

**MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL
AND REGULAR MEETING OF THE AMES CITY COUNCIL**

AMES, IOWA

FEBRUARY 9, 2016

SPECIAL MEETING OF THE AMES CITY COUNCIL

The Ames City Council met in Special Session for the budget wrap-up at 5:15 p.m., followed by its Regular Meeting, on the 9th day of February, 2016, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Pro-Tem Peter Orazem presiding. Other Council members present were Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson. Mayor Ann Campbell was absent. *Ex officio* Member Sam Schulte was also present.

PUBLIC ART COMMISSION (PAC): Sarah Buss, Chairperson of the Commission On The Arts (COTA), stated that the request for funds will be in the same amount as was allocated last year: \$41,000. A letter will be submitted shortly. It was not submitted yet because the last COTA meeting was canceled due to inclement weather.

ARTS FUNDING (COTA): Assistant City Manager Brian Phillips recalled the decision made by the City Council to allocate 5% over the FY 2015/16 allocation. The COTA volunteers were recommending awarding \$152,040 in Annual Grants and \$4,130 in Spring/Fall Special Grants.

HUMAN SERVICES FUNDING (ASSET): Mr. Phillips noted that the City Council had approved a 5.5% increase in ASSET funding over last year's allocation. He reported that at the time of the Council's decision, the amounts from the other funders were stated. Since that time, United Way's funding allocation ended up being higher; it came in at 8.2% instead of 6%. In addition, the Story County Board of Supervisors wanted funds that were previously allocated through the County's Juvenile Court Services in the amount of \$99,000 to be allocated through the ASSET process. With the addition of that \$99,000, it appears that the County's increase is 17.3%; however, without the \$99,000, Story County's funding increase is still 6%. Mr. Phillips reported that Eyerly Ball had requested a significant increase for Crisis Services: \$55,000 in FY 2016/17 up from \$18,022 in FY 2015/16. The City is working with Eyerly Ball to develop a mental health crisis service program that meets the desires of the Police Department and dovetails with the services provided by the City's Mental Health Advocate. The City is the only funder from whom Eyerly Ball has requested funding. Staff from other agencies (United Way and CICS) has indicated that crisis services, once finalized, would be a good fit for their agencies' priorities. Because that program is not yet well-defined, the ASSET volunteers decided to allocate \$10,000 as a placeholder for the time being. Additional funding might be requested in the future, with that funding being spread among the funders.

Council Member Gartin noted that the Emergency Residence Project (ERP) had been requested for detailed data that would document the need for funding, but has not provided same. He noted that all the other service providers had been asked for specific information and had provided that information. Mr. Gartin expressed his concern that he has no idea what the level of needs are for Ames. Information that was provided indicated that people from Ohio had recently used the ERP; he wants to ensure that the ASSET funds are being used for people in the Ames community, not from other communities or even states.

Council Member Corrieri asked if the other agencies being funded were providing data as to whom they were providing services to prove that Ames citizens were receiving those services. Mr. Phillips answered that they were providing that data. Mr. Gartin suggested that the City gradually pull back on its support until the information is received. Mr. Phillips stated that one of the options available to the Council would be to condition the awarding of the contract to the ERP until the requested data have been received.

OUTSIDE FUNDING REQUESTS: Brian Phillips, Assistant City Attorney, said that funding applications had been received from five organizations. He noted that the City Council had authorized a total of \$143,748 for Outside Funding Requests, excluding the request from the Ames Economic Development Commission (AEDC). This year's evaluation team recommended allocating a total of \$136,900 or an increase of 5.6% over last year. Funding for the following agencies and in the amounts listed had been recommended by the panel:

Ames Historical Society:	\$37,000
Ames International Partner Cities:	\$ 5,000
Campustown Action Association:	\$27,000
Hunziker Youth Sports Complex:	\$28,300
Main Street Cultural District:	\$39,600

Regarding the request of the AEDC pertaining to the Buxton services, Mr. Phillips advised that the City wants to see more formal reporting on how the service is being used and the results. The request is for the City to share the cost of the Buxton retail analysis service, which would equate to \$7,500. If it ultimately gets approved, the funding would come from Hotel/Motel Tax, not Local Option Tax.

According to Mr. Phillips, the Main Street Cultural District (MSCD) had requested \$68,000. The funding panel recommended \$39,600, which is a 10% increase over last year's allocation. Twenty thousand dollars had been requested for replacement of the Downtown holiday lighting. The panel did not recommend funding the \$20,000 through the Outside Funding Requests process.

