

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

AMES, IOWA

AUGUST 8, 2017

The Regular Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 6:00 p.m. on August 8, 2017, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem. Ex officio Member Rob Bingham was absent.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of July 25, 2017
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for July 16-31, 2017
5. Motion approving revisions to City's Street Banner Policy adding University Boulevard - ISU Research Park - as allowed banner location
6. Motion approving 5-day (August 12 - August 16) Class C Liquor License for Olde Main Brewing Company at Reiman Gardens, 1407 University Boulevard
7. Motion approving 5-day (August 19 - August 23) Special Class C Liquor License for Gateway Market MLK at ISU Alumni Center, 420 Beach Avenue
8. Motion approving 5-day (September 8 - September 12) Special Class C Liquor License for Friendship Ark Homes & Community Services at CPMI Event Center, 2321 North Loop Drive
9. Motion approving new Special Class C Liquor License & Outdoor Service for India Palace, 120 Hayward Avenue (pending final inspection)
10. Motion approving temporary Outdoor Service Privilege for London Underground, 212 Main Street, for the Reuse, Repurpose, Recycle Market on August 27
11. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Class C Liquor – JJC Ames 1, LLC, 2420 Lincoln Way, Ste. 103
  - b. Class C Liquor, Catering, & Outdoor Service – Iowa State Center - CY Stephens, CY Stephens, Iowa State University
  - c. Class C Liquor, Catering, & Outdoor Service – Iowa State Center - Fisher Theater, Fisher Theater, Iowa State University
  - d. Class C Liquor & Catering – Es Tas Stanton, 216 Stanton Avenue
  - e. Class C Liquor – El Azteca, 1520 S. Dayton Avenue
  - f. Class B Beer – Flame-N-Skewer, 2801 Grand Avenue, Ste. #1125
  - g. Class C Beer & B Wine – Hy-Vee Gas #5013, 4018 Lincoln Way
  - h. Class C Liquor – Deano's, 119 Main Street
12. RESOLUTION NO. 17-485 approving Investment Report for Fiscal Year Ending June 30, 2017
13. RESOLUTION NO. 17-486 approving Certificate of Consistency with City's 2014-18 CDBG Consolidated Plan on behalf of Youth and Shelter Services
14. RESOLUTION NO. 17-487 endorsing submission of Transportation Safety Improvement Program Grant for intersection improvements at S. Grand Avenue/S. 16<sup>th</sup> Street Intersection Improvements
15. RESOLUTION NO. 17-488 approving Addendum to Memorandum of Understanding with Iowa State University regarding law enforcement services at University-leased residential property
16. RESOLUTION NO. 17-489 authorizing staff to increase Purchase Order to Palmer Group for Human Resources staffing services in an amount not to exceed \$128,000
17. RESOLUTION NO. 17-490 approving one-time capital outlay in the amount of \$30,833 for

- CyRide Bus Turnaround Construction at Storm Street and Welch Avenue, contingent upon approval by Iowa State University (ISU) and ISU Student Government to each provide \$30,833
18. RESOLUTION NO. 17-491 approving bow hunting within the Park System, on City property, and at other eligible property as detailed in Urban Deer Management Ordinance and rules
  19. RESOLUTION NO. 17-492 awarding contract to Star Equipment of Des Moines, Iowa, for purchase of Rubber Tired Telehandler for Electric Power Production in the amount of \$105,614
  20. RESOLUTION NO. 17-493 awarding contract to Entek Systems, Inc., of Sautee, Georgia, for purchase of 2,000 DCU Switches for Electric Services Department in the amount of \$137,680
  21. RESOLUTION NO. 17-494 approving contract and bond for 2016/17 Downtown Street Pavement Improvements (Sherman Avenue)
  22. RESOLUTION NO. 17-495 approving Change Order No. 3 to Veenstra & Kimm, Inc., for engineering consulting services associated with NPDES Permit and related issues for Steam Electric Plant in the amount of \$35,000
  23. WPC Digester Improvements Project:
    - a. RESOLUTION NO. 17-496 approving Change Order No. 10 to Eriksen Construction Co., Inc., adjusting final quantities
    - b. RESOLUTION NO. 17-497 accepting final completion
  24. RESOLUTION NO. 17-498 approving Plat of Survey for 2005 and 2017 E. Lincoln Way
  25. RESOLUTION NO. 17-499 approving Plat of Survey for 3622 Woodland Street; 303 Westwood Drive; 3637, 3643, 3649, and 3655 Story Street
  26. RESOLUTION NO. 17-500 approving Final Plat for Crane Farm Subdivision, 5<sup>th</sup> Addition
- Roll Call Vote: 6-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**PUBLIC FORUM:** No one spoke during Public Forum.

