

**MINUTES OF THE REGULAR MEETING OF THE AMES AREA METROPOLITAN
PLANNING ORGANIZATION TRANSPORTATION POLICY COMMITTEE,
REGULAR MEETING OF THE AMES HOUSING GOVERNING BOARD, AND
REGULAR MEETING OF THE AMES CITY COUNCIL**

AMES, IOWA

MARCH 27, 2007

**AMES AREA METROPOLITAN PLANNING ORGANIZATION (AAMPO)
TRANSPORTATION POLICY COMMITTEE MEETING**

The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee met at 6:30 p.m. on the 27th day of March, 2007, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding. Voting members present were Campbell, Doll, Goodman, Mahayni, Popken, and Rice, representing the City of Ames; and Dennis Kroeger of the Ames Transit Agency. Story County and Boone County Boards of Supervisors were not represented. Mike Clayton, Iowa Department of Transportation, also was in attendance. Council Member Larson was absent.

PASSENGER TRANSPORTATION DEVELOPMENT PLAN (PTDP): Transit Director Sheri Kyras explained that, this year, the federal government has mandated an annual, coordinated planning effort between human service agencies and transportation providers in order to increase transportation efficiencies and reduce duplicative services. Ms. Kyras introduced Shari Atwood, Transit Planner, who has been working on the PTDP.

Ms. Atwood advised that the Iowa Department of Transportation (IDOT) has charged MPOs with this task in urbanized areas and is now requiring that all state/federal funding be incorporated into this planning effort called a Passenger Transportation Development Plan. CyRide staff has been working with human service agencies and transportation providers to identify service gaps, transit challenges, and priority projects, and have developed a coordinated plan for the Ames area. Transit systems must have the projects in the PTDP to be eligible to receive New Freedom, Job Access Reverse Commute, and Special Needs (Elderly/Disabled) funding. According to Ms. Atwood, copies of the Ames Area 2008 Passenger Transportation Development Plan have been available for review on CyRide's website (www.cyride.com) and a copy is on file in the City Clerk's Office.

Ms. Atwood described the results of the survey sent to each human service and transportation agency. The survey yielded 52.4% participation. Gaps in service were identified as follows: Dayton Industrial Area, S. 16th Street, daycare-to-work transportation, outside Ames transportation, Duff Commercial Area, Stange Road/Bloomington/North Grand Mall, and earlier Sunday morning service. The requirements, goals and objectives, and investment plan of the PTDP were briefly reviewed by Ms. Atwood, as were the Programs of Recommended Projects for 2007 and 2008.

Moved by Kroeger, seconded by Goodman, to approve the Passenger Transportation Development Plan for submission to the Iowa Department of Transportation and Federal Transit Agency.

Vote on Motion: 7-0. Motion declared carried unanimously.

2008 TRANSPORTATION PLANNING WORK PROGRAM (TPWP): The City Council was told by Ames Public Works Director John Joiner that, as part of the federal regulations governing MPOs, the Federal Highway Administration and the Federal Transit Administration provide planning funds to reimburse agencies for those activities. The Iowa Department of Transportation administers the Program. Mr. Joiner said that a main element of the Program is the planning activity to ensure an integrated transportation system. Another integral element is a review of development plans to determine impact to the transportation system. Other elements include the general work of administering the MPO, CyRide activities, and public involvement.

Moved by Rice, seconded by Goodman, to approve the draft Fiscal Year 2008 Transportation Planning Work Program and set May 22, 2007, as the date of public hearing.

Vote on Motion: 7-0. Motion declared carried unanimously.

2008-2011 TRANSPORTATION IMPROVEMENT PROGRAM (TIP): Director Joiner informed the Committee that in order to receive funds for transportation improvement projects, it is necessary to have the projects be a part of the approved statewide plan. The initial step in this process is for the MPO to develop a draft TIP. The draft plan provides for projects for street improvements, CyRide improvements, and trail projects. It also includes annual payments for a pavement management program that is operated statewide and annual support of the Statewide Urban Design and Specifications (SUDAS) program.

According to Mr. Joiner, the street projects included in the draft Plan meet the criteria adopted by the Policy Committee for project evaluation. The AAMPO Technical Committee has recommended approval of the draft Plan.

Mr. Joiner explained that federal funding will be received to update the SUDAS Manual in Fiscal Years 2008, 2009, 2010, and 2011.

New projects under the Surface Transportation Program are as follows:

Skunk River Trail Paving from Southeast 16th Street to E. Lincoln Way in FY 2008

Pavement Rehabilitation of North Dakota Avenue from 600' south of Delaware Avenue to Ontario Street in FY 2008

Pavement Rehabilitation of 13th Street from the Union Pacific Railroad Overpass to Stange Road in FY 2009

Pavement Rehabilitation of George Washington Carver Avenue from Stange Road to Bloomington Road in FY 2010

Grading and Paving of the Grand Avenue Extension from South 16th Street to Squaw Creek Drive in 2011

According to Director Kyras, all projects are listed in the City's Capital Improvements Plan.

Moved by Kroeger, seconded by Popken, to approve the draft Transportation Planning Work Program and set May 22, 2007, as the date of public hearing.

Vote on Motion: 7-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Doll, seconded by Goodman, to adjourn the meeting at 6:56 p.m.

REGULAR MEETING OF THE AMES HOUSING GOVERNING BOARD

The regular meeting of the Ames Housing Governing Board was called to order by Chairperson Campbell at 7:00 p.m. on March 27, 2007, with the following members present: Doll, Goodman, Horness, Mahayni, Popken, and Rice. Council Member Larson was not present.

HEARING ON AMES PUBLIC HOUSING AUTHORITY (PHA) ANNUAL PLAN: Housing Coordinator Vanessa Baker-Latimer introduced Joyce Brown, Housing Assistant, who helps coordinate the activities of the City's Section 8 Rental Assistance Program, and Tammy Horness, volunteer member of the Ames Housing Governing Board.

Ms. Baker-Latimer explained that the federal government mandates that Public Housing Authorities submit yearly updates to their Annual Plans to the Department of Housing and Urban Development (HUD). The Annual Plan informs HUD, its participants, and members of the public of the PHA's mission for serving the needs of low-income and very low-income families and its strategy for addressing those needs. According to Ms. Baker-Latimer, the legal notice was published and the 45-day public comment period ended on March 16, 2007. No comments had been received.

Mayor Campbell opened the hearing. No one wished to speak, and the hearing was closed.

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 07-113 approving the submittal of the 2007/08 Annual PHA Plan and required attachments to HUD in connection with the City's Section 8 Rental Subsidy Housing Programs.

Roll Call Vote: 7-0. Resolution declared adopted unanimously and hereby made a portion of

these minutes.

AMENDMENTS TO THE SECTION 8 ADMINISTRATIVE PLAN: Ms. Baker-Latimer told the Council that, as part of the administration of the Section 8 Rental Housing Subsidy Programs, all PHAs are required to amend the discretionary policies and procedures in their Administrative Plan to conform to HUD's Section 8 Rental Housing Subsidy Program. Staff, in consultation with the Resident Advisory Board, reviewed the policies and procedures and found that several of the policies needed to be updated in order to be in compliance with HUD regulations. The City's Housing Coordinator has been authorized to make minor changes, clarifications, and/or additions to the Administrative Plan and bring those changes, once a year, to the Governing Board for adoption.

The revisions/clarifications requested to be adopted were: (1) Procedural Requirements as they relate to implementation of new HUD regulations under the Violence Against Women Act, and (2) six Procedural Clarifications. Each procedural clarification was explained in detail by Ms. Baker-Latimer.

Moved by Rice, seconded by Popken, to adopt RESOLUTION NO. 07-114 approving amendments to the City's Administrative Plan in connection with the Section 8 Rental Subsidy Programs.

Roll Call Vote: 7-0. Resolution declared adopted unanimously and hereby made a portion of these minutes.

ADJOURNMENT: Moved by Doll, seconded by Goodman, to adjourn the Housing Governing Board meeting at 7:10 p.m.

REGULAR MEETING OF THE AMES CITY COUNCIL

The regular meeting of the Ames City Council was called to order by Mayor Ann Campbell at 7:14 p.m. on March 27, 2007, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Doll, Goodman, Mahayni, Popken, and Rice. Council Member Larson and *ex officio* Member Buske were absent.

PROCLAMATION FOR GOOD NEIGHBOR EMERGENCY ASSISTANCE MONTH:

Mayor Campbell proclaimed the Month of April 2007 as Good Neighbor Emergency Assistance Month. Accepting the Proclamation was Tim Gossett, President of Good Neighborhood Emergency Assistance organization.