Council Member Betcher asked if Iowa State University continues to fund the Campustown Action Association (CAA). Mr. Phillips indicated that it does; last year's allocation was in the amount of \$25,000.

PUBLIC INPUT ON CAPITAL IMPROVEMENTS PLAN (CIP) AND OPERATING BUDGET: Cindy Hicks, Executive Director of the Main Street Cultural District, 304 Main Street, Ames, requested funding in the amount of \$20,000 (which is one-fourth of the \$80,000 needed) to replace the lighting on Downtown buildings. She indicated that fund-raising efforts had yielded \$45,000. Fifty percent (50%) of that has come from Downtown businesses and agencies and employees. Local residents; businesses in Ames, but not located in Downtown; a business in Nevada; and Des Moines Historic Valley Junction, have also sent donations. Ms. Hicks stated that the lighting is projected to last over 20 years.

At the inquiry of Council Member Betcher, Ms. Hicks stated that it will be possible to expand the scope of lighting in the future. Ms. Betcher also asked if the company that will be providing the lights would require full payment up front or if it would take a commitment for funds. Ms. Hicks advised that the company will take a commitment for funds. If anyone would like to

donate to this cause, Ms. Hicks advised that a check should be made payable to the Ames Foundation and mailed to the Main Street Cultural District, 304 Main Street, Ames, Iowa, 50010.

Merlin Pfannkuch, 1424 Kellogg Avenue, Ames, expressed his disappointment that the City Council had decided on January 26, 2016, to extend the utilities in the Industrial Area all the way to 590th Street. He would like that removed from the budget. Mr. Pfannkuch noted that he had alleged at the Council's meeting on January 12, 2016, that the Council was not including the public in this decision. He noted that the cost to extend the utilities to 590th Street is estimated to cost \$5.3 million. According to Mr. Pfannkuch, there has been no discussion as to whether expanding the Industrial Area is a good idea; it is not known whether the public is supporting of this expansion. He asked why the City Council shows such deference to the Ames Economic Development Commission as he does not believe that it has a good track record. Mr. Pfannkuch asked if there is demand from industries to come to Ames. He emphatically wants the public included in this discussion and believes that there needs to be public buy-in.

Council Member Gartin noted that expanding the Industrial Area has been in the works for a very long time. He assured Mr. Pfannkuch that the Council has been transparent in its discussions about this project. Mr. Gartin asked City Manager Steve Schainker to provide the history behind it.

City Manager Schainker stated that discussions pertaining to the need to expand utilities to the industrial area dates back at least two to three years. Discussions regarding the need to expand available land uses for industrial and residential areas, specifically for single-family homes, dates back more than three years. Mr. Schainker said that the Ames Economic Development Commission had come to the City due to there being a lack of adequate space to handle large-lot developments. The expansion of the industrial area is in keeping with the City's Land Use Policy Plan, which dates back to 1997. Discussions on expanding utilities across the Interstate had occurred at the same time as the discussion with the City of Nevada that the dividing line would be 590th. The City was running out of available land and what was available was smaller lots. There was also an issue about Rural Water. A study was done on what it would cost to expand utilities east of the Interstate. At that time, the cost was estimated at \$4.8 million dollars (approximately three years ago). Council placed \$2,000,000 in a previous CIP to expand the sewer line only to just east of Interstate 35. The AEDC had also had discussions with property owners in the affected area about their willingness to voluntarily annex. Due to the results of those discussions and the cost study, the AEDC requested that the City expand the utilities all the way to 590th Street. Mr. Schainker clarified that three years ago, the City was planning on an Industrial Park; however, that is no longer the case. The thought is now that the larger industries will be responsible to develop the area. The Council on January 26, 2016, voted to include the extension of utilities to 590th Street.

Mr. Pfannkuch noted that discussions actually started in 2011. He believed that the Council and AEDC had had discussions about this expansion, but the public had been left out of the discussions.

Council Member Orazem pointed out that the Land Use Policy Plan (LUPP) included the expansion of industrial land in the area in question since 1997.

Council Member Gartin asked Steve Carter, President of the Iowa State University Research Park and Board Member of the Ames Economic Development Commission, 2711 South Loop Drive, Ames, to speak on the need for large industrial lots. Mr. Carter stated that there had been discussions occurring for a long time on the need for large lots for industrial development in Ames. He added that the site in question provides access to rail and roads sufficient for hauling products from the industries.

SALARIES FOR COUNCIL APPOINTEES: Council Member Orazem stated that he and Council Member Betcher had been appointed by the Mayor to conduct the evaluation process for City Council appointees Steve Schainker, City Manager; and Judy Parks, City Attorney.

Moved by Nelson, seconded by Corrieri, that the Base Pay for City Manager Steve Schainker be increased by \$5,402.33 to \$201,850.73; Deferred Compensation be increased by \$887.60 to \$33,164.07; with the vehicle allowance remaining at \$6,000, for a total compensation for FY 2016/17 of \$241,014.80. Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Corrieri, seconded by Nelson, to increase the Base Pay in the amount of \$4,750.88 (3.75%) for City Attorney Judy Parks, for a total compensation for FY 2016/17 of \$131,440.88. Vote on Motion: 6-0. Motion declared carried unanimously.

AMENDMENTS TO 2016/21 CAPITAL IMPROVEMENTS PLAN (CIP): Moved by Nelson, seconded by Gartin, to approve the following amendments to the 2016/21 CIP:

1. Add \$5,300,000 for the East Industrial Area utility Extension project (\$2,000,000 previously issued Sewer abated G. O. Bonds; \$2,200,000 Sewer abated G. O. Bonds; \$1,100,000 Water abated G. O. Bonds)
2. Add \$110,000 to Shared Use Path System Expansion project for path extensions on 13th Street (\$80,000 for Ridgewood Avenue to Northwestern and for Grand Avenue (Murray Drive to 16th Street) and for planning/design of the Vet Med Trail (\$30,000), with funding to come from Local Option Sales Tax
3. Add \$30,000 to Traffic Engineering Studies program for Ontario Street Multi-Modal Study (North Dakota Avenue to Hyland Avenue), with funding to come from Road Use Tax

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

Council Member Beatty-Hansen expressed her concerns about the expansion of utilities across Interstate 35. She commented that decisions made by former Council members have committed the City to this; she felt that the “ship had already sailed.” Ms. Beatty-Hansen noted that utility customers have been paying higher rates to pay for this development. She understands that they have been promised that the demand would be there, but she hopes that the Council will be strong and not provide additional incentives. Council Member Betcher commented that the costs are going to continue to go up; it is not going to get any cheaper. Council Member Orazem pointed out that it is not uncommon for cities to pay for infrastructure and industries to pay for hooking up. He also brought attention to a Council goal made in 2014, which was to pursue development in the Eastern Industrial Area.

APPROVAL OF 2016/21 CIP, AS AMENDED: Moved by Beatty-Hansen, seconded by Betcher, to approve the Capital Improvements Plan for 2016/21, as amended.
Vote on Motion: 6-0. Motion declared carried unanimously.

AMENDMENTS TO FY 2015/16 BUDGET: Moved by Betcher, seconded by Beatty-Hansen, to add \$20,000 from General Fund Council Contingency to help fund the lighting for Main Street Cultural District, contingent upon completion of installation of the lighting.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Beatty-Hansen, seconded by Betcher, to approve the following additional amendments to the FY 2015/16 Budget:

1. Remove \$2,030,000 for the East Industrial Area Sewer Extension project
2. Add a 1.0 FTE Trainer position to Transit

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

APPROVAL OF BUDGET FOR FY 2015/16, AS AMENDED: Moved by Corrieri, seconded by Nelson, to approve the FY 2015/16 budget, as amended.
Vote on Motion: 6-0. Motion declared carried unanimously.

SET PUBLIC HEARING DATE ON BUDGET AMENDMENTS FOR FY 2015/16: Moved by Corrieri, seconded by Nelson, to set March 1, 2016, as the date of public hearing on the proposed budget amendments for FY 2015/16.
Vote on Motion: 6-0. Motion declared carried unanimously.

AMENDMENTS TO PROPOSED FY 2016/17 BUDGET: Moved by Gartin, seconded by Nelson, to approve the following amendments:

1. Add \$211,684 to Debt Service for additional principal and interest payments related to the General Obligation Bonds to be issued for the East Industrial Area utility Extension project and corresponding transfers of \$141,123 from the Sewer Utility Fund and \$70,561 from the Water Utility Fund to cover the cost of the additional debt service.

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

2. Moved by Nelson, seconded by Beatty-Hansen, to allocate funding in the 2016/17 Budget as follows:

- a. ASSET in the amount of \$1,278,973, as recommended.
- b. Public Art in the amount of \$41,000, as recommended.
- c. Outside Funding Requests in the total amount of \$136,900, as follows:
 - I. Ames Historical Society in the amount of \$37,000
 - ii. Ames Partner City Association in the amount of \$5,000
 - iii. Campustown Action Association in the amount of \$27,000
 - iv. Hunziker Youth Sports Complex in the amount of \$28,300
 - v. Main Street Cultural District in the amount of \$39,600

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

Moved by Corrieri, seconded by Nelson, to allocate funding to the Commission on The Arts (COTA) in the amount of \$156,170, as recommended.

Vote on Motion: 5-0-1. Voting aye: Beatty-Hansen, Betcher, Corrieri, Nelson, Orazem. Voting nay: None. Abstaining due to a conflict of interest: Gartin. Motion declared carried.

APPROVAL OF PROPOSED BUDGET FOR FY 2016/17, AS AMENDED: Moved by Nelson, seconded by Betcher, to approve the proposed 2016/17 Budget, as amended.

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

SET PUBLIC HEARING DATE ON PROPOSED BUDGET FOR FY 2016/17: Moved by Betcher, seconded by Corrieri, to set March 1, 2016, as the date of public hearing on the proposed budget for FY 2016/17.

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

The meeting recessed at 6:35 p.m. and reconvened at 6:40 p.m.

REGULAR MEETING OF THE AMES CITY COUNCIL

CONSENT AGENDA: Moved by Nelson, seconded by Corrieri, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of Special Meetings of January 23, January 29, February 2, 3, and 4, 2016, and Regular Meeting of January 26, 2016
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for January 16-31, 2016
5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor & Outdoor Service – Cy’s Roost, 121 Welch Avenue
 - b. Class C Liquor & Outdoor Service – Mickey’s Irish Pub, 109 Welch Avenue
 - c. Class E Liquor, C Beer, & B Wine – Fareway Store #386, 619 Burnett Avenue
 - d. Class E Liquor, C Beer, & B Wine – Fareway Store #093, 3619 Stange Road
 - e. Class C Liquor – El Azteca, 2727 Stange Road
 - f. Class B Liquor – Holiday Inn Ames, 2609 University Boulevard
 - g. Class C Beer & B Wine – Gateway Expresse, 2400 University Boulevard
 - h. Class C Liquor – Taking It Easy Lounge, 129 Lincoln Way
 - i. Class C Liquor – Ge’Angelo’s, 823 Wheeler Street, #9
 - j. Class C Beer and B Wine – Almost Always Open, 419 Lincoln Way
6. Motion approving new Class C Liquor & Outdoor Service for The District, 2518 Lincoln Way
7. Motion approving 8-month Class B Beer Permit & Outdoor Service for Homewood Golf Course, 401 East 20th Street
8. Motion approving Ownership Change of Special Class C Liquor License for HuHot Mongolian Grill, 703 South Duff Avenue, Suite 105
9. Motion approving Ownership Change of Class C Liquor License for Sips and Paddy’s Irish Pub, 126 Welch Avenue, Suites 101 & 201
10. RESOLUTION NO. 16-050 approving 2015 Resource Recovery Annual Report
11. RESOLUTION NO. 16-051 authorizing retention of outside counsel to assume City prosecutions
12. RESOLUTION NO. 16-052 adopting a Pre-Levy Resolution authorizing the issuance of Essential Corporate Purpose General Obligation Bonds and General Obligation Refunding

Bonds in an amount not to exceed \$13,225,000 and setting the date of public hearing for March 1, 2016

