATER METERING FACILITIES IMPROVEMENTS:** The Mayor opened the public hearing. No one asked to speak, and the hearing was closed.

Moved by Wacha, seconded by Goodman, to accept the bid.

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

**REQUEST FOR LAND USE POLICY PLAN (LUPP) MAP CHANGE FOR 516 SOUTH 17<sup>TH</sup> STREET:** City Manager Schainker noted that staff had been directed by the City Council to provide a report with background information and history on the area and the reason for the request; that report had been prepared and provided to the Council. Mr. Schainker explained that if the City Council wished additional action on this request, it needed to provide that direction to staff. He further informed the Council that it needed to decide whether or not to authorize a formal application of a Land Use Policy Plan Map Amendment. He cautioned that Council should not deliberate on the merits of a Map Amendment at this time; that action would occur at a later date should the matter be referred.

Council Member Orazem asked if there had been any increase in traffic in this area. Mr. Schainker advised that, due to the density of apartments in the area, CyRide had increased the number of buses routed to the area. Council Member Wacha, who serves as the City Council representative to Transit Board, noted that the route frequency was the same; however, more buses had been added.

Council Member Goodman said that he understood the frustration of the owner in that the land does not provide access to any arterial. Mr. Larson noted that he preferred not to remove the Highway-Oriented Commercial uses from the area in question due to the density of residential development; he foresees a need to provide goods and services to the residents.

At the inquiry of Council Member Szopinski, Council Member Davis noted that an email had been received from Warren Madden, Vice-President for Business and Finance at Iowa State University, advising that the current Board of Regents Institutional Road Program had not allocated any funds or included any plan to widen South 16<sup>th</sup> Street, which would be impacted

by higher-density housing in the area in question. It was noted that the institutional road being referenced in the email is to the west of 517 South 17<sup>th</sup> Street.

Mayor Campbell noted that if the Council took no action on the request, it, in effect, was denying the request for a Land Use Policy Plan Map change for this area.

**FEMA HAZARD MITIGATION GRANT PROGRAM:** Municipal Engineer Tracy Warner recalled that, as a follow-up to the 2010 flooding, Public Works staff submitted 11 projects for consideration under FEMA's Hazard Mitigation Grant Program (HMGP). The Iowa Homeland Security and Emergency Management Division (HSEMD) completed its preliminary review of two of the projects, and Clapsaddle-Garber Associates had completed the project application for (1) Waterbury Court and (2) Castlewood Place.

At the inquiry of Council Member Goodman, Ms. Warner acknowledged that waiting for FEMA to make a decision and the process required for that funding has taken a long time. She believed that, if City funds had been allocated, the projects would have been designed and accomplished by this time.

According to Ms. Warner, engineering analyses of the other four flood mitigation projects is continuing with the hope they will be before the Council for approval to submit grant applications within the next two months. City Manager Schainker advised that five of the flood mitigation projects had been withdrawn from further HMGP funding consideration, and during the upcoming budget hearings, the City Council will need to determine if the City should proceed with those projects absent any federal funding.

Moved by Davis, seconded by Goodman, to adopt RESOLUTION NO. 12-013 approving a modified resolution as part of HMGP application through Iowa HSEMD to FEMA for local match funding being a minimum of 15 percent for the Waterbury Court project with a total project estimated cost of \$88,700; approve a resolution as part of HMGP application through Iowa HSEMD to FEMA for local match funding being a minimum of 15 percent for the Castlewood Place project with an estimated cost of \$77,000; and to designate Tracy Warner, Municipal Engineer, as the applicant's Authorized Representative for both HMGP projects. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

**PROCESS FOR ADOPTING BUILDING CODES:** Fire Chief Clint Petersen told the Council that staff had recently started the process to adopt the newest version of the *National Electric Code* (NEC), and it was important that Council feel comfortable with how national minimum safety standards are recommended for adoption and the process used in Ames to adopt new versions. He reported that the Council could choose to direct staff to modify past adoption processes or add to the current plan before staff presented the NEC for adoption. He also informed the Council that next year a larger slate of currently adopted national code standards will be revised and brought to Council for approval.

Chief Petersen explained that international organizations of professionals in specific branches of building and building systems design, construction, products manufacturing, and governmental regulatory specialties develop detailed minimum standards, by consensus, for all building disciplines. Those standards are published, distributed, and widely used by



governmental jurisdictions, public and private institutions, corporations, and other entities throughout the world. Jurisdictions adopt codes “by reference” instead of copying several thousand pages of detailed technical standards into their respective state or municipal codes. According to Chief Petersen, the City has historically followed the State of Iowa by adopting model code updates within six months of the State’s action. He said that, within the next few weeks, staff will bring an item forward recommending adoption of the 2011 NEC into Chapter 5 of the *Ames Municipal Code* to bring the City’s local standards into alignment with the State’s adopted standards. Chief Petersen also advised that, in Fall 2012, staff will begin working on the process to bring adoption of the 2012 International Codes forward for Council action in the late spring of 2013.

It was explained by Chief Petersen that International Codes are promulgated by the International Code Council and are the most widely adopted building construction standards now commonly in use internationally. He named the model codes adopted by reference by the State of Iowa, the City of Ames, and other Iowa communities. The model codes are revised at regular three-year cycles to eliminate outdated text, to add new text, and to change current text for improved clarity. At each cycle, summaries of code changes are published by the organizations and reviewed by the adopting jurisdictions. All International Codes and Uniform Codes are revised on the same cycle: 2006, 2009, 2012, etc. The *National Electrical Code* (NEC) is revised on a different cycle: 2005, 2008, 2011.

Chief Petersen explained that the Building Board of Appeals was comprised of general contractors, architects, engineers, plumbers and electricians. Its purpose is to lead the public process to analyze Code revisions and make recommendations to the Council for Code adoption or Code adoption with local amendments. He also explained that the process for reviewing the proposed changes to the *National Electric Code* was representative of how the City typically obtain public input regarding code modifications. The public input process was described in more detail.

**ZONING ORDINANCE CORRECTIONS/CLARIFICATIONS:** Moved by Goodman, seconded by Wacha, to pass on third reading and adopt ORDINANCE NOS. 4095 THROUGH 4104 making text amendments that will correct and/or clarify various sections of Zoning Ordinance, including definitions, general zoning regulations, development standards, residential high density permitted uses, neighborhood commercial signage standards, village residential design guidelines, and site development plan review.

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

**ORDINANCE TO PERMIT BANQUET HALLS, EXHIBITION AREAS, AND MEETING AREAS IN GENERAL INDUSTRIAL ZONING DISTRICTS:** Moved by Goodman, seconded by Wacha, to pass on third reading and adopt ORDINANCE NO. 4105 to permit banquet halls, exhibition areas, and meeting areas in General Industrial Zoning Districts.

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

**ORDINANCE ADDING ROSE PRAIRIE TO WARD AND PRECINCT:** Moved by Goodman, seconded by Wacha, to pass on third reading and adopt ORDINANCE NO. 4106 adding Rose Prairie Subdivision to Ward 2, Precinct 5.

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

**COUNCIL COMMENTS:** Moved by Wacha, seconded by Goodman, to refer to staff the letter from Kellogg Housing Co-Op dated November 17, 2011.

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

**CLOSED SESSION:** Moved by Davis, seconded by Larson, to hold a Closed Session as provided by Section 20.17(3), *Code of Iowa*, to discuss collective bargaining strategy.

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

The Council reconvened in Open Session at 8:56 p.m.

**ADJOURNMENT:** Moved by Davis to adjourn the meeting at 8:57 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor