

February 9, 2009**City Council Special Work Session****6:30 P.M.****Council Present:** Bailey, Champion, Correia, Hayek, O'Donnell, Wilburn, Wright**Staff:** Lombardo, Helling, Karr, Dilkes, Hargadine**Others Present:** Gunn, Swedlund - UISG Representatives**Addition:**

Bailey/ Okay...let's start out our work session with the first item, which is sales tax. Michael...

Karr/ Could we...Madame Mayor, would you just note that we're going to be adding and posting that agenda item, the new addition one.

Bailey/ There is agenda Item 32.b. I think this is the longest agenda I've seen. 32.b. you got it, um, it's the resolution (noise on mic) use of Community Development Block Grant. There were some changes at the State. So...(mumbled)...anything else?

Karr/ No. That's it.

Bailey/ Okay. All right. Michael?

Sales Tax:

Lombardo/ Well, um, tonight we're here to discuss, uh, the local option sales tax initiative, and come to some agreement on...on whether it be supported, uh, and in what manner. Um, I've provided a brief memo just...some quick thoughts on valid initiatives in general in terms of what I've been engaged throughout the years, and really found that, um, while there are a lot of needs and often competing needs, um, the...the challenge with creating a broad spectrum of fundable projects and initiatives, uh, usually gets either lost in translation or becomes very difficult to explain to the public, or it gives people enough, oh, I don't like that one thing and I'll vote no, um, that my experience is if we want to see this initiative move forward that we should keep it very clean and focused, and right now, um, the primary focus, and I think the spirit in which the...the recent changes in the sales tax legislation, uh, took place is in the spirit of flood relief, and so I wanted to put that out there as an option if we...but I think the broader discussion is, uh, to what level is there support and is this going to see a ballot or not. Um...

Champion/ Michael, will we be able to replace (mumbled) uh, to our General Fund that we have used for flood problems?

Lombardo/ Um, certainly. I think that...that is something that could be considered. That's part of the discussion, is...we think, uh...I would also recommend that we don't sit, you know, go through and say X percent for this problem...

Champion/ Right.

Lombardo/ ...but word it in such a way so that it narrowly defines the realm of projects, um, because quite frankly, you know, the...the two large, uh, infrastructure projects that I would recommend we consider, at least designating funds for, the elevation of Dubuque and Park Road bridge and then the relocation and consolidation of the waste water treatment plants. Hard to say yet -- we've just spent three days in D.C. and we're trying to get funding support from other areas. It's hard to know at this point how much funding would be received or not, and so you don't want to foreclose on using the funds for other things, but yet you don't want to, um, have it be so broadly construed that it, you know, people would wonder what...what it is we're using the funds for. So...it takes some wordsmithing, but largely is for you to discuss this evening really is that the direction you want to go with, or do you see other areas of possibility.

Bailey/ Well, let's first discern if...if this is the direction we want to go. I mean, there was...seemed to be general support for putting this on the ballot, and enabling people to vote on it. Are we still in general concurrence about that direction?

Champion/ Is Coralville still interested?

Bailey/ Absolutely! Um, we spoke with them. We spoke with, um, North Liberty representatives; uh, when we were in D.C. we actually went to lunch and sort of talked generally about what language people were considering for the ballot, and we had hoped that perhaps people would attend tonight to hear our discussion, but we will inform them of the direction we're going, um, naturally North Liberty hasn't been affected by floods, but still has capital projects that they're interested in, 965 specifically, so there's still interest. So, on the part of this body is there interest in moving forward with putting this on the ballot, that's the first question we have to really answer.

Hayek/ Well, I think we have to have the discussion as to what the...what it would be for. I mean, is there...this was flood related legislation that became law, or is our intention....

Bailey/ It's not...

Hayek/ ...is our intention when we talk about this, to limit a sales tax or the revenues from that, to flood relief, or is it to include other things. If it's flood relief, there are various things it could or could not be spent on. I think we have to talk about that.

Bailey/ Well, I just want to make sure that we're moving forward, putting it on the ballot, before we spend a lot of time with language. If we're not putting it on the ballot, there's no point in talking about language. And, the legislation does not require it for flood relief.

Correia/ Yeah, I know it doesn't require it, but I guess I'm, I mean, I'm also...I mean, I think that, that it was put in place to...to try and meet the large needs for counties that were Presidential Disaster Areas. So, I mean, I am interested in...I'm interested in hearing

what the voters, I mean, I'm interested in putting it on the ballot. I mean, the democratic process, see what the voters say. For Iowa City and we have no control over what other cities, we got the list of all the cities in Johnson...or Linn County and what they're, so I mean we really, we can say "yes, we want it on the ballot," but we only can talk about what we want to propose spending it on, and I mean, I'm of the mind at the beginning of this discussion that I want it specifically for flood recovery projects and I mean, I think with this...booklet that we have, I think that there are categories that we can talk about.

Wright/ Yeah, I'd be interested in it going on to the ballot, for flood relief.

Bailey/ Uh-huh.

Wright/ With a sunset.

Champion/ Yes, I agree with you.

Correia/ ,,interested in a sunset too.

Bailey/ Okay.

Champion/ It'd be nice to have it forever, but we're (mumbled) yeah, I agree. It should go on the ballot for flood relief.

Bailey/ All right. So...get more specific, that would help staff adopting a resolution. As you saw in the Info Packet, that without a special meeting we can...we can meet this...this deadline. Um, if we feel that we need more conversation we would have to have special meetings, which was certainly an option. So, let's get a little bit more specific.

Champion/ Can I (coughing, unable to hear) for a second?

Bailey/ Sure.

Champion/ Does everybody do their own ballot language, or do we (several answering) oh!

Lombardo/ Now, Coralville, uh, Kelly Hayworth and I have, uh, set a meeting up for later in this week in anticipation of this, to discuss trying to coordinate the language. We think there's a lot of value...if our...if our hearts are in the same place, then we would do well to keep the language consistent, so that there's not a lot of speculation of why did they word it this way, why did you word it that way, um, and they very clearly want to use this for flood relief, and so if that's our intended use, then it should be easy to come up with language that is...is identical, um, or very similar.

Hayek/ (mumbled) Coralville actually publish language, or even draft language?

Lombardo/ No, no, no, I mean, they're waiting for us. We have to initiate getting it on the ballot and then they will...

Hayek/ Right, but I mean, clearly they've got something in mind.

Lombardo/ Yeah, it's flood related projects, but I haven't talked to Kelly about specific projects.

Bailey/ Likely it's the projects they took to D.C., um, they have a huge...I can't remember the dollar amount. Do either one of you, they have a huge list of flood mitigation, predominantly they're talking about levees, um, and some shoring up the CRANDIC railroad, um, levee, as well.

Hayek/ Do they sunset? I mean, theoretically.

Bailey/ They're interested in a sunset, as well.

Lombardo/ I think we all generally agree that...that sunset clause is really, uh, the only way to have this pass.

Correia/ We don't set the sunset, we let the Board (several talking) Supervisors...(several talking)

Bailey/ There's some...Eleanor can walk us through that. The Board does set that, but um, we have the option...

Dilkes/ The Board...the Board sets the sunset, but um, we need, if you want a sunset, we need to recommend a sunset. What happened in Cedar Rapids is the City of Cedar Rapids recommended a five-year sunset and that's what the Linn County Supervisors did for the entire county.

Champion/ Are we supposed to list specific projects, I mean, like we would list elevating Dubuque Street and elevating the bridge and...

O'Donnell/ ...Park Road bridge...

Champion/ ...redoing the Park Road bridge. What about Foster Road? That just needs to be elevated a very small amount to stop the flooding that went on.

Lombardo/ You can list specifically, um, I would recommend we...we do it in terms of characterizing the types of projects, but not limit it, because there are a lot of different aspects of the funding and like I said, we're trying to find funding from other areas so that...any funding we do visa-vie sales tax will go further. Um, and so I wouldn't want to close the door on, or...or heaven forbid, get into a situation where we defined it too narrowly and they had to rebate taxes because we couldn't use it, and that type of thing, but...um...

Wilburn/ It would seem to me, too, that...there...there may be a circumstance, for example, Connie, where, um, staff, engineering, may decide that there's a...there's a particular, uh,

flood related item that might be more effective than another that we have on the books, and if we put...we put the specific one down, then we can't do the other project that might be more effective. Is that...is that fair?

Lombardo/ That's fair, and...and even, I mean, for the...our priority project is elevating Dubuque and Park Road bridge. You know, we have a...a range, and the upper end of that range is \$32 million, based on protecting to the 500-year flood stage. From an engineered perspective, we don't even know if that's feasible, but there are...there's a lot more work that needs to go in to determining what the project will be, and so there's a range of...of funding that would be needed to...to take care of that, so...a lot up in the air yet, and getting too specific would be problematic, I think.

Bailey/ Matt, you had a question I think...

Hayek/ Well, I...mean, it seems to me that...at least two of the broad categories of flood work that could be done would be public infrastructure, encompass those (several talking) moving the waste water treatment plant, you know, elevating roads and...and replacing bridges, that sort of thing. Um, acquisition, and I think acquisition and I'm talking about buyouts of private property, um, is...is significant and I think if...and I don't know what the Council feels about that, but I think if we...if, if, uh, if a majority of the Council would use sales tax generated dollars for the acquisition of private property, that has to be made very clear in connection with the referendum.

Wright/ You're suggesting private property where the owners have not participated, or not...or are not eligible to participate in the buyout?

Hayek/ Yeah...essentially, uh, going above and beyond.

Wright/ Yeah.

Bailey/ Buyout.

Hayek/ Um, well, I mean, if...if the....

Lombardo/ Are you suggesting that that be considered or that we go in that direction?

Hayek/ No, I'm not. But I'm...but I think it's important for (coughing, unable to hear) to make it clear if...if we would want to go in a direction like that. I think it has to be clearly worded in the referendum. If we don't, then...then we don't need to, but I could see us...I could see a...a significant unhappiness in the community if people voted for a sales tax, thinking they were going to get, uh, dollars generated to support infrastructure available to everybody, and those dollars instead got used, or some portion of those dollars, instead got used for private property acquisition, which may not be a bad thing, but if people voted for (coughing, unable to hear) then ended up seeing the dollars used for something else, it could be real backlash.

Lombardo/ Have any of you been getting any kind of feedback on...on uses of this funding and what people would support or not?

Correia/ Besides what was in the packet?

Lombardo/ Yeah! What'd you say?

Correia/ Besides what was in the packet?

Lombardo/ Calls or (several talking) yeah.

Wilburn/ I got, uh, conversations in the past with some folks related to infrastructure, um, and flood protection - you didn't mention that but - that's something that Cedar Rapids did, you know (mumbled) (several talking)

Champion/ ...raising the road and all that stuff, isn't that...

Correia/ I think flood protection can...would include buying out property, private property, to create the...physical environment that would, um...

Bailey/ We've indicated that that's the most extreme measure of protection.

Correia/ Right.

Bailey/ Yeah, it would or it could.

Lombardo/ I just...I just have some questions about, you know, the broad...separating the broad public benefit type projects toward areas that...or projects that...that are for a limited, you know, area um, in terms of how the voters are going to respond, and that's what I'm curious to know...

Champion/ I think we need broad spectrum. (both talking) I agree with...

Dilkes/ Can I just make one point here? Clearly we're going to word the language of the ballot as broadly as we can to encompass what you want to do and give you flexibility to do that. But that doesn't...mean we just sit here and think of the broadest language we can and put it in the ballot. We have to work backwards. You need to identify the possible uses you want, might want to make of this money. Matt has said there are two general categories, public infrastructure...and/or private acquisition or private, um, infrastructure that benefits a smaller segment, and then we'll back in...once we know what you want to do or a majority of you wants to do, we'll draft the language to get us there, but we can't just sit here and come out with, you know, flood relief and flood recovery without identifying more specifically what that might be.

Bailey/ (several talking) remind me again how much we can possibly generate annually from this?

Lombardo/ A round number's \$9 million, um...

Bailey/ So, if we're talking about a sunset (both talking)

Correia/ ...five years or \$9 million...

Lombardo/ \$9 million a year.

Bailey/ So if we're talking about a sunset, part of my concern when we look at the public infrastructure cost, I mean, we quoted, well, we took these two, our legislative delegation, we looked at elevating Dubuque Street to the 100-year flood plain, \$21 million, but as Michael pointed out, you know, 32 is the possible top end, if we can engineer to that. I mean, we have infrastructure projects in excess of \$80 million. With the sunset, even with some federal funding with the sunset, it's going to be a challenge to even do those two projects we took out to D.C., and so I'm particularly interested in those infrastructure projects and it...in my mind it makes it a challenge to add too much more in there, unless there's some amazing funding miracle that happens, um, in Des Moines or D.C. and...I don't know. So, I mean, let's keep in mind if we put infrastructure what the price tags are, and how realistic is it to get to those kinds of projects, given the amount of revenue we can generate. (coughing, unable to hear) I'm looking at this.

O'Donnell/ The Park Road bridge was \$24 million I thought.

Bailey/ The Dubuque Street and the Park Road, um, replacement is a \$21 million project to the 100-year...(both talking) \$32 if we elevate Dubuque Street to the...the event on record, last year. And then, relocation of the north waste water treatment plant with redevelopment design is \$63 million. (both talking)

Lombardo/ That's broken out, about \$40 million to create the capacity at the south plant, and about \$20 million in remediation and site preparation and...

Bailey/ Right.

Lombardo/ ...getting rid of (mumbled) in terms of flood plain.

Champion/ Well, I still think I would like to see a five-year...what did we call it?

Bailey/ Sunset.

Champion/ Sunset.

Wright/ Yeah, I mean, that...

Champion/ And, just do major infrastructure for the public good that affects everybody in the city.

O'Donnell/ For five years wouldn't cut what we want to do. (several talking)

Champion/ Well, we might get some other funds from something else.

Wright/ If you start tallying up the price tag for everything we've got, we're looking at...a long time out.

Bailey/ We are. I mean, I mean Michael's right. We won't stop seeking other funds and there were some hopeful comments made about the north waste water treatment plant, but we have to follow up with that, and uh, I mean, five years at \$9 million gets us, hm, halfway there.

Lombardo/ I'll be candid. My preference would not to be...have a sunset. I mean, our needs far exceed what we can raise in that limited period of time. I just don't know that anything longer would...would be salient to the voters here, and...and I think if we can establish a track record, do...uh, responsible projects and get them done and demonstrate that, you know, we'll use the funds as we say we will, then maybe there's an opportunity for the future, but I'm getting a lot of feedback that, um, questions more or less. If Cedar Rapids is sunsetting at five years, you know, why...why would you make it go beyond, you know, how are your needs greater. There are arguments to be made, but...

Bailey/ At that discussion we had over lunch with the other cities, we did talk about a possibility of a seven, I mean, we talked five, seven, and nine, and you know, people were agreed that a sunset needed to be included and that we should recommend, it would be good if we all recommended the same one, so it would encourage the Supervisors to do so, um, but...

Wilburn/ I would also add, uh, in terms of that...that reasoning, we have uh, a similar historical example of, uh, saying here's something we're going to do. We did it, and we um, I'm thinking of the uh, the Library and the selling of bonds to temporarily take us over our self-imposed uh, credit limit. We said we were going to do it, um, there was a public vote for it. Public supported it. We sold the bonds. Library's built, uh, we temporarily exceeded the self-imposed rule and then we went back below it. So I think, um, that type of statement by putting a limit on it does help, uh, and potentially set up a future argument that the public might find palatable. If other funds have not come in or...or uh, or God forbid, some other type of disaster item come up. Keepin' it real!

Hayek/ Michael, I understand currently your recommendation is that, um, property tax relief is...would not be something you would recommend including.

Lombardo/ I would love to see it. I think it would give us a distinct advantage in terms of...of uh, development, um, I think it's needed. I just don't know that this is the right tool to deliver it, and...and again, I think if you start...I...my experience with (mumbled) even if your intentions are good and...and you know, you...that it's seen as a way to gain the process, you know, give somebody...give everybody a little bit of something and, you

know, I think this streamlined approach sells itself. I mean, it's, you know, defensible and...and we don't have to point and explain why we did anything else with it. Um, and...and I think, you know, there was an article in one of the papers fairly recently that kind of speculated, or maybe it was on one of the blogs. I do read them occasionally. Um, speculated about what would happen, you know, you buy down the property tax and then what happens, and it's just...you get, what happens is you spend most of your time trying to defend why...what your approach is defensible, as opposed to getting to the heart of the matter, and...and so, you know, my recommendation is you keep it clean, keep it focused, and...and you don't have to spend a lot of time explaining things. You can just talk about the merits of the projects and your approach, and...and that's what gets...or any type of ballot issue is passed, is that type of very clear, concise targeted approach.

Correia/ So it's...I'm looking at City of Cedar Rapids. So their sales tax is proposed to go 10% for property tax, and then the remaining all for acquisition and rehab of flood damaged housing, and for matching funds for federal dollars (mumbled) or flood protection. Um, I mean, I think that there is a benefit to the entire community to have flood protection measures implemented in (coughing, unable to hear) that were affected by this year's flood event, because we had to expend resources of the City to protect the neighborhood, to protect the neighbors, to do all that we did to try and alleviate the flooding, so I mean, I think that looking at the long-term, that there is a city-wide benefit to efforts to protect that particular neighborhood. It might not be the type of benefit of raising the road so that in the event of a flood people aren't put out because they can't travel that road, but all of the resources that are attractive to that neighborhood during a future flood event. So I mean, I do think that, I mean, I wouldn't want to limit ourselves by not including putting...doing neighborhood-based flood protection that could include buying out property, because I think there is a long-term benefit to the City as an organization to doing that, and potentially to minimizing flood events by not having structures in that...in that area, you know, in that area. So, you know...

Champion/ ...not going to have enough money to do that in that five years anyway. (mumbled)

Correia/ But I'm saying, if we don't know what might be coming down. There's all sorts of speculation on economic stimulus, and you know, we have no idea what, so we could potentially get, you know, millions of dollars to help with the waste water treatment plant, and I just would not want to see us limit that, and I think that there is an argument to be made that, and I think, you know, we're seeing Cedar Rapids is spending pretty much all of their money on that. Now they have a bigger event, affecting more, um, more housing stock, more neighborhoods, I mean, I understand that.

Hayek/ I don't disagree with that. I mean, it's...and I'm not making an argument on the merits of how the money is spent. I'm just saying, we need to be extremely clear about our intentions with these dollars (coughing, unable to hear) and we are not Cedar Rapids. We are, you know, the percentage of our homes that were affected is extremely small, relative to a place like Cedar Rapids, and you know, we...there's got to be some political calculus here, as well. I don't know how the entire community would feel about using

dollars to that end, as opposed to public infrastructure. So, that factors in, but...but it...whatever it is, it's a decision of the community. So, whatever we're going to do I think just needs to be clearly, uh, worded.

Bailey/ Well, and my question about that, and I don't disagree that...that this is a good thing and it goes take resources and...and there is a broader community benefit, even if you do have to connect the dots for some people, um, the concern or the question I would have is if we put infrastructure and intend with our priorities to go with Dubuque Street, Park Road, and relocation, even to the \$40 million of getting the capacity with the north waste water treatment plant, because I think those are absolutely critical, and it's not just...Dubuque Street is not just about a convenience issue. It's an economic concern when that is closed. It's...it's a neighborhood concern for lots of different neighborhoods. It's an economic concern, so it's not just, you know, making sure that people have the route that they're used to. It's also a flood mitigation consideration for the Corp, and we have to...we can't overlook that either. Um, but if we put flood protection measures in there, and sunset in five years, and don't get to those or...what are we saying, what kind of...what kind of commitment are we making, what kind of hope are we creating, and can we follow through on that, and that's a concern that we've talked about all...all the way along is if we put something out there, we need to be able to...to follow through on it, because people...people base decisions upon that. So, if we can't get to it financially, what happens? That would be a question (both talking)

Wright/ ...before it sunsets, is that your concern?

Bailey/ Right, right! Yeah, and...and for whatever, I mean, does that mean we have a commitment from our general fund, or from other funds that the City has to...to do flood protection measures and where does that come from, I mean, I think we have to consider what we're putting out there, and what kind of, um, what kind of um, hope that we're putting out there for people, or intention that we're putting out there for people, and are we willing, is that our intent, with this or with other funds, or...I mean, for example, yes, we will do...we will do flood protection within these neighborhoods, but do we intend to pursue, to go through and pursue additional buyout funds, if...if this sunsets and there aren't other funds available? If, as Ross said, something else happens. That's...that's something I think we need to...to weigh very carefully.

Correia/ I mean, I think when we...when we talked earlier about the...HMGP application, and you know, who was going in, who wasn't, who was eligible, who wasn't, I mean, I think at that time we talked about having a long-term strategy, you know, so there are folks that are eligible for the buyout and are not...are not participating in the buyout, but our long-term goal is to, you know, over time, have that so potentially as houses go on the market, we may buy, you know, not...you know, buy them on the open market to try and reach this goal of...flood protection.

Bailey/ Well, then the question that I would have is where does that fall on our priorities, if we have one, two, three, you know, infrastructure, these two projects and then plus that, you

know, how does it all play out, I guess is my question, and then what...what kind of expectations do we create.

Hayek/ To clarify though, that's not my understanding of...of the decisions we reached as a Council as they relate to buyouts. My understanding is that we decided to...to pursue as hard as we could the federal and state tax dollars, through that particular program, for buyouts, but we did not make a commitment to the public, uh, going...beyond that.

Bailey/ Right.

Correia/ But my question was, when we were getting that...that application in, um, with the map, and so even along Normandy, it's...you know, three houses here, one, you know, so how can we really do flood mitigation when we have, you know, three lots that are going to be empty, but then there's a house there, then three more lots that are, you know, that was my question then, of well how are we really going to be able to do hazard mitigation on...along the river on Normandy when we're not...with this application...going to be able to have all these homes purchased and do hazard mitigation.

Wright/ Well, purchasing all those homes is...theoretically that could take 30 years. There are some of those properties that aren't...

Champion/ I don't think you should confuse the public. There's not enough money to do everything they want to do. I think we should deal with the things we can do, and if those three major projects are going to eat up that money, even if we're going to have to have money from other sources to get them done. We should concentrate on that, and not give people false hope that we're going to buy out their property, even though they want it bought out, but they didn't qualify for the federal program.

Wright/ Well, and I think as individual properties may come up for sale that are in...in the flood plain that we're concerned about, chances are that's going to happen over time and that might be something we can work through in our...in a better year!

Champion/ In a better year! (both talking) Right.

Dilkes/ (several talking) I know when staff has used the term, you know, the long-term plan...

Bailey/ Uh-huh.

Dilkes/ ...we were talking about, for instance, some of those homes along Normandy that are either not interested in the buyout or not eligible under HMGP...

Bailey/ Uh-huh, that's...

Dilkes/ ...staff I don't believe has ever used that term in connection with that entire neighborhood.

Correia/ Oh, no, I'm not talking about (several talking) I'm talking about like Taft Speedway, I'm talking about right along...not the whole neighborhood.

Wright/ Those individual properties.

Correia/ Yeah.

Lombardo/ (several talking) One of the points that...that I think was being made though is in light of the hodgepodge kind of nature of the HMGP, how effective could we be at implementing other types of mitigation methods, and I think that's a...a very realistic, um, or...or very, um, important question. It forecloses the ability to do, or makes it much more complicated, and again, until we know better about all our funding opportunities, it's hard to say that, you know, at the...one of the questions I think at the neighborhood meeting was, so does this mean, you know, uh, we're focused on elevating and flood proofing, and I think that's a legitimate question, and...and I can't help but wonder if that's what, based on the landscape right now, of what we're talking about. You know, they keep putting off the decisions with the next round of federal funding. Now we're told last week that it could be April or May, um, for funding that was approved by Congress in, what July or August, uh, you know, it's hard to plan and know (both talking)

Bailey/ The big disaster bill.

Lombardo/ If...if some of this were, if it, you know, a piece of this to round out the funding and you could make a plan and say, yeah, this is how we'll use it, that'd be one thing, but lacking that, you know, it's hard to really begin to understand what...what methods are possible or not.

Correia/ Well, what if we had something that's...that's...um, matching, you know, this language of matching funds for federal flood dollars to assist with flood recovery or flood protection. I guess (coughing, unable to hear) think that...that there's a way of...of saying, you know, this is on a list of potential, I mean, this is one piece of it. If we're thinking about a comprehensive flood protection and flood recovery strategy, it includes public infrastructure, and it includes neighborhood protection.

Champion/ I'm not willing to put that on the ballot.

Bailey/ You're not willing to put what on the ballot?

Champion/ Neighborhood protection on the ballot.

Bailey/ Flood protection measures?

Champion/ I'm interested in major, um, comprehensive public good infrastructure.

O'Donnell/ You know, you...you make no mistake - it's a tax. And uh, people are not fond of taxes in this community. I think...it's absolutely essential that Dubuque Street is

elevated. I mean, that's...that's economic development. It is...it's a main entry into our city. That has to be done. It's for the general good of Iowa City. Uh, Park Road bridge, you can give the same explanation for that. I mean, it routes traffic through the city, to and from, and...and the water treatment, I mean, that's something that's going to benefit everybody in the city, and I think you...you, uh, pinpoint those areas and move forward, and I appreciate what Amy said about...about helping those houses, and I think that we...we address, uh, when you can.

Wright/ What sense did you get when you were in Washington about possibilities, for example, for Dubuque Street?

Bailey/ Well, we're applying for an EDA grant, but you believe when talking to them, you thought it might be on the edge of their, I mean, a little out of scope?

Lombardo/ Um, when...when we were working with the FEMA long-term recovery group, um, their...they were very, um, comfortable with the project and...and had indicated that they thought it'd be likely to piece together funding for it. Um, through EDA in part. Uh, when we met with them, um, several weeks ago now, all the stimulus bill stuff started coming down and there seems to be a...a shift in the thinking that, well, maybe we'll fund, um, the planning and the initial stages of it, uh, we're going to submit for the whole project, or for, you know, the whole project and ask them to fund as much of it as they'd be willing to fund, but they seemed to be looking at the stimulus type, um, projects that are, you know, 18 months or less. Uh, question in D.C. was, do we think we could get Dubuque and Park Road bridge in less than...done in three years or less, that that might open up some opportunities. We'd be hard, I mean, there's property acquisitions, rights-of-way, I mean, three years on that project would be if the skies opened up (coughing, unable to hear) we were able to just get everything done. It's almost inconceivable, but that's...the mind shift, this whole stimulus bill and the talk around that, everything is shifting towards what's quick and expedient, and...and that's why I worry that the funding is not going to be there as well as they had indicated towards the end of last summer (coughing, unable to hear) fall.

Bailey/ The treatment plant, we have to follow up with FEMA. There was some suggestion that FEMA could be doing a little bit more towards that, and it's a project that's more easily phased, but um, once again, you know, it's...the environment's changing very quickly and, you know, (noise on mic) regarding funding, and it's hard to say. So, you know, we got the answers that we usually get. We'll see.

Lombardo/ Although they did ask for more detailed follow-up. I'm encouraged, I think, we...the projects were well received, um, when we were there last summer I think there was some hesitancy. I mean, I think um, the fact that EDA and the long-term recovery folks have...have talked to the folks in D.C., I think is encouraging. What that's going to yield in terms of dollars remains to be seen. When I get a commitment letter, I'll be happy.

Wright/ So basically it's a big question mark at this point.

Lombardo/ Big question mark. You know...

Bailey/ Kind of like everything.

Lombardo/ The climate is all about, you know, stimulus package type initiatives and you know, (several talking) dialogue to what's the meaningful projects that are going to make a difference in a community seems to be a challenge right now.

Wright/ What would be a reasonable scenario for getting all of our ducks in a row for Dubuque Street and Park Road? Five years?

Lombardo/ I think...I think between three and four years is probably a good timeframe to get the project from just starting cold to getting it done. Now, you know, three to four years. It's a big project.

Hayek/ I also think we need to be mindful of...of...the historic, uh, receptiveness of the community to a sales tax. It's failed twice, and when it was last tried in 1999, it got watered down with little bit of goodies for, you know, seven or eight different constituencies, it looks to me like...from just reading the memo, and failed miserably, came much closer ten years before that (coughing, unable to hear) focused, and I think the lesson that I draw from that is, if we want this to pass you construct it so that it has a very narrow focus.

Wright/ And a sunset, because what we're going to be hearing, which is correct, is that this is of course the most regressive form of tax.

Lombardo/ And the changes in the structure have kind of mitigated that argument to some extent, you know, we're not talking milk and eggs now, but...

Wilburn/ Or utilities. (several talking) I would suggest, uh, to be used for 100% flood impacted public infrastructure, um, and um, maybe Eleanor can help me with this. Um, would we be creating a problem if, as part of that, it said "such as elevation of Dubuque Street, relocation of the north water treatment plant." If you don't have an all-inclusive list, do you get where I'm...

Dilkes/ Oh, I don't think you have to have an all-inclusive list. I...I think, you know, public infrastructure, um, that (both talking) flood, you know, something like that may work...fine for the language, and that's...that may be what we end up doing. Um, I think just your message needs to be clear. If you're talking about public infrastructure, you're talking about public infrastructure. If you're talking about public infrastructure and neighborhoods, you need to be clear about that, and so you just need to tell me and we'll word it as simply as we can to accomplish whatever your purpose is.

Champion/ That's good.

Wilburn/ And then with the five-year sunset, um, because of the challenges with um, I...I hear clearly what you're saying, Amy, but uh, I remember the uh, the last time the uh, sales tax was on and uh, collectively it ended up with, um, more folks voting against due to some of the other areas...legitimate areas that were trying to be addressed. So given that, um, we have enough flood impacted public infrastructure projects, then I would suggest leaving it at that and we'll have to continue to try and address some of the other areas through other sources of funding.

O'Donnell/ I just don't think that five years is enough. Um, you know, that covers Dubuque and the Park Road bridge, but we still have the water treatment plant and...

Champion/ It'll cover more than that.

O'Donnell/ Not really.

Correia/ Well, I mean, I do...I do think with Cedar Rapids and Linn County having five years, I think we'd be hard pressed to justify longer than five years. I mean, we could...we could justify it, but I mean I think we'd be hard pressed for support for beyond five years. I think we would get reamed on it. So I don't, and I don't...and I think we could potentially lose out on any of it, because we tried to go longer than a county that clearly has greater disaster effects than we do.

Wilburn/ I would agree, and...and it gets us, again, it gets us (mumbled) making some replacements and then once the public sees Dubuque Street elevated, uh, Park Road bridge done, uh, maybe that will change, and then that will have been five years experience with a local option sales tax and maybe that will make it more palatable to some.

Bailey/ And I think, you know, we shouldn't overlook...elevation of Park Road bridge, um, is actually a flood protection measure for the...for that particular neighborhood. I mean, because it acts as a dam, and it might be the most, one of the most significant things that we have the opportunity to do with these funds, um, whereas...as Ross said, looking for other funds keeping, you know, just knocking on the door of the State all the time. I mean, the \$700 million bonding bill that may or may not happen, um, I think we should look for other funds for the...I don't want to call them more affordable projects, but the...the smaller scope projects.

Wilburn/ Well, and I think too, uh, because folks will do the comparison, will do comparisons, um, if we stated as such, as I just said, then there really, it's a simple argument there won't be any, um...um...it will...generate less energy comparisons to other cities, such as the ones that...and I think again, our...our intent regardless with all of this is to try to address flood impacted areas, as opposed to some of the areas...cities and some of the other counties that just said basically for whatever (mumbled) purpose, and we're clearly not saying that. We're clearly trying to focus and target, and I think that's...that's uh, sound, logical reasoning that we can put out to the public.

Hayek/ We have received a written request from the City of Coralville to do this. Have we received similar requests from other municipalities in the County?

Bailey/ No, but verbally they have expressed their interest.

Hayek/ I mean...

Bailey/ North Liberty, I guess I haven't heard from Hills or Solon. (several talking) I haven't heard from Hills.

Wilburn/ I know of another city that would be interested, waiting essentially to see what we're going to do. They're not going to put themselves out there.

Bailey/ Right.

Wilburn/ Until they hear from us.

Hayek/ I mean, I think that would be wise to collect those formal letters of support or requests, I mean, to a certain extent, if we do this, if we put this on a referendum for the entire county, it's an act of comedy between us and other governments, because only we can chose to put it on a referendum for all of the towns in the county, um, and...

Wilburn/ Well, we've already, excuse me, Matt, we've already had that (coughing, unable to hear) Coralville and uh, we can ask for the others, but I...

Champion/ They weren't really affected by the flood (several talking)

Hayek/ Hills was.

Bailey/ The County has also verbally expressed interest.

Hayek/ Yeah.

Bailey/ I mean, they were a part of our discussion.

Hayek/ That's part of this, right, part of why we're agreeing to do this is because our neighbors have asked us to.

Champion/ Exactly!

Bailey/ Right.

Hayek/ And I think it's important for the public to be aware of that.

O'Donnell/ Well, and the other part of that, Matt, is there's an absolute need for this money at this time. I mean, I...I don't know. I wouldn't have any trouble even suggesting that we do

this. I mean, Coralville did come forward, but I mean, there's certainly a need for it. That's the other part of the puzzle.

Bailey/ So...the general consensus is...public infrastructure, I mean, Ross, what...

Wilburn/ 100% flood impacted public infrastructure.

Bailey/ With a five-year sunset.

Wilburn/ With a five-year sunset.

Bailey/ Is that the consensus? (several responding) Okay. So we will have draft language and vote on a resolution on the 24th. Okay. All right. Let's move on to Council appointments.

Council Appointments:

Bailey/ We need, um, an appointment to the Iowa City Conference Board (mumbled) that came up at our Conference Board meeting. One appointment of an Iowa City Council Member, uh, to determine how...the City appraiser should approach, uh, the reappraisal, uh, project.

Hayek/ This is what we talked about...

Bailey/ Yeah, at the Conference Board. Uh-huh.

Hayek/ I probably volunteered myself for that.

Bailey/ You did, thank you. I was hoping you might recognize that. Okay. I'm assuming nobody has a problem with that. (laughter) And then we have, uh, a...for the Youth Advisory Council, an at-large application, Zach...I'm sorry (several talking) Wallace.

Wilburn/ And I would recommend to Council, um, to approve Zach. Zach is a, he is a senior at West High, but he's, um, very involved in several community groups, including Scouts, several things at school. He's uh, pretty organized guy. Very, um, he's in charge of some of their debate and play things, and a lot of underclass students look to him for advice, suggestions, leadership, um, and um, even though he's a senior (noise on mic) be short served, I think he would be helpful in trying to help institutionalize people from underclass, students from, um, underclass students but uh, younger students to, uh, apply for the Commission, so I think he can help with, uh, starting to build some sustainability to it.

Bailey/ Okay. (several responding) Great. We'll dispense with that, um, let's get started on any agenda items. It's a long agenda, but I think we have a lot of repeats on it so...don't be frightened.

Agenda Items:

Bailey/ Any specific questions about agenda items?

ITEM 30. CONSIDER A RESOLUTION APPROVING, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AND THE CITY CLERK TO ATTEST AN AGREEMENT BY AND BETWEEN THE CITY OF IOWA CITY AND ANDERSON-BOGERT ENGINEERS AND SURVEYORS, INC. TO PROVIDE ENGINEERING CONSULTANT SERVICES FOR THE BURLINGTON/MADISON INTERSECTION AND MEDIAN PROJECT.

Wright/ I've got a question on agenda item 30, which is the Burlington/Madison (mumbled) um...some meeting recently, there've been so many they're all blurring (mumbled)

Bailey/ CIP maybe?

Wright/ Um, what is the status of the University's interest in that project? I mean, I know they're interested. What is their...

Bailey/ Status of the agreement (both talking) right, the status of the financial agreement, right?

Wright/ Yeah.

Lombardo/ (mumbled)

Wilburn/ Is your microphone...

Bailey/ Use your words, use your microphone. (laughter)

Lombardo/ For some reason I want to say that there was an email regarding this. I'd have to...I'm still digging out from being away for three days. We'll have an answer for that tomorrow night.

Bailey/ So when this comes up you'll...okay.

Wright/ I hesitate to vote for the engineering until I know what the University's position is.

Bailey/ Okay. Other agenda...go ahead.

Correia/ Well, it looks like there's a cost sharing for even the engineering services. That's what (mumbled) exactly what that is. It'd be good to know.

Wright/ It's good to know if the University actually has the wherewithal to...(several talking) the project. (several talking)

Dilkes/ I believe we've discussed at staff that they have made a \$700,000 commitment.

Correia/ Total for the project?

Wright/ So that is...that's different than...is that enough to pay for the, that first stretch of it?
No. That's what they were talking about at one point.

Bailey/ So 1.1...so it's over half.

Champion/ I don't think we can afford to do that right now.

Wright/ Afford to do what?

Champion/ That median. All the way up to Gilbert Street.

Wright/ No!

Bailey/ Okay. Other agenda items?

ITEM 23. CONSIDER A RESOLUTION ESTABLISHING FEES FOR BUILDING PERMITS AND OTHER SERVICES AND ACTIVITIES OF THE HOUSING AND INSPECTION SERVICES DEPARTMENT AND RESCINDING RESOLUTION NOS. 02-316, 01-40, 03-183, AND 06-376.

Correia/ Um, item 23...I had a question about...this is the building permit fees.

Bailey/ Uh-huh.

Correia/ Were these increases, we didn't talk about these increases in our budget process, did we, I mean...this is different from the Housing Inspection fees? Isn't it?

Wright/ Which one are you talking about, Amy?

Correia/ Number 23 (several responding) fees for building permits (several talking) so if that's a budget that building permit section, which at this point...

Lombardo/ I think those are all part of the same dialogue, that it was inspection and the building fees.

Correia/ No, I think this is...I don't think this is related to rental permits. Mechanical permit fee...

Karr/ It's part of the package. You're absolutely right, you're correct, Amy, in that you didn't discuss it specifically, but it was included in the package.

Correia/ So this is not revenue, this isn't the revenue that goes for...okay. Let me just find (mumbled)

Bailey/ What you're saying, Marian, is there's the line item that increases fees. We didn't discuss the specifics of these fees being increased, but this is part of how we get to that number (several talking)

Karr/ This was discussed at staff only to reaffirm that the fees were ready to be included on...

Correia/ Okay, so I guess this is my question. In the budget, for the Housing Inspection department, do those revenues for item 23 go into 424300 center, or 424200 center, building inspections?

Wright/ What page are you on on the budget?

Lombardo/ 17 (several talking)

Wright/ 49?

Bailey/ So you're asking where the...where these fees (both talking)

Correia/ Yeah. Because they're separated.

Helling/ They would go into Building Inspections, but...

Correia/ Well, that's my question, is if we have more receipts than expenditures in Building Inspections so why would we need to increase these fees?

Helling/ My recollection is that this...this piece of it, in Building Inspections, is only four of the fees, uh, that the amount of money it would be expected to generate is not that significant.

Correia/ So why are we...

Wright/ I guess that does kind of beg that question then why are we...

Correia/ Why are we raising them?

Wright/ ...raising them...

Lombardo/ I have to admit, I'm drawing a blank. Um (coughing, unable to hear) benefit of...of being with staff, I don't...on Wednesday I don't have an answer (mumbled)

Helling/ Well, for instance, in the comment and it talks about the administrative fees for snow and weed compliance.

Bailey/ We did talk about that. We have talked about that, and we agreed that that would potentially, you know, be more of a deterrent. Yeah, the weed and snow, snow removal

and weed complaints, because I remember that discussion. I don't remember the other (mumbled)

Hayek/ Well, do we have a status quo document, in terms of current prices that we can compare these changes to?

Lombardo/ Other cities?

Hayek/ Well, no, no, in terms of...this schedule sets out what the fees would be if we adopt this resolution.

Champion/ It tells you the difference. (several talking) It tells you the difference.

Bailey/ There are...there are four things that change, if I'm reading this correctly. There are only four that change. The rest of them are the status quo. Am I reading that correctly? So, um, mechanical fees, residential remodel fees, we talked a little bit about snow removal and weed complaints, at least I remember a conversation about that, um, and then, uh, minor modification. So, that's what you meant, Dale, these are seen as pretty minor increases that won't...

Helling/ Right. They are increases in fees, but typically there aren't that many instances of collecting the fees, at least flat amounts. That's my recollection.

Bailey/ Okay.

Hayek/ But I...the staff commentary on the rationale behind these increases is limited to the actual agenda, the blurb in the agenda, but we'll get, somebody will address us on...

Bailey/ Tomorrow we'll have somebody there for Item 23?

Lombardo/ Yes.

Bailey/ Okay.

Correia/ (several talking) I don't really see it...when, I mean, I see it here on page 17, in the discussion - licenses and permits - but like when I'm looking at the Building Inspection line, there isn't anything that says 1.3 million, and even the two lines, construction permit and inspection, and then the building and development, which maybe that's where their fees. It doesn't equal 1.3 million...anyway, in revenue, and we're still...

Bailey/ So Doug will be here tomorrow night?

Dilkes/ I think if you look at the whereas clauses in the resolution that explains it. Whereas, because the City now provides inspections of the installation of mechanical work, the fees for mechanical permits for residential structures should be increased to the same rate as the fees for plumbing and electrical fees. Whereas, the fee for minor modifications

should be increased to reflect the increased staff time required for consideration of requests for minor modifications, under the new zoning code, and it continues on, explaining each fee.

Bailey/ But I think (both talking)

Correia/ Question is that, are we over self-sufficient?

Bailey/ Is there such a thing? (laughter) Overly self-sufficient (laughter)

Wright/ It would be helpful, this is the I think the second time recently where we've had questions on something from HIS and nobody here. That's a little frustrating.

Bailey/ Okay. Other agenda items?

Wilburn/ I have one, but we're close to 7:30.

Bailey/ Is it going to take more than a minute?

Wilburn/ Um, not my particular question, but I can't control whether (laughter) I'll ask my question...

Bailey/ Very observant of you, but...

ITEM 20. CONSIDER A RESOLUTION APPROVING THE POLICE CHIEF'S GUIDELINES FOR REVIEW OF APPLICATIONS FOR INITIAL AND RENEWAL LIQUOR LICENSES, BEER PERMITS AND WINE PERMITS AND THE POLICE AND FIRE ON-PREMISES RENEWAL FORMS AND RESCINDING RESOLUTION NO. 06-216.

Wilburn/ My question is on item 20, um, related to the Police Chief's form in...

Dilkes/ I thought we'd talk about that under the whole alcohol discussion.

Wilburn/ Okay. All right.

Bailey/ (laughter) Eleanor (several talking) see?

Wilburn/ I still can't control what everyone else does (laughter)

Hayek/ Take a minute to reprimand Ross (laughter)

Bailey/ I wouldn't say reprimand. Okay, are we at 7:30? Can we call this to order.

Wilburn/ I accept it.

Bailey/ Okay.

(meeting went into special formal, executive session at this point)

Alcohol:

- ITEM 19. CONSIDER AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF IOWA CITY, IOWA, BY REVISING TITLE 4, ENTITLED "ALCOHOLIC BEVERAGES," CHAPTER 5, ENTITLED "PROHIBITIONS AND RESTRICTIONS," SECTION 8, ENTITLED "PERSONS UNDER 19 YEARS OF AGE IN LICENSED OR PERMITTED ESTABLISHMENTS" SUBSECTION E (1) TO INCREASE THE PENALTY FOR A PERSON UNDER 19 YEARS OF AGE WHO VIOLATES SAID SECTION TO FIVE HUNDRED DOLLARS (\$500.00). (FIRST CONSIDERATION)**
- ITEM 20. CONSIDER A RESOLUTION APPROVING THE POLICE CHIEF'S GUIDELINES FOR REVIEW OF APPLICATIONS FOR INITIAL AND RENEWAL LIQUOR LICENSES, BEER PERMITS AND WINE PERMITS AND THE POLICE AND FIRE ON-PREMISES RENEWAL FORMS AND RESCINDING RESOLUTION NO. 06-216.**

Bailey/ Okay (several talking)

Dilkes/ Um, there's a memo in the packet, um, that, well, you've got two items on your agenda. The first item, uh, amends the Police Chief's guidelines to incorporate the 1.00 per visit PAULA limit that we discussed the last time. It also makes some kind of form changes to make it, we need more consistently with the forms that we're going to start using for on-premises renewal. Um, and that...that is on your agenda. I also included an ordinance on your agenda increasing the fine for under-19 being on premises after 10:00 PM from \$250 to \$500. I did not, uh, include on the agenda an ordinance, um, prohibiting wait staff from consuming, either the criminal penalty we talked about or the civil penalty, and I explain my reasoning for that in the memo, um, I can certainly elaborate on that, but um, primarily...number one, when I looked back at the transcript it didn't look like we had established that there was a problem. Um, not that we can't do the criminal penalty or the civil penalty. I still think constitutionally you're okay on the civil penalty, although I think it could be problematic that there's no, um, you know, dire need for it, and that could come in to the court's balancing, if it looked at that, but primarily the change in that recommendation was based on when I got the 2008 PAULA statistics - I don't know why this didn't occur to me earlier, but when I looked at the PAULA statistics, or the bar visits, from 2002 to 2008, and I put them there in the memo. There has been a steady decrease in bar visits since 2002, um, I know there are some...some recent things, like the flood and the, um, the groper that have accounted for the more recent ones, but it appears that there has been a decline, um, more steady since 2002, and I just think while it may require some look at police resources and how we use those resources, I don't...I just don't think it makes a whole lot of sense to put more laws on the books, create more expectations about how they're going to control the alcohol problem

we have downtown, when the best tools we have are already on the books and probably we could with whatever resourcing we need to do, increase those...the use of those tools.

Bailey/ Okay.

Correia/ The one thing is that, I mean, I don't know the extent to which it's a problem necessarily, but I mean, it seems like it makes sense that...that people who are tasked with making good judgment are allowed to...um, or not constrained from, um, consuming alcohol while they're at work, and a lot, I mean, the main tool is the PAULA, which targets the underage drinker, and unless we do the stings and...and you know, we're catching somebody serving, which we don't...I mean, and we just did some and we did have some of those, um, and now we are, you know, the PAULA rate we're going to be incorporating some of that, um, into liquor license, it just feels like the tool that can be used, um...

Dilkes/ Oh, I should also note on the compliance checks, I did include that in the memo too, compliance checks or stings, call 'em both, that we did five in 2006 and we've only done two in 2007, and two in 2008. I don't have any problem from a legal perspective with you putting the criminal penalty on the book for the wait staff, um, there has been a discussion about whether it encompasses musicians. I don't think that was the intention, that's what I told people, and I can make the wording clear...clearer about that, but I...but my concern is that we approach this as a...kind of a big problem that has gotten away from us again downtown, and I remember putting the specials' restriction on the books four, five years ago or whatever those were, and creating these expectations that they were going to have an impact, and they don't. I don't think. Um, so I don't, in this context, it worries me to do additional things when we don't have any evidence that there's really been a problem and...

Champion/ Right, and I also think that, I think it's a smart call. I don't know if it is a problem. I've never really heard of it being a problem, and I think most of the bar owners that I had talked to do not allow their wait staff to drink, um, while they're actually on duty.

Wright/ I'm perfectly fine with letting this one by for a whole bunch of reasons.

Bailey/ Okay.

Hayek/ Yeah, I've been concerned about this particular proposal for some time because I think it's going to be exceedingly difficult to craft it in a way that doesn't sweep up a whole host of people working in an establishment or in an establishment period. Um, that we do not intend to impact, from musicians to off-duty employees to other people, I think it creates a strange, um, almost a moral dilemma for somebody who, uh, is, uh, has finished his or her shift, is sitting there, has a beer, sees a...an incident, and wonders whether he or she should step forward or not. So I've got...I've had concerns about that, um, but this...this adds to that, and so with respect to the drinking on the job, I would defer.

Wright/ I know the Iowa ACLU has some concerns (mumbled)

Champion/ Can't hear you!

Wright/ I'm sorry. The Iowa ACLU...

Bailey/ Is your microphone on? Oh, okay.

Wright/ Yeah. It's not high enough. The Iowa ACLU had some concerns about that ordinance, as well.

Champion/ Um...

Wilburn/ I was just going to add...I've seen, uh, some servers and bartenders consuming alcohol. It's just...the impaired judgment will show up elsewhere by not...not doing this. If they're impaired and they serve someone who is, uh, if they serve someone who's had too much to drink, then there's a consequence there, um, if they are impaired and do a flaming drink and the well catches on fire, then I mean, it would be helpful to do any preventative things as possible, but uh, but I (mumbled)

O'Donnell/ I don't know any other job in the country where you can drink where you work.

Champion/ Yeah, right!

O'Donnell/ I don't know any job; however, I think...

Champion/ A wine taster!

O'Donnell/ Wine taster, or somebody at...

Wright/ They spit it out though.

Champion/ Yeah. That's true.

O'Donnell/ An Anheuser Busch maybe. But uh, you know, I agree this would be a...I really don't, I think...I agree with you, Connie, that the...the owners do, uh, do enforce, uh, it's their livelihood, so it's their, uh, it's certainly to their benefit to...to watch their employees, and I think that's (mumbled)

Wilburn/ It is to their benefit, but I have seen it, so...

O'Donnell/ I haven't been in a bar in a long time.

Wilburn/ Just sharin' my experience.

Bailey/ Well, it seems like there's general consensus that we're not interested in pursuing this at this time. Okay.

Champion/ Um, I'd like a question about the criteria though, um, in the...the things we're voting on tomorrow night.

Bailey/ On 20?

Champion/ Can I ask the Chief a question?

Bailey/ Yeah. Chief, why don't you come up here and grab a mic.

Champion/ I totally approve of the criteria. I'm not questioning that. But I'm questioning, and maybe...what I read in the paper, um, when you did the sting last week, there was one bar that got caught twice in the same night, and the paper said that you were going to throw one of those out, and I just want to know why...why would you throw it out?

Hargadine/ I don't think that's an accurate, uh...

Champion/ Okay, I just read that in the paper.

Correia/ As we know, the paper's not always correct.

Champion/ I know, that's why I wanted to ask the Chief. (several talking)

Hargadine/ Um, it was a simultaneous, there were two of 'em serving at the same time, no, I think there's the same server sold twice, um, but it's up to ABD as to how they interpret and go forward with that.

Champion/ Okay, thank you. Just needed to ask that question (mumbled)

Bailey/ Any...any other clarification or questions on items 19 and 20 on the agenda, the ordinance amending, um...

Champion/ No.

Wilburn/ On item 20, just a...this is just a question maybe for, uh, Eleanor and the Council. Uh, on...under "A" on your form, Chief, under "on premises activity," under that number of PAULA citations there's a note that talks about if the rate is greater than...at least 18 visits during the 12-month period, uh, I'm just looking at this in terms of something were to end up in court or be subject to interpretation piece, there is the clause there that a lower rate combined with other factors may result in a recommendation of denial, but it doesn't talk about what a...my question is, should it also say a lower rate and/or fewer visits, combined with other factors, may result in recommendation of denial, um, your rate was this, but they only did five visits, and that somehow getting...if it's not stipulated that...that, uh, even though there were fewer visits, that it still may result...

Dilkes/ It wouldn't hurt. We can certainly add it.

Wilburn/ Okay. I was just thinking back to the, what's a container (mumbled) argument in court.

Dilkes/ You know, there're guidelines though, so I...I don't think that, I mean, we can...I can clarify it, but...but um, they really don't have the force of law, so...

Wilburn/ Okay.

Correia/ Because you could have a lower rate with 18 visits, and have other factors. Right?

Hargadine/ Sales cases. (several responding)

Bailey/ Did you have a question, Matt?

Hayek/ Yeah, and it has to do with the visits in this PAULA 1.0, um, policy, um, I think it's going to be extremely important to...to define visit as best we can, so that the industry can know what to expect, and um, by that I would mean, is a visit, um, two officers showing up, walking around. Is it ten officers showing up, walking around, cause the odds are greater that ten officers are going to find more than two officers would. Um, is there a defined period of time when they make the visit? Is it a half hour, is it an hour? Is it multiple times in one night? The things that we can do to ensure that the definition of visit is such that this policy and the whole approach to the bars is...is consistent.

Hargadine/ Um, barring calling in the National Guard, I can't see ten hitting at the same time, but um, the point is well taken. There are times when uh, we may have two senior officers (coughing, unable to hear) with it, but they both have a junior trainee with 'em, so now we've got four, four sets of eyes. Um, but there're still two that are primarily there doing the enforcement. So, um, but I think I take...I can see where the inequity would...would multiply at that point.

Correia/ Even the time factor. A small bar's not going to take as much time as a really large bar.

Hargadine/ True. And there's times when the, if it's a very large bar and they're full, uh, five or six may not be enough, if...

Hayek/ And let's say you go through a bar and you've got, uh, well, you make one visit with several officers, and you make multiple citations, that same visit. Does each of those citations count toward the statistic? Okay. Well, in any event, I...I think we've got to have some...some sort of guideline in place. I know that...that maximizes the consistency. That's my feeling.

Dilkes/ I understand the concern. I think it's...well, maybe we can talk about that internally, but I think we certainly don't want to give an impression that, you know, once you get your one visit a night, nobody else is going to be in there, or that if circumstances require, we're going to send five people in there, and not two. You know, that kind of thing.

Hargadine/ And I think the message needs to be, if we can find a PAULA, why can't you. Um...

Hayek/ Well, I agree, and you...you know, a few weeks ago you said we fish where the fish are, and I...that makes sense to me.

Hargadine/ But that's the...the larger bars use that as an excuse, we're larger - we have more people in here - it's harder for our servers to notice. Well, if we can find 'em, uh, that's...they need to have enough staff on where they can find 'em.

Bailey/ Any other questions about those two agenda items? All right. Um, the memo in our Info Packet regarding the social host ordinance.

Social Host Ordinance (IP5 of 2/5):

Bailey/ Is there any, um, Eleanor has recommended that we do not issue this at this time, um, discussion, comments...

O'Donnell/ There's already a law on the books (several talking) right.

Wright/ Couldn't hear you, Mike.

O'Donnell/ There are already laws on the books that would enforce...I can't...it's just a duplication.

Correia/ What laws?

O'Donnell/ Well, you can't provide beer to a minor, um, I mean that kind of says it all.

Correia/ But I think...is this designed so that it's, are there issues when, I mean, I know the keg registration has helped, so if you go into a party and everybody says it's not my party, I don't know who's hosting this party, and then there's really no, but there's underage people drinking. There's no way of holding somebody accountable for hosting that party and providing that alcohol to those underage persons. Now, keg registration, that was designed to kind of, uh, clean that up. You have to register that you bought a keg and so even if you weren't there, you bought that keg, but um, I imagine there are parties that don't have kegs, I mean, are there situations where you go in. There's (mumbled) I know we have the nuisance ordinance, which on some level impacts whoever's renting, through the owner who has the rental permit, but in terms of a charge to somebody, you hosted this party, because you rent this apartment you should have known there would be a party here, even if you weren't there, or even if you were, do you know what I'm saying...I mean, I've heard talk of, well, we go in. Nobody says it's not my party.

Hargadine/ Well, we would start with the owner or...or tenant, uh, and usually in a case now, we usually have to prove that they knew someone was underage. With the social host, it doesn't matter. It takes that knowingly out of the element. If someone's in trouble on your premises, you're in trouble as well.

Correia/ So it's that, it gets away from, well, I didn't know. I didn't check their I.D. I didn't know how old...

Hargadine/ It won't matter. They're still here. (both talking)

Correia/ Under this, without that - there's you can't...

Hargadine/ You have to make your case.

Correia/ Right. So, I mean, I guess I see it as an opportunity, again, a tool so that it can...I mean, we hear the issue of...of parties in neighborhoods, I mean, and we've dealt with issues through the nuisance ordinance, but I just see it as one way of deterring this type of activity.

Dilkes/ Wait a minute. You still have to show that they know or reasonably would...know or reasonably should have known that the underage person was drinking. It's not enough just to have beer in your home, and underage person in your home.

Hargadine/ Well, correct.

Dilkes/ So there's still a knowledge element that...that has to be proved. Um, so...the basis for my recommendation was, when the Police Department isn't telling me that this is a problem that they need to address, then I'm kind of back to the same...I mean, it might help occasionally, but I think we should devote our resources to things that we think are having some impact, and I think we've shown that with the stings, and I think we've shown that with the PAULAs. We can hook it up to the license.

Hargadine/ If we would have passed the 21-only, then I think this would...I think I would recommend this at that point, but where are 90% of our alcohol problems? Um, they're in the downtown area, and that's where we should concern ourselves.

Bailey/ And I think that the neighborhoods were seeing that the nuisance ordinances...if we can get the citations, this is not just a warning, that that is really addressing those issues.

Wright/ Citations are extremely effective.

Bailey/ Because it...it puts it in the system and things move forward. So that's addressing that.

Hayek/ About how many different complaints on a specific weekend do you get, usually?

Hargadine/ In the neighborhoods?

Hayek/ Yeah, due to keg parties, complaints?

Hargadine/ Not as many as you'd think.

Correia/ How many?

Hargadine/ I don't...I'm not prepared to answer that one.

Correia/ Oh, okay.

Hargadine/ Uh, on a football weekend when, you know, just turn in any direction. But um, normally there's not that many disturbance calls in the neighborhoods. Spring time, you know...

Bailey/ Give us a couple months.

Hargadine/ Yes.

Wright/ And it's kind of dependent on whether it's a football or some other factor.

Hargadine/ It is an education process, uh, when they're first back and for the first week, and if we can quell it in that first week, then everybody's happier for the next few months. And then you start all over again. (several talking)

Champion/ What is, it is a problem more so in some neighborhoods, I mean, there are some parties in my neighborhood, but they're usually once a year and I just ignore them, you know, I'm not going to call the police on somebody (several talking)

O'Donnell/ They're probably at your house!

Champion/ They are! (laughter)

Hargadine/ Washington County has done this, I think Keokuk County has done this, so I would keep it in the back of your mind. I mean, it's something we can always relook at, uh...

O'Donnell/ To me, Chief, wouldn't it be more if...if you knowingly provided alcohol to underage people. I mean that to me, I mean, if...if you leave (several talking)

Hargadine/ ...you can be arrested now without this ordinance.

O'Donnell/ Exactly. (several talking)

Correia/ But that's talking about the proof factor.

O'Donnell/ Yeah, and prove it, if uh, if you go out of town and Jack and Jill have a party at your house and you don't have any...any knowledge of it, you could be found guilty under the social ordinance.

Hargadine/ Uh....

Dilkes/ I...I think that, you talking about proof problems, you'd have some major proof problems there.

O'Donnell/ But I mean, they would...

Hargadine/ ...responsible for the party, but if you were responsible for the party, under this...

O'Donnell/ Right.

Hargadine/ ...then no matter if...if there were underage people, then it could come back on you.

O'Donnell/ Right, okay.

Dilkes/ You would have to...go ahead.

Hayek/ No, I just...wasn't that long ago I was...I was that age, and if you're...if you're a young person, and you're hosting a party, um, odds are you're providing the alcohol or you're part of it. I think this is really intended for the absentee parents, who go away and I...are we seeing all that much of that? I mean...

O'Donnell/ That's exactly...

Champion/ Well, what can the parent do, if they're gone out of town and their kid has a party.

Correia/ I don't think this is, I mean, I think in some communities the parents aren't absent. The parents are there (several talking)

Bailey/ I don't think we're seeing that...

Correia/ No, I'm not saying that we are, but I think we are seeing, I mean, I think that there are instances of people of age, 22, 24, 25, hosting parties and potentially selling alcohol, making money, and having...and...

Bailey/ Well, and that's a bootlegging problem.

Correia/ Well, that's a boot...but I'm just, you know, and then (both talking)

Bailey/ That's a law on the books.

Correia/ I think that...if there's no interest we can just stop talking about it.

Champion/ Good!

Bailey/ Is there interest? I didn't...it was a good try. All right, are we done with alcohol?

Champion/ We're done with alcohol.

O'Donnell/ I hope so.

Bailey/ Okay.

Hayek/ Amy, I don't want you to feel like we've been superdismissive or...

Correia/ Well, I feel a little bit...

Hayek/ Yeah, and I'm picking up on that...

Correia/ ...a little bit dismissed, so that's fine.

Bailey/ Well...

Hayek/ But, but...I think it's...I mean, from my perspective, it's...it's an ability to prosecute, um, and a resources issue, and if I'm not hearing that it's a significant problem, that tempers my, uh, my feelings about it.

Bailey/ And I'm the same way. If there, if we had a compelling problem, and I understand why rural counties are doing this, because I think that there's a more...exactly what you just said, and West Des Moines, I think exactly what you just said, suburban areas. I think that parents on site are doing that, rather have them drink here than drink somewhere else, and it's becoming a problem. If we're not seeing a problem, I don't know why we need to create an expectation that we're going to be addressing whatever, you know, handful comes up in two years. So...okay. Let's move on to legislative update.

Legislative Update:

Bailey/ We talked a lot about the D.C. trip in our discussion on the local option sales tax, but um, I believe you have the packet. I wanted to make sure everybody understood the projects that we took out there, and also the spiral notebook, uh...

Correia/ (mumbled) blank paper...

Bailey/ So, those were things that we provided out in D.C. Additionally, in D.C., um, as you know, we've been designated a City of Literature. Josh Schamberger of the Iowa...Iowa City/Coralville Convention and Visitors Bureau, um, spearheaded a request so...um, for some funding to support that, as other countries have done, um, so we talked to our legislative delegation, as well as the State Department about this designation and the possibility of funding. Um, not a lot of funding options out there, but it was good to...to make people aware of this, and um, I think that there will be some opportunities for, I mean, they pointed us in some directions, but I don't think we got the thought that there was a big pile of money waiting for us to...(unable to hear person away from mic)

Lombardo/ (noise on mic) ...that given there are only a couple cities, uh, in the U.S. that have this creative cities designation that it's hard for, on a national level, to say that...that there are compelling reason to...to consider a pile, or pot of funding to...to address this, but as more cities come on, they're intrigued by the concept and...and said, you know, make sure that you're out there and present and we certainly intend to do so.

Bailey/ And, as we all recognize our country has a different model for supporting, um, arts and humanities, than perhaps other countries around the world, um, many of these are supported, many of these cities are, do receive federal and state funding. So...

Correia/ ...tax their populous differently and...

Bailey/ They do!

Correia/ ...revenue! (laughter)

Bailey/ They also have great health care and all kinds of things! But, um, and then...

Champion/ They don't all have great health care.

Bailey/ Okay. And on the state level, um, the Metro Coalition and, um, Ross, you can sort of jump in on this, had a conference call last week, um, last Friday, is their typical conference call day, and as you remember, State historic tax credits is one of a priority so, um, the Coalition is going to join, uh, join with the State Historic Tax Credit Coalition to...to get some things, to promote some things - Historic Preservation grants, rehabilitation credits, and...and expansion of these Historic Preservation credits, and then as you know, um, the Rebuild Iowa bill was signed. Was it just last Monday? It was signed, um, for \$53 million. And, the Metro Coalition is also looking into legislation that was discussed last year. Did you want to talk about the liquor license enforcement, Ross, a little bit about that bill. (mumbled) I have the notes in front of me. I can just...

Wilburn/ Well, I think the...the decision was to just go...it was supported last year by the Coalition and so just to go ahead with a similar bill. There's a...there's someone, uh, in the State that's willing to introduce it. So...uh, I think part of it was related to what happens around, uh, an establishment. I think they were having some issues with that in Des Moines and Dubuque, um, to be able to consider this part of the, um, with the liquor license stuff, but I think that was pretty much it. I think the other piece, uh, there was a decision to, um, the alternative revenue bill, there wasn't...necessarily any forward momentum with that on the Hill, so everyone's supposed to be talking to your local legislators to try and get that, um, they're going to try and get a meeting of the mayors to, uh, meet with the leadership, uh, both majority and minority parties, and with the Governor's office. Uh, tried to get them to have that when I was going to be here, but it looks like it's going to be the week that I'm in San Francisco. Um, but um, again, with that theme, that...it's a, it's that options for cities and uh, there was little conversation, I think more of a sidebar combination...conversation...related to, um, one of the items, uh, in terms of the, um, local option...income tax as being part of the package that um, if,

um, you know, Johnson County, Linn County...there are fewer counties that don't have local option sales tax, and if for example Linn County if it were to pass in Linn County, um, that any energy, momentum towards a local option income tax may be, uh, may disappear if there's only one county left, uh, that hasn't taken advantage of an option to have the local option sales tax, they may not be willing to...there may be no momentum for one county, Johnson County, to um, put a bill in to have that as be part of...alternative revenue, if there's no, you know, to creating a legislation for one county. But that's just kind of a sidebar conversation.

Bailey/ And just keep in mind when we talk about these alternative revenues and the Metro Coalition talks about alternative revenues, it's to provide the options to cities. So, I mean, it's...it's offering sort of the opportunity for cities to make the best choices about what is appropriate for their communities, and this is something that we support in our legislative priorities and the Metro Coalition supports. So, if you get questions about that, I think that that's the most clear talking point is giving cities the option to diversify revenue streams, is the intent of alternative revenue, and it's got a hard go in Des Moines, for sure. So, the next step's just to go back to the federal sorts of things. The next steps we...naturally have forms and follow-up that we'll do to fill out for the, um, Senators and the Congressmen. They sent...they all have specific forms. Staff is following up on that, and then as Michael indicated, we'll follow up with FEMA regarding the north waste water treatment plant, and EDA with Dubuque Street and Park Road bridge. So, that's the results, and then um, I will...I intend to forward these packets to our State delegation so they're aware of the projects that we took to Washington. They like to be kept in the loop, as well, and hopefully next year they'll go on the Chamber trip. I think, um, some have expressed interest in...in going along. So, any questions about legislative items? Did you have a question?

Hayek/ No, I have a question about, in fact on the...the sales tax referendum.

Bailey/ Okay.

Hayek/ Well, and my question is, um, assuming that in two more weeks we vote and it gets placed on the ballot as a referendum, or we hold a special election for it, what role, if any, does the City play in promoting that? Or not promoting it?

Champion/ You can't promote it.

Bailey/ We can educate.

Champion/ You can educate.

Hayek/ Okay. Bad choice of words, but um, you know, Cedar Rapids is rolling this out, um, aggressively, um, and I'm not saying we should, but I don't know if it's just a matter of saying, okay, public, you vote. See you in couple of months and we'll see what the vote is, or does the City take (mumbled)

Correia/ Well, I definitely think that there should be an info sheet on the types of projects, not that we definitely are funding those but that gives people an idea of what we're thinking of, as what public infrastructure are we talking about.

Bailey/ And I think that's something we can also talk about once we see the language. Also, um, just to let you know. I talked to John Balmer today. The Chamber is convening a task force this week, um, and moving forward and so you should be expect...expect to hear from Chamber Members. Um, we spoke with them when we were in D.C., um, about playing a role in the community about education regarding this issue, and they'll have to determine if they're supportive or not. And I expect other groups will do the same.

Karr/ I think, Matt, on the news today, over the past weekend, a lot of the Cedar Rapids publicity was coming from private groups, that have formed, um, cooperative relationships and consortiums, uh, from the Homebuilders to the School Districts to the, um, a citizen group to the Chamber of Commerce, much more than the city out. I think it came from other sources promoting it, and I think that's a key as well. Almost, if you will, distancing the city education process from the general public education process, um, and...and having the same message, but certainly, um, having that type of relationship I think is key. And we learned that the (coughing, unable to hear)

Bailey/ And as we get questions, I mean, and you know, about the process and keeping track of those and...and have further discussion in a couple of weeks about making sure that we understand the process. I think it's going to be very important so we can discuss, and we know the projects, as Amy said, and we're putting...we're all putting the same information out there as we get questions, as well, cause I'm sure the press will be calling all of us, as well as we'll be talking to people in grocery stores, etc. Does that answer your...

Hayek/ Yeah, it does.

Bailey/ Okay. All right. Are we ready to move on to Information Packet discussion, the Information Packets from the 29th and the 5th.

Information Packet Discussion (IP 1/29 and 2/5):

Bailey/ Questions or comments? Questions about specific items? I did ask Michael, um, from January 29th the IP5, the Fire Department's fire safety compliance report. I did ask Michael in our meeting today about occupancy checks, and he's going to follow up on that, or did you?

Lombardo/ I did follow up on that, and...and the, um, the businesses that are cited as receiving a visit were checked for occupancy.

Bailey/ Okay.

Lombardo/ The fact that nothing is mentioned in there means that there was no compliance issue.

Bailey/ Okay. So this combines occupancy as well as other fire code sort of issues.

Champion/ What time of day are they doing these occupancy things?

Lombardo/ I don't know that that's listed...