**CONTRACT FOR HEALTHY LIFE CENTER PLANNING STUDY:** Parks and Recreation Director Keith Abraham provided background on the Request for Proposals (RFP) process. He highlighted the components that needed to be included in the Healthy Life Center Planning Study. The RFP was issued to 55 firms and 9 proposals were received. Mr. Abraham stated that each proposal was scored by the City's evaluation committee, and the top two scoring firms were invited for on-site interviews. Based upon the interviews and another round of scoring, RDG Planning & Design of Des Moines, Iowa, was determined to be the consulting firm to provide the services requested by the City. Staff is recommending that the Council award the contract to RDG.

Council Member Betcher asked for an estimated time frame as to when this study might come back to Council. Mr. Abraham indicated that it is staff's goal to have it to Council in late December.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 17-501 awarding a contract to conduct the Healthy Life Center Planning Study in an amount not to exceed \$93,450 to RDG Planning & Design of Des Moines, Iowa.

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

**AGREEMENT FOR DEVELOPMENT OF AMES COMPLETE STREETS PLAN:** Traffic Engineer Damion Pregitzer gave an overview of the Request for Proposals (RFP) that was created for the Ames Complete Streets Plan. He said that the plan would provide specific designs to help complete all different types of streets and transportation modes. Mr. Pregitzer reported that the RFPs were evaluated by a selection committee comprised of members of City staff and representatives

from the Healthiest Ames and Ames Bicycle Coalition advocacy groups. After review of the RFPs, Toole Design Group of Madison, Wisconsin, was found to have the highest score based upon the quality of its proposal, as well as the qualifications and experience of its project team leaders. This firm is a nationally recognized expert in this field. Toole's staff pride themselves for not only being engineers and planners, but also cyclists and transit users—they use the systems that they design.

Mr. Pregitzer explained that the Toole Design Group (TDG) will come back with a formalized plan that follows a design process. He said that the development of this plan will be a critical step in advancing the Council's transportation goals for the community. It will establish a vision for what the future of the Ames roadway network could look like, as well as providing the tools and technical guidance needed to achieve that overall vision. Mr. Pregitzer stated that this plan will make projects more uniform, in lieu of making them "fit" later on.

When questioned by Council Member Nelson, Traffic Engineer Pregitzer indicated that after public feedback during scheduled meetings, the draft of the plan will come back to the Council about two-thirds of the way through the process. Mr. Pregitzer stated that he would not be too concerned this is too far down the road, because all of the public input would have been collected, and crucial discussions would have already taken place with the design team. He reiterated that staff will come to Council and inform it of any minor changes, and then once more with the completed plan.

Council Member Gartin stated his concerns that the Complete Streets Plan is not a "one size fits all" approach, and that it will be unique to Ames. He questioned at what point the Council members will have an opportunity to weigh in on the design decisions, and suggested that there should be an opportunity earlier on in the process.

When questioned by Council Member Gartin, Public Works Director John Joiner indicated that costs of the different proposals for street treatments (e.g., arterial streets, collector streets) in the plan are unknown at this time. These will be determined once the plan has been analyzed.

Mr. Gartin further asked if there would be an effort, on City staff's part, to contact the development community, as these developers would have to build according to the Complete Streets Plan. Furthermore, because the decisions have very big engineering implications and costs, it seems appropriate that Council members hear from the City engineers as the City continues to develop Capital Improvement Plans. If the City is now going to build according to the Complete Street designs, the Council members need to factor in these issues.

Mr. Pregitzer stated that one of the provisions in the scope of the RFP is to put together an advisory committee that, in order for community buy-in to occur, will include a broad cross section. He pointed out that the process for this plan is not just for what is right for the community, but what is achievable financially. TDG will provide a tool that will be applied to evaluate costs, safety, pollution, etc.

Upon questioning, Mr. Pregitzer stated that staff would like to get as much on-line input from the community as possible, and there will be a social media presence as Toole Design Group has indicated in its proposal. TDG will explain how to perform web-based meetings, polls, etc. Its diversity of approach is much better than many of the firms that submitted proposals. He is confident that they will leave no "stone unturned" in terms of getting as much feedback as possible.

Steve Libbey, vice president of the Ames Bicycle Coalition, 708 Brookridge Avenue, stated that the Coalition appreciates this step forward in addressing the city's transportation network. This is going to better serve the community, and he looked forward to working with the City engineering staff and the consultants.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 17-502 approving the Professional Services Agreement with Toole Design Group of Madison, Wisconsin, in an amount not to exceed \$99,994 for development of the Ames Complete Streets Plan.

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

**HEARING ON WATER POLLUTION CONTROL FACILITY SCREENING SYSTEM IMPROVEMENTS PROJECT:** Mayor Campbell opened the hearing. There being no one wishing to speak, the hearing was closed.

Moved by Beatty-Hansen, seconded by Gartin, to adopt RESOLUTION NO. 17-503 approving final plans and specifications and awarding contract to Woodruff Construction, LLC, of Ames, Iowa, in the amount of \$755,300.

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

Moved by Beatty-Hansen, seconded by Gartin, to adopt RESOLUTION NO. 17-504 authorizing the reallocation of savings from the Water Pollution Control Street Repairs Project to the Water Pollution Control Facility Screening System Improvements Project.

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

**HEARING ON 2016/17 RIGHT-OF-WAY RESTORATION:** The hearing was opened. No one spoke, and Mayor Campbell closed the hearing.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 17-505 approving final plans and specifications and awarding contract to Green Tech of Iowa of Grimes, Iowa, in the amount of \$104,000.

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

**HEARING ON GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009B:** Mayor Campbell opened the public hearing. The hearing was closed after no one came forward to speak.

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 17-508 approving a proposal to enter into a Loan Agreement for refunding the outstanding balance of the Bonds and setting the date of sale for August 22, 2017.

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

**HEARING ON VACATION OF PUBLIC UTILITY EASEMENT AT 1404 BOSTON AVENUE:** Mayor Campbell opened the hearing and closed same after no one asked to speak.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 17-507 approving the vacation of a Public Utility Easement at 1404 Boston Avenue.

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

**CITY ASSET PRIORITIES FOR FY 2018/19:** ASSET volunteers Andrea Rich, Sue Draper, and Jennifer Schill were in attendance and introduced themselves to the Council. Assistant City Manager Brian Phillips reported that in preparation for the upcoming Analysis of Social Services Evaluation Team (ASSET) funding cycle, the City's ASSET volunteers annually review the priorities that have been set for the current fiscal year. These priorities have remained relatively unchanged for the past several funding cycles. The Council has established a task for the ASSET volunteers to hold a joint discussion with the City Council regarding ASSET's priorities; therefore, the Team met in July to discuss the most recent ASSET funding process and whether adjustments were necessary to the City's priorities. ASSET volunteers are recommending the same priorities for FY 2018/19 as those adopted by the Council for FY 2017/18, as follows:

- 1) Meet basic needs, with emphasis on low- to moderate-income
  - Housing cost offset programs, including utility assistance
  - Sheltering
  - Quality childcare cost offset programs, including daycare and State of Iowa licensed in home facilities
  - Food cost offset programs, to assist in providing nutritious perishables and staples
  - Transportation cost offset programs for the elderly and families
  - Legal assistance
  - Disaster response
- 2) Meet mental health and chemical dependency needs
  - Provide outpatient emergency access to services
  - Provide crisis intervention services
  - Provide access to non-emergency services
  - Ensure substance abuse prevention and treatment is available in the community
- 3) Youth development services and activities
  - Provide services for social development

Council Member Betcher noted that the priorities listed for Council approval are different from the way The United Way and ISU Student Government list their priorities. She asked if it made it difficult to have those listed differently by the joint funders. Ms. Rich responded that she finds it helpful the way the City lists its priorities. The City's volunteers are trying to adhere to the Council's wishes; when it comes to making difficult decisions, it is appreciated that these priorities are listed.

Council Member Beatty-Hansen noted that no reference to "medical and dental aid" is listed as a priority. She indicated that these references should be listed under the "basic needs" category. It was pointed out that these needs have been funded throughout previous years.

Moved by Beatty-Hansen, seconded by Corrieri, to add to the list of priorities a reference to medical and dental aid under the "meet basic needs" category.

Council Member Corrieri stated that, as the Council moves forward and continues to identify priorities and review them annually, the Council should not make its priorities fit what is already being funded. She further said that the Council should identify the needs of the community and base priorities on those needs, and then use the Clear Impact Scorecard to drive those decisions.

Council Member Orazem called for the Question.

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

Moved by Beatty-Hansen, seconded by Corrieri, to adopt the modified priorities for the FY 2018/19 ASSET process.

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

**REQUEST FOR ADJUSTMENT TO UTILITY ACCOUNT:** Assistant City Manager Bob Kindred reported that this is an unfortunate situation where an individual was out of town and experienced trouble with the home's plumbing. This resulted in a huge bill to the City's water and sewer. This situation has occurred in the past with other customers, and staff has recommended reducing the water charges by the difference between the winter and summer rate. By using the winter billing rate, it will save the homeowner a substantial amount of money.

Mr. Kindred advised the Council that Water and Pollution Control Department staff are working on an update to the *City Code*, which would delegate authority to City staff to adjust the customer's water bill when these situations occur.

Council Member Orazem asked if there was a mechanism in place that allows the City to monitor these types of plumbing malfunctions.

Finance Director Duane Pitcher explained that, in general, these incidents are noted when the City reads the meters, which is done once a month. He indicated that staff encourages people to turn off their water when they are gone; if they don't, there is always the potential for these types of incidents to occur.

Moved by Betcher, seconded by Corrieri, to reduce the water charges for the homeowner at 1518 Meadowlane Avenue by the difference between the winter and summer billing rate, which would be \$1,407.89 (includes sales tax).

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

**HABITAT FOR HUMANITY REQUEST REGARDING PARKING ON KINGSBURY AVENUE:** Moved by Nelson, seconded by Corrieri, to direct the Interim City Attorney to draft an ordinance allowing parking along the west side of Kingsbury Avenue from Lincoln Way to South Second Street.

Vote on Motion: 5-0-1. Voting Aye: Beatty-Hansen, Betcher, Corrieri, Gartin, Orazem. Voting Nay: None. Abstaining: Nelson. Motion declared carried.

**PRELIMINARY OFFICIAL STATEMENT FOR G.O. CORPORATE PURPOSE BONDS, SERVICES 2017A:** Finance Director Duane Pitcher stated that this is the "Preliminary Official Statement" for the bonds that are coming forward. When the Council adopted the City's debt policy,

one of the “best practices” and an item included is that the “Official Statement” be heard as an action item (and not put on the Consent Agenda). He explained that with inclusion of the Refunding Bonds to the regular issue, there are a couple of changes required to the “Preliminary Official Statement.” In reference to the Cover page, it will now indicate, “In the opinion of Bond Counsel, the Bonds will NOT be designated as ‘qualified tax-exempt obligations’.” Again, on Page 5 - Tax Exemption and Related Considerations, the following change is made, “NOT Qualified Tax-Exempt Obligations: .... In the resolution authorizing the issuance of the Bonds, the City will NOT designate the Bonds as ‘qualified tax-exempt obligations’.”

Moved by Gartin, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 17-508 approving the Preliminary Official Statement for General Obligation Corporate Purpose Bonds, Series 2017A; setting the date of sale for August 22, 2017, and authorizing electronic bidding for the sale.  
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**ORDINANCE MODIFYING MUNICIPAL CODE PERTAINING TO THE CITY ATTORNEY:** Moved by Gartin, seconded by Corrieri, to pass on first reading an ordinance modifying Section 2.48 of the *Municipal Code* pertaining to the City Attorney.  
Roll Call Vote: 6-0. Motion declared carried unanimously.

**ORDINANCE REZONING PROPERTY, WITH MASTER PLAN, AT 3115, 3119, 3301, 3325, 3409, AND 3413 SOUTH DUFF AVENUE (BRICK TOWNE DEVELOPMENT):** Moved by Betcher, seconded by Gartin, to pass on second reading an ordinance rezoning property, with Master Plan, located at 3115, 3119, 3301, 3325, 3409, and 3413 South Duff Avenue (Brick Towne Development) from Highway-Oriented Commercial (HOC) and High-Density Residential (RH) to Planned Residence District (F-PRD) and Highway-Oriented Commercial (HOC).  
Roll Call Vote: 6-0. Motion declared carried unanimously.

**ORDINANCE REZONING PROPERTY, WITH MASTER PLAN, AT 1114 SOUTH DAKOTA AVENUE:** Moved by Betcher, seconded by Gartin, to pass on second reading an ordinance rezoning property, with Master Plan, at 1114 South Dakota Avenue from Planned Residence District (F-PRD) to Community Commercial/Residential (CCR).  
Roll Call Vote: 6-0. Motion declared carried unanimously.

**ORDINANCE CREATING EXCEPTIONS FOR PARKING LOT MINIMUM SETBACKS AND LANDSCAPE PERCENTAGE:** Moved by Nelson, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4318 creating exceptions for parking lot minimum setbacks and landscape percentage.  
Roll Call Vote: 6-0. Motion declared carried unanimously.

**ORDINANCE PERTAINING TO APPEALS OF ADMINISTRATIVE DECISIONS REGARDING ZONING-RELATED ISSUES:** Moved by Gartin, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4319 pertaining to appeals of administrative decisions regarding zoning-related issues.  
Roll Call Vote: 6-0. Motion declared carried unanimously.

**ORDINANCE CREATING BARILLA TAX INCREMENT FINANCING DISTRICT:** Moved by Betcher, seconded by Gartin, to pass on third reading and adopt ORDINANCE NO. 4320 creating the Barilla Tax Increment Financing District.

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

**DEVELOPMENT REVIEW PRESENTATION:** Fire Chief Shawn Bayouth introduced Sara VanMeeteren as the new Building Official.

Fire Chief Shawn Bayouth explained that the number of respondents to the survey sent out was down this year, and that it has dropped off significantly over the past few years. He further explained that the survey has not changed significantly since the first year it was sent out. He said that it provides good feedback to Fire Inspections and the Planning Division as it relates to how the Administrative Services staff and the Planners are doing. Fire Chief Bayouth further said that it is a good indicator for the Inspectors interacting in the field.

Planning Director Kelly Diekmann added that, in the time he has been with the City, nothing is significantly different in the respondents' answers. There appears to be a "general acceptance" – at least under the Planning Division category.

Business Development Coordinator John Hall summarized the results of the 2016 survey. He stated that this is the sixth year the survey has been sent out to Inspections and Planning Divisions customers. According to Mr. Hall, 307 surveys pertaining to the Inspections Division and 44 pertaining to the Planning Division were sent. He noted that the results were very positive overall.

Council Member Beatty-Hansen asked that if the responses continue to drop, would there come a time when the survey would no longer be useful. Mr. Hall indicated that it is hard to know at what level things become ineffective, however, he felt that the comments received are constructive components. Mr. Bayouth advised that, from the Inspections standpoint, the Division can not get better unless it receives feedback.