13. RESOLUTION NO. 16-053 approving Settlement Agreement and Contract Modification for Economic Development Financial Assistance with the Iowa Economic Development Authority and Boehringer Ingelheim Vetmedica, Inc., and the Cities of Ames, Fort Dodge, and Sioux Center
 14. 3505 and 3515 Lincoln Way Urban Revitalization Area:
 - a. Motion approving application
 - b. RESOLUTION NO. 16-054 setting March 22, 2016, as date of public hearing
 15. RESOLUTION NO. 16-055 setting date of public hearing for February 23, 2016, for vacation of existing public utility easement at 3121 Grand Avenue
 16. RESOLUTION NO. 16-056 approving preliminary plans and specifications for 2015/16 Water System Improvements Program #2 (South Duff Avenue); setting March 2, 2016, as bid due date and March 22, 2016, as date of public hearing
 17. RESOLUTION NO. 16-057 approving preliminary plans and specifications for WPC Sludge Pumping Heat Recovery Unit Replacement; setting March 9, 2016, as bid due date and March 22, 2016, as date of public hearing
 18. RESOLUTION NO. 16-058 approving preliminary plans and specifications for WPC Biosolids Hauling Contract; setting March 31, 2016, as bid due date and April 12, 2016, as date of public hearing
 19. RESOLUTION NO. 16-059 approving preliminary plans and specifications for City Hall Roof Project; setting March 10, 2016, as bid due date and March 22, 2016, as date of public hearing
 20. RESOLUTION NO. 16-060 approving contract and bond for Ada Hayden Heritage Park Water Service Line Project
 21. RESOLUTION NO. 16-061 approving contract and bond for WPC Facility Decant Line Replacement
 22. RESOLUTION NO. 16-062 approving Change Order No. 1 to Power Plant Maintenance Services Contract with ProEnergy Services, LLC, in the amount of \$148,445
 23. RESOLUTION NO. 16-063 approving Change Order No. 9 to Power Plant Fuel Conversion - Mechanical Installation General Work Contract with TEI Construction Services, Inc., in the amount of \$175,496.89
 24. RESOLUTION NO. 16-064 accepting partial completion of public improvements and lessening security requirement for Northridge Heights Subdivision, 18th Addition
 25. RESOLUTION NO. 16-065 approving Final Plat for ISU Research Park Subdivision, Phase III, 2nd Addition
- Roll Call Vote: 6-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of the Minutes.

PUBLIC FORUM: Mayor Pro-Tem Orazem asked if there was anyone wishing to speak on any item that was not listed on the Agenda. No one came forward, and the Mayor closed Public Forum.

2016 URBAN REVITALIZATION TAX ABATEMENT REQUESTS: Planning and Housing Director Kelly Diekmann advised that property owners of two development projects are requesting tax exemptions for projects completed in Calendar Year 2015. These exemptions will be reflected in taxes due beginning in September 2017 and March 2018. The property owners have reported construction value totaling \$1,430,000 for the two projects. The estimates are based on construction cost and may not be the same as the added property value. Under the Urban

Revitalization Plan for the East University and HOC Commercial Urban Revitalization Areas (URA) , the owners may elect the exemption to be applied over three, five, or ten years. The two properties are addressed as 307 Ash Avenue (Zeta Delta House Corporation of Alpha Phi International) in the East University URA and 517 Lincoln Way (Squeaky Clean, Inc.) in the HOC Commercial URA.

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 16-066 the requests for tax exemption for 307 Ash Avenue and 517 Lincoln Way as conforming to the respective Urban Revitalization Plans.

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

ACCESS: Housing Coordinator Vanessa Baker Latimer reported that in 1984, the City utilized 480,000 in Community Development Block Grant (CDBG) funds to purchase and rehabilitate a property to be used as an emergency shelter on behalf of the assault Care Center Extending Shelter and Support (ACCESS). The granting of the funding included a restrictive covenant whereby the property could not be sold without approval of the City and the \$80,000 initial investment would need to be repaid to the City. In March 2004, the Council approved a request from ACCESS to sell that property and reinvest the \$80,000 in the purchase of a larger facility with the same restrictive covenant. ACCESS is now seeking permission to sell the current property in compliance with the restrictive covenant which will result in the repayment of \$80,000 to the City. Additionally, ACCESS is requesting that the Council commit to reinvestment of \$80,000 into a new property.

According to Ms. Baker Latimer, the ACCESS Board concluded, as part of its Fiscal year 2016-17 strategic planning that the future needs of ACCESS require a change in its service model. ACCESS desires to transition from a single shelter location to operation of a scattered sites model. Under that model, its emergency housing needs would be met in several separate locations; those locations would not include its staff or administrative offices.

Ms. Baker Latimer advised that the first step in its new model is to sell the current facility. ACCESS has accepted an offer for the purchase of its current property in the amount of \$1.12 million. ACCESS would like to close on the sale of the property within the next week, but will maintain possession of the property until August 2016. ACCESS would look for new sites between February and August. At this time, ACCESS has not identified any property that it would like to purchase. Therefore, the \$80,000 would have to be repaid to the City at the closing on the current property. Once ACCESS has identified a property that meets the zoning requirements for use by a Social Services Providing, a check would be issued to ACCESS to use toward the purchase of the new property, which will include a restrictive use covenant agreement to be recorded against the property similar to the previous two covenants for the prior and current ACCESS properties.