Champion/ That's the crucial question. (coughing, unable to hear) 2:00 in the afternoon, it probably isn't a problem.

Correia/ They're probably (mumbled)

Bailey/ On a Friday (mumbled). Okay, any other Information Packet items?

Wright/ Just backing up to Connie's comment. It might be interesting to see what the time of day that the compliance checks were performed, have that as part of the...

Bailey/ As part of the report?

Wright/ Spreadsheet, yeah.

Bailey/ That's a good idea.

Wilburn/ It did mention one of the last couple times they appeared in front of us that, uh, they do them in the evening, because once they do the first check, the calls go out to some of the other establishments that a check is going on. So...that has been mentioned, but...

Champion/ Well, what time is the evening? Is that 6:00 or 7:00? I mean, we know that's not when the problem occurs.

Wilburn/ I was just let...just reminding what they had said last time.

Champion/ I'm just interested in knowing what time they're doing these.

Bailey/ Okay, anything else? Okay, we're going to move on. Um, Council Time?

Council Time:

Correia/ I have a question about the, um, we started talking about this before, the um, the intersection at Jefferson and Dubuque Street. Why can't that have a green arrow so that...that a portion of the time...we have that same situation, the same type of intersection at Court and...

Bailey/ I think there's a traffic study looking at that, isn't there?

Wright/ Yeah, JCCOG is looking at that particular intersection.

Correia/ Not to make it a bigger intersection, just for that...going (both talking) backed up almost into the intersection at Market, it was Sunday night, you know, just going left because you don't have a chance to go first, you have pedestrian, you have people coming and so a lot of people lot of times coming, but just seems like...

Bailey/ JCCOG is looking at that, and I thought that that's one of the things they were evaluating, a phased...

Correia/ I guess I'm wondering when we're going to find out about that, cause it just seems to me...

Champion/ We brought it...

Correia/ ...study of driving on that corridor would suggest that we could try it.

Hayek/ All I know (laughter)

Wright/ Jefferson and Dubuque is on JCCOG's, uh, to do list for this year, and I don't know where they are with that study, but...

Bailey/ Right, so John...

Wright/ I can ask the next time we have a meeting, if you'd like.

Bailey/ We could ask John.

Wright/ I suppose you could just ask John, yeah.

Lombardo/ We can find out.

Wright/ Steal my glory!

Bailey/ Oh, we'll let you do something else!

Wright/ Oh, not after what I'm going to do to you in just a minute, so...

Bailey/ Okay! Anything else, Council Time?

Hayek/ Um, question about the, uh, numerous pieces of correspondence in...in here, not anything specific, but I note some have staff responses, some don't. Do we have a policy on which ones (coughing, unable to hear) response, do some we just decide thanks for the input but we're not going to spend staff time responding to your letter?

Helling/ I don't know if it's a policy or not. Typically what we do is, some of the letters are just input. Basically this is my opinion kind of thing. We typically don't respond to those.

Um, but if somebody's asking a specific question that we feel like as staff we can, you know, provide them information, then we do that. Sometimes it's addressed to Council Members and they want your specific opinions about things. We'll let 'em know how to contact you, go to the web site, get your phone numbers and so forth, so...depends on the nature (several talking)

Hayek/ Okay.

Bailey/ And I've tried to, um, I've tried to be very aware of when, uh, correspondence is sent to...to the people who have emails to send it on to Marian, but if you don't see it showing up, you should also feel free to make sure it's there, cause um, we get a lot of that. That answer...

Hayek/ That's all I had.

Bailey/ Okay. Other Council Time?

Wright/ Um, I have, uh, three different points. One I've been, and I don't know if any of you got approached by various citizens about urban chicken keeping.

Correia/ We had a letter a while ago in the packet about chickens.

Wright/ Well, I've had quite a few people, uh, bring up urban chicken keeping, and I promised to bring it forward to Council. Uh, there are urban areas in the country who do it - Madison does it. Portland, Oregon, New York, it's actually relatively common.

Correia/ New York City has...urban chickens?

Wright/ New York City allows urban chickens. (several talking and laughter)

Hayek/ And you know that from "Sex in the City."

Wright/ Um, there is interest in Iowa City, uh, to allow this on a limited scale. You know, three or four, uh (several talking) hens, no roosters, no butchering within the city limits. Seriously. That's...(several talking and laughing). Pardon me? (mumbled)

Champion/ Do they have to be in a coop? (several talking)

Wright/ Well, is there interest on the, on behalf of the Council in even considering discussion?

Champion/ Is it illegal now to have chickens?

Wright/ Yes.

Bailey/ It's illegal to keep livestock. (several talking)

Champion/ A chicken's a livestock?

Wright/ They're poultry, yeah.

O'Donnell/ I would just hate to have a man-chicken attack somebody.

Correia/ I don't know. My sister lived in a small town in Illinois and her neighbors across the street had chickens and they were kind of friendly, but I don't really see it in Iowa City. I'm sorry.

O'Donnell/ No.

Champion/ I don't know. (several talking)

Hayek/ I think if...if we (several talking) these individuals are so interested they ought to address us.

Bailey/ Bring a formal, bring a formal...correspondence.

Wright/ Well, that's kind of what I said, I said, I'll bring it up and see what the level of interest might be and then these folks can just...we might get a flock of correspondence (laughter).

Wilburn/ Why not...why not (several talking) why not emus? (laughter)

Bailey/ Yeah, it could, um, be a very interesting discussion.

Lombardo/ Where do you stop? What regulations, I mean, in terms of just legislating how to keep them...(several talking)

Wright/ The fact that it's relatively common, I think there are plenty of models that could be used out there. Um...

Correia/ Well, when they write us, tell them to include the Madison ordinance.

Wright/ Yeah, Madison's actually gotten a lot of press for their urban chickens.

Bailey/ And, can I just ask...I mean, the objective of keeping chickens is toward extreme self-sufficiency (several talking)

Wright/ They want to have their own eggs, and know where they came from and...

Champion/ Can you have eggs without a rooster?

Wright/ They're not fertile.

Champion/ Oh, Mike! (laughter)

Bailey/ This could be quite an educational experience (laughter). Okay, thank you for bringing that forward. Would you convey our...our, um, if they are interested in pursuing this, if...I mean, I think that...I think that that's right. If they're interested, bring us some formal correspondence and (several talking)

Hayek/ ...whether llamas meet the definition of segways for our public sidewalks!

Champion/ I can't wait...I can't wait to hear the letter to the editor on this chicken business!

Bailey/ ...flood discussion, so we had to have.

Wright/ Well, I knew this was going to be an interesting topic when I brought it up. I'm kind of...I'm kind of sad that the reporters all left. (several talking and laughing)

Bailey/ Okay! What's next?

Wright/ Um...

Bailey/ Mr. Entertainment!

Wright/ ...we have been discuss...we've had quite a few discussions about Burlington Street over the past year or so. I wondered, have we ever considered looking into the notion of having Highway 1 formally rerouted.

Bailey/ We talked about that.

Wright/ To go outside the city, you know, follow 218 up to 80, and then up to...the intersection at Dodge?

Bailey/ It was discussed in the early discussions of Burlington Street, not probably that route. I can't remember. We talked about Gilbert Street, right (several talking)

Wright/ Just route it out of town altogether, that would avoid...we'd avoid a lot of traffic that way; of course there's some downs to that in terms of who maintains what, but...

Bailey/ That would be a fun IDOT question. Is there any interest in pursuing that?

Champion/ If you routed it further east to Scott Boulevard, no, it goes north. Highway 1...

Wright/ Highway 1 goes north. I mean, just from...from the (several talking) but seems obvious to me would be to maybe have it go up...1 intersects with 218, send 1 up 218 on 80, over to the Dodge Street exit, and then back and forth, so just pull some additional...

Champion/ Do you think people really use that Highway 1?

Correia/ Why would you want to do that? Like, what's the purpose?

Wright/ Uh, well, and I...when I first brought this up, it was would that make any difference in the amount of traffic that's coming through Burlington, and up Governor, down Dodge.

O'Donnell/ I can't imagine that would (several talking)

Wright/ I don't know if it would or not.

Correia/ ...because people who are really traveling that know where...bypass Burlington Street because they don't want to take that route. We want people to bump into downtown.

Wright/ Except you don't really bump into downtown if you're following Highway 1. You're...

Correia/ Yeah, you do! Burlington and Clinton Streets.

Bailey/ So is there a general interest in having this, a more in-depth discussion with a transportation planner here? Okay. It dies (mumbled). Next?

Wright/ Um, in talking to Jann Ream, I'm sorry, rambling...

Bailey/ You know, you could talk to John Yapp about that and see....

Wright/ I did talk to John Yapp about it. He said he didn't want to do anything until he knew if the Council was even interested (several talking)

Bailey/ He might know if there was...if it had been discussed. Okay, next?

Wright/ Uh, I was...in talking to Jann Ream, I found an interesting gap in our sidewalk clearance policy. Um, alleys are no one's responsibility essentially. Where a sidewalk crosses an alley. (several responding) Where a sidewalk crosses an alley...as I understand it from Jann Ream, the City obviously does not take responsibility for that stretch of sidewalk, but the property owners on either side have no responsibility for that piece of sidewalk, which is one reason I'm guessing why those alley crossings tend to be nightmares. And I think that's something that we ought to address in our snow removal ordinance for sidewalks.

Bailey/ Well, we need to talk about alleys too. We're doing an alley inventory. When is that slated to come back to us? A while?

Helling/ Later this year, I think, summer, fall, something like that.

Wright/ Well, if we...could we incorporate that into the...into the discussion on alleys or should that...

O'Donnell/ Who's property would that be?

Champion/ Well, I think if you have an easement, if you have an alley between two streets that you have a legal easement on that alley, both parties do, so they can use the alley. You don't have two alleys. So I would think whoever...I think the house on the corner would have to shovel that, their half of the sidewalk. Seems logical to me.

Dilkes/ No, generally, in the city...there may be some exceptions, but the alleys are city right-of-way. Um, and I don't think we could assign the responsibility to clean the crossing to a property owner, because their property does not abut that piece of sidewalk. And...and under the State code, the way that we can require people to clean, clear their sidewalks is because they abut the property, clear their sidewalks, maintain their, etc. So I'm not sure that we would have the authority to...

Wright/ (several talking) so how could we get those cleared?

Champion/ I would think a good neighbor would take care of it.

Wright/ Precious few do! Trust me!

Champion/ That's amazing.

Dilkes/ I think wrapping it into the whole discussion about alleys makes sense. Because...as alleys are a very low priority, you know, maybe...I don't...

Bailey/ Okay, so...we'll wrap that into our alley discussion.

Wright/ That's fine!

Bailey/ What else do you have for us, Mike?

Wright/ I'm done, thank you.

Bailey/ Does anybody else have a list? How could you follow that, huh? (several talking) You can't top it. Okay, um, we just scheduled some pending discussion items. Um, let's see, are there upcoming community events or Council invitations that we should be aware of, that we should be attending? All right. Let's discuss meeting schedules.

O'Donnell/ I want to comment on one thing.

Bailey/ Oh!

O'Donnell/ I heard, Michael, you're doing a great job down there welcoming back the...

Bailey/ Oh, thanks for doing that!

Wright/ Oh, you're welcome. That was a lot of fun.

O'Donnell/ Several positive comments about that.

Wright/ Thank you for passing that on. I enjoyed that. It was much better than the deployment last year.

Bailey/ Always better to welcome than to deploy. Okay. Let's discuss the meeting schedules.

Correia/ Quick question to start - just to, so we only have...we have three scheduled in June. We didn't go into July. Does that mean we're not planning to meet on July 6th and 7th?

Karr/ We're not talking about July right now.