PROCLAMATION FOR HOUSING AMERICA 2007:

Mayor Campbell endorsed the Housing America 2007 Campaign, its goals, objectives, and purposes, recommitting the City to meeting the affordable housing and community development needs of the community. City Housing Coordinator Vanessa Baker-Latimer accepted the Proclamation.

PRESENTATION OF IOWA STATE UNIVERSITY (ISU)/CITY JOINT CONSTRUCTION OF RAIN GARDEN IN THE VACANT LOT AT THE LIBRARY:

Library Director Art Weeks explained that 215 Fifth Street was demolished to make room for the eventual expansion of the Public Library. Presently, the 7,000 square-foot lot is vacant. Mr. Weeks pointed out that the mission of the Ames Public Library is to connect people with ideas, and he was pleased to advise that Parks & Recreation Director Nancy Carroll and Jenna Thompson, affiliated with the VEISHEA Service Day project, came up with the idea for a rain garden at the site.

Mr. Weeks described a rain garden as a sustainable solution to run-off pollution. It recharges ground water, filters out pollutants, and features native plantings on the surface. Demonstrations on the creation of rain gardens will be held at the Library in the near future.

Partners in this endeavor are the City, ISU Department of Landscape Architecture, VEISHEA Service Day volunteers, and Prairie Rivers RC & D. Costs (either funding or in-kind services)

will be shared among the partners.

Jenna Thompson advised that a total of 21 projects are being undertaken by ISU Service Day volunteers.

CONSENT AGENDA: Council Member Goodman asked that Item No.19 be pulled for separate discussion. Council Member Doll requested that Item No. 20 be discussed separately.

Moved by Popken, seconded by Doll, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving minutes of the regular meeting of March 6, 2007, and special meeting of March 20, 2007
3. Motion approving certification of civil service applicants
4. Motion approving renewal of the following liquor licenses and beer permits:
 - a. Class C Liquor - Café Northwest, 114 Des Moines Street
 - b. Class E Liquor, B Wine & C Beer - Cyclone Liquors, 626 Lincoln Way
 - c. Special Class C Liquor - The Spice Thai Cuisine, 402 Main Street
 - d. Special Class C Liquor - Valentino's, 2500 Ferndale Avenue
 - e. Class B Beer - Old George's Pizza, 421 South Duff Avenue
 - f. Class B Beer - Swift Stop #4, 1118 South Duff Avenue
 - g. Class B Beer - Swift Stop #5, 3218 Orion Street
5. Motion approving the following new liquor licenses:
 - a. Seasonal Class B Beer Permit and Outdoor Service Privilege for Homewood Golf Course, 401 East 20th Street
6. Motion approving encroachment permit for an awning over the sidewalk at 216 Main Street
7. RESOLUTION NO. 07-115 approving appointment of Jerry Knox to Public Art Commission
8. RESOLUTION NO. 07-116 approving appointment of Richard Mercer to Plumbing and Mechanical Board
9. RESOLUTION NO. 07-117 approving Bid Awards and Purchases, \$25,000-\$50,000, for the period March 1-15, 2007
10. RESOLUTION NO. 07-118 authorizing Mayor to sign loan agreements with Quality Attributes Software, Inc., for \$40,000 Revolving Loan Fund loan
11. RESOLUTION NO. 07-119 approving ICMA-RC to be a 457(b) plan administrator through June 30, 2012
12. RESOLUTION NO. 07-120 approving implementation of 401(a) money purchase defined contribution retirement plan and trust with ICMA-RC
13. RESOLUTION NO. 07-121 approving amendments to City's Records Retention Schedule
14. Requests for Campustown Cleanup on April 15:
 - a. RESOLUTION NO. 07-122 approving closure of parking stalls in the 100 block of Welch Avenue from 3 a.m. until 3 p.m.
 - b. RESOLUTION NO. 07-123 approving closure of Welch Avenue between Lincoln Way and Fire Station #2 between 9 a.m. and 1 p.m.
 - c. RESOLUTION NO. 07-124 approving waiver of fees for the use of water and installation/removal of hydrant meter
 - d. RESOLUTION NO. 07-125 approving waiver of the cost of electricity (if necessary)
15. RESOLUTION NO. 07-126 approving waiver of fees for water and hydrant meter for "Waterball" fundraising event on April 15, 2007
16. RESOLUTION NO. 07-131 approving airport hangar leases with:
 - a. Eller Enterprises
 - b. Kenneth L. Augustine
 - c. Ames Hangar Club, Inc.
 - d. Viking Aviation, Inc.
 - e. Field of Dreams
17. RESOLUTION NO. 07-132 approving Surface Improvement Agreements with Union Pacific Railroad for the 20th Street and 24th Street Crossings
18. RESOLUTION NO. 07-133 approving Engineering Services Contract for U. S. 69 Intersection Improvements Program (13th Street/Grand Avenue)