Addressing the question as to what would happen if ACCESS did not find properties to purchase by August, Angie Shreck, 1927 Wyngate, Ames, stated that the agency is intent on finding properties by August 2016. They could use hotel rooms, if needed, but are very aggressively searching for properties that would meet the needs of ACCESS.

Moved by Gartin, seconded by Nelson, to adopt RESOLUTION NO. 16-067 granting permission to ACCESS to sell its current property on Lynn Avenue and repay the city \$80,000 upon

completion of the sale.

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

Moved by Gartin, seconded by Nelson, to adopt RESOLUTION NO. 16-068 directing staff to pay ACCESS \$80,000 once it has an accepted purchase offer for a property that meets the zoning requirements for the City of Ames along with a new restrictive covenant with similar language from the previous two restrictive covenants (requirements for the City's consent to sell and repayment to the City).

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

FEDERAL GRANT FOR AIRPORT TERMINAL BUILDING AND HANGAR: Public Works Director John Joiner recalled that on July 28, 2015, the City accepted the first \$450,000 in federal grants as part of the approval for the site work associated with the Terminal Building and Hangar project. That \$450,000 represented three years of federal entitlements that were saved up over time for the project. The updated budget reflected a total of \$600,000 in federal funding; that will commit a fourth and final \$150,000 in entitlement funds.

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 16-069 approving a Federal grant for an additional \$150,000 for the Airport Terminal Building and Hangar project.

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

ORDINANCE REZONING PROPERTY AT 1110 DELAWARE AVENUE: Moved by Corrieri, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4246 rezoning property at 1110 Delaware Avenue from Residential Low-Density (RL) to Residential High-Density (RH).

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

ORDINANCE REZONING PROPERTY WITH MASTER PLAT AT 5440 AND 5442 GRANT AVENUE: Moved by Betcher, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4247 rezoning property, with Master Plan, at 5440 and 5442 Grant Avenue from Agricultural (A) to Suburban Residential Low-Density (FS-RL).

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

ORDINANCE REVISING MUNICIPAL CODE PERTAINING TO VISIBILITY TRIANGLE AT INTERSECTIONS: Moved by Corrieri, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4248 revising *Municipal Code* Section 29.408(5) pertaining to visibility triangle at intersections.

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

ORDINANCE PROHIBITING USE OF ELECTRONIC SMOKING DEVICES IN PUBLIC PLACES: Moved by Corrieri, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4249 prohibiting the use of electronic smoking devices in public places.

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

COUNCIL COMMENTS: Council Member Betcher acknowledged the BIKE WALK DRIVE SMART cards that are being handed out by student organizations at Iowa State University. The cards carry the message to be aware of all modes of transportation and look out for each other.

Moved by Betcher, seconded by Beatty-Hansen, to refer to staff for a memo the request from Attorney Bill Talbot on behalf of Flummerfelt's Shady Grove for a zoning text amendment.

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

Council Member Gartin brought up the letter from Rick Swank pertaining to the Farmers' Market that had been sent to the Council members as part of their January 29 Non-Agenda packet. Assistant City Manager Phillips advised that the Special Events Team had met this morning with Farmers Market representatives and shared the letter from Rick Swank. Farmers Market representatives had not seen the letter. It is staff's intention to bring approval of the 2016 Farmers Market to the City Council at the first meeting in March. Council Member Betcher asked that this item not be under the Consent Agenda as she would like discussion of this item in light of the letter from Mr. Swank.

Moved by Corrieri, seconded by Gartin, to request a short memo from staff on what information is being requested from the agencies on the applications for ASSET funding.

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

CLOSED SESSION: Council Member Gartin asked City Attorney Parks if there was a legal reason to go into Closed Session. Ms. Parks replied in the affirmative.

Moved by Gartin, seconded by Betcher, 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 meeting reconvened in Regular Session at 7:35 p.m.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 16-070 ratifying a contract with IUOE Local 234 (Blue Collar Unit).

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

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 16-071 ratifying a contract with IAFF Local 625 (Firefighters).

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

ADJOURNMENT: Moved by Betcher to adjourn the meeting at 7:38 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