Correia/ And I'm wondering why we're meeting (mumbled)

Karr/ I had simply given you every...every other...I'd done the schedule in June, giving you the first and third, um, you don't have to meet at all. This is the point of this discussion. I hadn't gone into July or August yet.

Correia/ (several talking) the first, third and the last for June.

Karr/ You're right, I did. (both talking) I, yeah, my fault.

Correia/ (mumbled) okay, that's what I was wondering if we were doing that because we were thinking of July...okay.

Bailey/ Okay. Additionally, we, um, indicated to Michael that we would talk to him again, just evaluation sort of things, after budget, so we might want to attached an Executive Session to that last meeting in March. One of those work sessions, or the formal. And with our prioritization, to which we all committed, we need to, um, probably schedule an April and May...a couple of half-days potentially, and then a couple of evenings. So we don't have to have long work sessions, or we can commit to having long works sessions. But we did commit to the prioritization so it would be good to get it on the calendar.

Champion/ I think we need to be fresh when we discuss that. (mumbled)

Bailey/ Okay, Kevin hasn't come up with the schedule yet, but I wanted...so I thought we would get something on the calendar, um, if you know, and I'm always inclined to schedule more and cancel, rather than try to scramble at the last minute to get everybody together. So, in addition to these meetings, we'll want to look for that, as well. So...

Karr/ You want to do that tonight or not?

Bailey/ I think what we should do is, um, are...if there are particular days that work better, um, Michael was talking about maybe a half day. Let's shoot for, you know, half day, when I

say that I mean four hours, um, if there are particular days, if you're on vacation, um, we could start a work session with that and move into a work session, if you want that freshness, but that, you know, that takes you out of work for that day. Get your schedules to Marian, but we're going to look to do a couple day time, and a couple additional evenings. Okay? In April and May.

Champion/ Well, in June there's, um, actually three meetings scheduled on here, so we probably don't need three meetings.

Karr/ Just forget the last set in June.

Bailey/ How 'bout if we start...how bout if we start with March. How bout if we start sooner...okay, so February we're set...March...

Lombardo/ I'll add, and I...I'll give you a memo to back this up, but we're, um, planning a family trip away on the week of the 16th.

Karr/ That's spring break and there's absences gone anyway, so we had cancelled that out.

Bailey/ Um, I had asked...I had indicated, and I think it's on our tentative schedule, um, I'm at a...

Wilburn/ ...person that month.

Bailey/ What?

Wilburn/ I had written down that someone had requested a combined...

Bailey/ I had requested the combined on the 10th (several talking) flood conference, the 10th of March (several talking). Does that still work? (several talking)

Karr/ Work session, formal...yes.

Bailey/ Okay. All right. Thank you. (several talking) It'll be combined on the 10th.

Karr/ ...on the 10th. Nothing then the 9th.

O'Donnell/ What time on the 10th, do we know?

Bailey/ We don't know yet. We..it's hard when we combine. (several talking) That's a great time to shoot for. Okay. The 23rd, 24th - is that good for everybody?

Champion/ Yep!

Bailey/ Okay. Let's...

Karr/ And you want to work in an Executive Session one of those?

Bailey/ Yes, let's work that in (coughing, unable to hear) 23rd please.

Karr/ Okay.

Bailey/ Is everybody in agreement with that?

Champion/ I don't know. That's pretty early after spring break. Um, could we do it like the next...yeah.

Bailey/ We could.

Hayek/ Executive session on...

Bailey/ April 6th. She was saying spring break.

Hayek/ Topic of Executive session?

Bailey/ We told Michael we would check in with him after the budget.

Hayek/ Got it.

Bailey/ Okay. And I'd like to follow through on what...

Karr/ So the 6th?

Bailey/ Yes, I think that's a good idea, Connie.

Karr/ At the end.

Bailey/ 6th, Executive session. 6th and 7th in April work for people?

Hayek/ Uh, yeah.

Bailey/ Uh, sure?

Hayek/ That's fine. It's just my wife's birthday.

Bailey/ Which day?

Hayek/ 7th. Great concert (mumbled). No, let's stick with the 7th. I'm being facetious.

Bailey/ All right. Um, 20th and 21st?

Wilburn/ I just found...of April? Um, this is just an FYI, I mean, um, I will need to leave on the 21st. I just found out yesterday I've got to go on a recruiting visit.

Champion/ I'm sorry.

Wilburn/ I have to go on a recruiting...

Champion/ You're all mumbling over there, I think.

Wilburn/ I have to go on a recruiting visit on the 21st.

Champion/ We could combine on the 20th.

Bailey/ Are you asking us to combine on the 20th?

Wilburn/ I'm just saying I can't be there on the 21st, if uh...

O'Donnell/ The 20th sounds like a good day to combine.

Karr/ Combine on the 20th?

Bailey/ Is there a general consensus to combine? Okay.

Wilburn/ Thank you.

Bailey/ Could have done that with the 7th. May...um, 4th and 5th? And the 5th may be a sales tax election.

Karr/ It will be a sales tax election, if you pass the resolution.

Bailey/ Yes, it will be a sales tax election. Often we have not met on an election night, um, but...

Hayek/ I'm pretty bad that whole week.

Bailey/ Okay. So let's not meet on that election night. Okay.

Karr/ Do you want to move it, the 4th and 5th, to the 11th and 12th? Then, or just...

Wright/ I'll be unavailable then.

O'Donnell/ Can we do one meeting on the 18th and 19th?

Bailey/ Keep in mind we're also looking for extra meetings in April and May. You're making me nervous.

Correia/ Right now we're on...

Bailey/ May.

Correia/ ...4th and 5th, and we're saying what?

Karr/ Mike...Mike Wright, you'll be gone the 11th and 12th?

Wright/ And 13th and 14th.

Karr/ Cause we might as well just pencil that in right now if you're going to...

Lombardo/ The 7th and 8th is my daughter's college graduation too, um, so we'll be attending.

Correia/ I'm gone the whole week of April 27th.

Bailey/ (several talking) as long as Marian's keeping track.

Wright/ So going back to the 4th and the 5th, we have the election probably on the 5th. (several talking)

Karr/ Yes, it would be the 5th.

Bailey/ Sometimes when we, if it's an election day we don't meet.

Correia/ Well, I mean, I understand that when (both talking) running, I mean, what are we going to be doing?

Wright/ I agree. I think we could, let's go ahead and meet on the 5th. It shouldn't be that big a deal.

Hayek/ That's fine. I may or may not be here. That's fine.

Bailey/ All right.

Karr/ Would we...do you, if it's a busy night for you and you think (coughing, unable to hear) combined again? Do we want to do a combined again on the 4th?

Champion/Matt, can you show up on the 4th?

Hayek/ I'm not sure about that either. I have a trial that week, so...

Karr/ Right, so I was trying to figure out if one night would be better than two.

Champion/ Well, if you were a good lawyer and you won right away, you could get done early!

Correia/ I think it's really hard to combine (laughter)

Bailey/ Why don't we just stick to the 4th and the 5th...(several talking)...let's just stick to the 4th and the 5th. Matt's willing to deal with that, I mean...and um, he's a good lawyer so he won't be tied up so you'll win or get a settlement for the...I don't know.

Hayek/ The answer is "C".

Bailey/ Okay. Fine. I'm not going to get in the middle of this. Okay. 18th and 19th?

Karr/ I will be gone, but Julie can be here.

Bailey/ Okay. We'll miss you. June 1st and 2nd?

Hayek/ Let me...let me interject. As we try to cram additional meetings into this schedule...

Bailey/ Yes.

Hayek/ ...my preference is to try to make...is to try to piggyback on existing meetings as much as possible, and not set up different meeting dates.

Bailey/ I agree. I'd rather meet for a long time than take another day (mumbled). But...part of it is this group's schedule.

Wilburn/ I'm just starting to run out of vacation time.

Bailey/ Yeah. Well, it might mean later meetings, um, you know, starting with (mumbled) discussions and going into sort of the more standard discussion. Why don't you let Marian know your preferences and what you can do...

Champion/ Well, I'm...I have preferences that they're really not (mumbled) flexible.

Bailey/ Okay. (mumbled) Okay (several talking)

Karr/ If you have some preferences, then when Kevin and Michael have some dates, we could come back with a schedule that matches up with some of your preferences though, if we knew it ahead of time. If there's certain days of the week, a certain week out of the month. We'd rather hear about that when we schedule it.

Bailey/ Right.

Champion/ I'm totally flexible.

Bailey/ Okay. Let's go to June 1st and 2nd, good? (several responding) 15th and 16th? (several responding) And shall we keep the 29th and 30th?

Champion/ Well, maybe you could keep that for...

Bailey/ 4th of July.

Karr/ 4th of July's the 6th and 7th, the 4th is a Saturday this year.

Bailey/ So what's the holiday? The 3rd?

Karr/ Friday.

Bailey/ Okay. We still don't want a meeting on the 6th and the 7th. That means we have to read a packet through the fireworks.

Champion/ Well, we can talk about that later. July's a long way...

Bailey/ Yeah, let's keep those three for now in June, and...

Hayek/ Would it be (mumbled) suggest that...that April 6th meeting be combined?

Bailey/ No.

Karr/ I'm sorry. What was that?

Hayek/ April 6th. (both talking)

Bailey/ We're combining the 20th too. No, it's not (mumbled)

Hayek/ Softly push for it...but...

Bailey/ Are we...okay with combing the April meetings?

O'Donnell/ I don't have any problem.

Correia/ So how would we do...a work session, a formal meeting, and Michael's evaluation, all on April 6th?

Wright/ That's going to be quite a full evening.

Hayek/ Scratch it.

Bailey/ Um...

Hayek/ You're right, you're right. It's not...

Karr/ Well, can (several talking)

Champion/ We could do his evaluation on the

Bailey/ The 19th, or wait...no, the 18th.

Champion/ ...or the 19th of May.

Bailey/ Well, we could do it on the 24th.

Karr/ What about if we did (coughing, unable to hear) Michael's evaluation like at 8:00 in the morning? On the 7th.

O'Donnell/ On when?

Karr/ On the 7th. Does that help you at all? Cause your conflict is in the evening.

Hayek/ Yep.

Karr/ On the 7th.

Bailey/ You'll have to take vacation.

Wilburn/ Any time we meet in the day time (mumbled)

Karr/ What time are you done on...

Correia/ ...standing meeting that day.

Bailey/ Okay. Uh, Amy can't meet on the 7th.

Hayek/ I don't want to push my personal agenda and cause somebody to use...let's leave it as is.

Bailey/ We all get at least one personal agenda push.

Wilburn/ If we meet for a block of time longer than three hours, I'm going to have to take vacation.

Karr/ How about if I go back a step. (several talking)

Champion/ It's not going to take us three hours to do Michael's evaluation.

Wright/ We certainly hope not.

Karr/ How about if we go back a step? What about Michael's evaluation the 24th instead of the 23rd of April?

Bailey/ Right, so (both talking)

Karr/ ...from spring break.

Bailey/ Yeah, let's do that.

Wright/ The 24th of...

Karr/ Of March.

Wright/ March.

Karr/ Before or after the formal meeting.

Bailey/ Okay.

Karr/ So we still (mumbled)

Bailey/ All right. (several talking) Okay. So, Marian will put out a schedule. Give her your preferences and your availabilities, um, and if you have them for the summer, it's easier to get them on the calendar now, so we...as we move forward, and then we'll need some day time meetings, and those day time meetings, I suppose, well, I guess we were doing for availability of staff so weekends are the same...weekends are the same as the evenings. So, if you would prefer other evenings, I guess, is the option. So...okay? Did you get what you needed, Marian? All right. See you all tomorrow night. Thank you.