19. RESOLUTION NO. 07-134 approving amendment to Program Guidelines in connection with the Housing for Sustainable Neighborhoods project
20. RESOLUTION NO. 07-135 awarding contract for Dayton Avenue Substation - Grounding & Fence Improvement Project to Nikkel & Associates of Ames, Iowa, in the amount of \$57,842.00
21. RESOLUTION NO. 07-136 awarding contract for Motor Control Center Installation Project, GT1 to Baker Electric of Des Moines, Iowa, in the amount of \$29,057.00
22. RESOLUTION NO. 07-137 awarding contract for Unit No. 7 Boiler Chemical Cleaning to Rocky Mountain Industrial Services, LLC, of Denver, Colorado, in the amount of \$76,963.81, plus applicable taxes
23. RESOLUTION NO. 07-138 waiving purchasing policies and approving continuation of part-time mechanical engineering services from Brown Engineering Services in an amount not to exceed \$48,200 for the Ames Power Plant
24. RESOLUTION NO. 07-139 approving rehabilitation of 115 East 14th Street in conjunction with the partnership agreement with Habitat for Humanity of Central Iowa
25. RESOLUTION NO. 07-141 approving Change Order No.1 adding sales taxes to contract with General Cable Company for 161-kV Transmission Line Conductor Project
26. RESOLUTION NO. 07-142 approving contract and bond for S.E. 16th Street Paving and Bridge Replacement Project
27. RESOLUTION NO. 07-143 approving contract and bond for 2007/08 Collector Street Rehabilitation Program (Beach Avenue)
28. RESOLUTION NO. 07-144 accepting completion of 2006/07 Resource Recovery System Improvements (Air Classifier and Conveyors)
29. RESOLUTION NO. 07-145 accepting completion of 2006/07 Resource Recovery System Improvements (Tipping Floor Roof)
30. RESOLUTION NO. 07-146 accepting completion of the 2006/07 Cy-Ride Route Reconstruction Program (Jewel Drive from South Duff Avenue to Garnet Drive)

Roll Call Vote: 5-0. Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

VEISHEA 2007: Representing VEISHEA 2007, Nate Johannsen, General Co-Chair, and Kelsi Mehmen, Co-Chair of the Entertainment Committee, were present. In addition to the requests for street closures, Mr. Johannsen presented a request for \$3,000 in funding for the pancake and wings feed to be held on the Friday and Saturday nights of VEISHEA. Ms. Mehmen described some of the activities to be held during the week-long celebration.

Moved by Mahayni, seconded by Doll, to adopt RESOLUTION NO. 07-129 approving temporary street closures for the VEISHEA parade on April 21.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Mahayni, seconded by Doll, to adopt RESOLUTION NO. 07-130 approving closure of the northbound intersections at Lincoln Way and Welch, Lincoln Way and Morrill Road, and Lincoln Way and Union Drive.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Goodman, seconded by Popken, to refer to staff the letter from the VEISHEA 2007 Committee requesting funding in the amount of \$3,000 to help pay for the pancake fee and wing feed on Friday and Saturday nights of VEISHEA 2007.

Vote on Motion: 5-0. Motion declared carried unanimously.

CAMPUSTOWN SPRING KICK-OFF ON APRIL 15: Moved by Mahayni, seconded by Doll, to adopt RESOLUTION NO. 07-127 approving closure of Chamberlain Street between Stanton and Lynn Avenues from 1:00 p.m. to 10:00 p.m.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Mahayni, seconded by Doll, to adopt RESOLUTION NO. 07-128 approving closure of metered parking spaces on Chamberlain Street between Stanton and Lynn Avenues from 1:00 p.m. to 10:00 p.m.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Doll, seconded by Mahayni, to approve a street vending permit to allow for food and beverage sales.