**COUNCIL COMMENTS:** Moved by Betcher, seconded by Beatty-Hansen, to refer to a future agenda the letter from the Story County Board of Supervisors regarding its request that the City of Ames join the Board in commissioning an updated Housing Needs Assessment Study.

Council Member Gartin stated that the initial housing needs assessment was done in 1998, and he didn't understand why now it is so pressing since it hadn't been updated in 20 years. Council Member Corrieri agreed, which is why she would like to see it on an agenda to get feedback. City Manager Steve Schainker said that the City's issue with the request is the timing of it, as staff's emphasis is presently on the City's affordable housing subdivision. It was agreed that clarification was needed on the Board of Supervisor's request, therefore, it will be included as an item of discussion on a future City Council agenda.

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

Moved by Betcher, seconded by Beatty-Hansen, to add the letter requesting a Campustown Plaza from the Campustown Action Association to the list of priorities that the Council will consider with the Campus and Community Commission (CCC).

Assistant City Manager Brian Phillips explained that the CCC is holding its first meeting the end of August. Since all of the representatives are of different stakeholder groups, each person is being asked to bring topics of discussion. The CCC will then narrow these topics of discussion down. Once that is done, it will meet with the Council, whereby members of the CCC will present items it wishes to address. At this point, the Council will then give further direction as to what issues it wants the Commission to work on.

Council Member Betcher stated that this is the list she wants the CAA's request to be added to.

Council Member Corrieri said she had some concerns about giving this to a commission when it has been stated that it is one of the City Council's goals. The process that is normally followed with the goals is that the City Manager assigns it to a staff member or to himself.

Council Member Orazem indicated that this is a big topic and that he wants to make sure it doesn't die. However, he liked the idea of the CCC having ownership of it.

Council Member Betcher said that the CCC should come back with an "action plan" for what needs to be done – either recommending the City moves forward with it, or not.

Council Member Gartin felt that giving this charge to the CCC is adding an extra step that is not needed, and that Council had already worked through this during its goal-setting session.

Discussion ensued regarding whether or not this should be addressed by the Campus and Community Commission or the City Council itself.

Vote on Motion: 4-2. Voting Aye: Beatty-Hansen, Betcher, Nelson, Orazem. Voting Nay: Corrieri, Gartin. Motion declared carried.

Moved by Beatty-Hansen, seconded by Corrieri, to refer to staff for a memo regarding the request from Habitat for Humanity to rezone property at 3504 North Grand Avenue (former Heartland Baptist Church).

Vote on Motion: 5-0-1. Voting Aye: Beatty-Hansen, Betcher, Corrieri, Nelson, Orazem. Voting Nay: None. Abstaining: Gartin. Motion declared carried.

Moved by Beatty-Hansen, seconded by Betcher, to refer to staff for a memo regarding the request from Tim Grandon to add funeral/cremation services to the list of accepted uses in the Community Commercial Node (CCN).

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

Moved by Beatty-Hansen, seconded by Gartin, to request a memo from staff on how to resurrect the Mayor's Bike Ride (and on renaming it the Mayor and Council's Bike Ride).

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

Council Member Gartin referred to an email received on July 26 from Bill Nichols regarding panhandling in Ames. Mr. Nichols was concerned that some of those individuals involved in this act are not poor. Council Member Gartin advised that Cedar Rapids had recently adopted an ordinance regarding panhandling.

Moved by Gartin, seconded by Beatty-Hansen, to refer to the Legal Department for a memo regarding a possible ordinance banning panhandling in Ames.

Council Member Betcher indicated that she would like more information. However, she was not sure she wants staff expending time on this, because panhandling ordinances have been found to be unconstitutional in other locations. There have been a number of places that have had ordinances overturned because of the unconstitutionality of those panhandling ordinances.

Vote on Motion: 4-2. Voting Aye: Beatty-Hansen, Gartin, Nelson, Orazem. Voting Nay: Betcher, Corrieri. Motion declared carried.

**ADJOURNMENT:** Moved by Nelson to adjourn at 7:29 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor

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Jill L. Ripperger, Recording Secretary