

After receiving no public comment, **it was moved by Cromwell, seconded by Amyx,** to close the public hearing. Motion carried unanimously.

Moved by Amyx, seconded by Cromwell, to approve the vacation of a right-of-way at 1209 East 23rd Street. Motion carried unanimously.

2. **Consider the establishment of a Benefit District for the construction of an additional level to the Library Parking Garage Project and consider adopting Resolution No. 6995, setting out the findings of the Governing Body and ordering the construction.**

David Corliss, City Manager, presented the staff report. He said if the City Commission adopted the resolution, the resolution would be published in the Journal World which started a 20 day protest period. He said if a majority of those property owners did not want those assessments, he recommended not proceeding with the benefit district.

Mayor Schumm said state law would be followed in terms of greater than 50% of the square footage in the district if it protested out, and more than 51% of resident landowners. He said for a point of clarification the amount that the spreadsheet indicated was the total amount that could be paid upfront or over 10 years with some interest added on and was paid through their property tax bill.

Corliss said correct.

Mayor Schumm said a 25 foot wide building would pay approximately \$877 or \$885 total.

Corliss said that amount would be spread over the 10 year period. He said the special assessment taxes would not show up on property tax bills until November 2014. He said those taxes would not show up on the November 2013 tax bills because there was not enough time.

Mayor Schumm called for public comment.

Commissioner Amyx said he was an owner of property downtown and had not been supportive of the additional floor for the parking garage. He said he will most likely participate

signing the protest petition and if the Commission thought he should not participate in the adoption of the resolution, he would be more than happy to step aside.

Mayor Schumm said he did not think there was any conflict of interest. He said he owned property downtown as well.

Moved by Carter, seconded by Cromwell, to adopt Resolution No. 6995, setting out the findings of the governing body and ordering the construction of an additional level on the Library Parking Garage Project. Motion carried 4-1 with Amyx in opposition.

3. **Conduct public hearing regarding the proposed plan for the establishment of an Organized Recycling Collection Service and consider approving the plan.**

Kathy Richardson, Waste Reduction and Recycling Operations Supervisor, presented the staff report.

Toni Wheeler, City Attorney, said it was her recommendation to not close the public hearing, but rather leave open the public hearing until such time as the ordinance came back to the City Commission for consideration. It might be prudent for the City to amend the current plan when staff had more specific information regarding what the service would look like. They would have satisfied the notice requirements under the statute and was a more cautious approach leaving the City the opportunity to amend the plan.

Moved by Dever, seconded by Cromwell, to open the public hearing. Motion carried 4-0. Amyx not present and did not vote.

Moved by Carter, seconded by Cromwell, to continue the public hearing. Motion carried 4-0. Amyx not present and did not vote.

4. **Receive staff report regarding Transportation Enhancement Funding – Potential Projects for 2013.**

Emily Kotay, Management Intern, presented the staff report.