Vote on Motion: 4-0-1. Voting aye: Doll, Mahayni, Popken, Rice. Voting nay: None. Abstaining: Goodman. Motion declared carried.

PUBLIC FORUM: No one wished to speak at this time.

CLASS C LIQUOR LICENSE FOR PHUEL BAR, 116 WELCH AVENUE: Chief Loras Jaeger reminded the Mayor and City Council that in November, 2006, criteria were created for renewal of liquor licenses/beer permits. Based on that criteria, staff is recommending denial of the renewal of the Class C Liquor License for Phuel Bar located at 116 Welch Avenue.

Chief Jaeger introduced Lieutenant Huff from the 11-to-7 Shift. Lieutenant Huff advised that there was one correction to his memo formerly distributed to the Mayor and City Council: There were 23 citations issued to 18 different people (not 17 different people). He reviewed the information on the License Renewal Criteria Form completed for Phuel Bar.

Council Member Goodman recalled that the City Council denied this License the last time that it was up for renewal; however, the state overturned that and issued the license. City Attorney Doug Marek advised that the City Council does have authority to set more rigid guidelines for license issuance. He said that if the City Council denies approval of the license renewal, the applicant has the right to appeal that decision to the state, just as they did last year.

Bonnie Valverde, Manager of Phuel Bar, introduced Matthew Mauk, attorney for the Bar. Ms. Valverde stated that the Criteria Form as completed by the Police Department was incorrect, as she had attended a quarterly meeting with the Police Department. She also stated that she was not notified of the first quarterly meeting. Ms. Valverde also advised that she does offer incentives to her employees, paying them \$10 for every false identification that is turned in to management. According to Ms. Valverde, if a citation is issued for on premises under the legal age, the doorman on duty at that time is fired. Ms. Valverde believes that the Phuel Bar is making an effort to prohibit underage persons from entering the Bar.

Mr. Mauk stated that the following actions for improvement will be taken:

1. All false identifications will be turned in to Lieutenant Huff of the Police Department
2. Management will attend all quarterly meetings with the Police Department
3. Dwight Rivera will be banned from the premises
4. Information on who is the manager in charge will be posted
5. Incentives for employees/firing doormen when citations are issued will continue
6. Flashlights will be used to read the ID presented
7. A listing of all employees will be provided to the Police Department

According to Mr. Mauk, they would accept a six-month license (instead of a 12-month one) to ensure that they are complying with all regulations.

Chief Jaeger advised that the promise of the above-named improvements being made does not change the Police Department's recommendation for denial of the renewal request. Lieutenant Huff said that the relationship with bar management and the high number of citations are the reasons for the Department recommending denial.

Mr. Mauk pointed out that Paddy's Irish Pub, with comparable occupancy, had 19 citations in a year's time, but was not denied a liquor license. He asked that all bars be treated consistently.

Ms. Valverde pointed out that no citations had been issued on the weekends when she was in charge of the bar. She said that there have been problems when Dwight Rivera, Ms. Valverde's brother, portrayed himself as the Bar manager. Ms. Valverde stated that she or her father, Pio Rivera, will be the only ones allowed to "manage" the Bar.

Council Member Mahayni recalled that the liquor license for the Phuel Bar was denied by the City Council last year due to the number of violations issued. He pointed out that the Bar had one year to remedy the problems, yet a large number of citations was again issued; no improvements have been made. Ms. Valverde said that the Bar had taken measures to identify minors and prevent citations. Mr. Mahayni asked why citations continue to be issued if 100% of the Bar's employees had attended the Police Department training. It concerns him more that the employees have been trained, yet under-age persons are still gaining access.

Ms. Valverde argued that management at the Phuel Bar is making efforts to prevent under-age persons from entering their premises. She read excerpts from the Alcoholic Beverages Division ruling to overturn last year's denial by the City Council; they found that the number of citations issued was an insufficient basis to deny renewal of the license.

Frederico Valverde, doorman at the Phuel Bar, stated that he works there every weekend and has not had a violation issued during his shifts. He pointed out that he spends over a minute on average attempting to read every ID presented; he uses a flashlight and looks very thoroughly at the ID and the person. Mr. Valverde said that there are some very good fake IDs being generated. He wanted to know how many violations were issued to patrons who had a fake ID.

Smith Gavan indicated that he was a former employee of the Phuel Bar, having been fired after admitting an under-age person with a fake ID. He advised that Pio Rivera and Bonnie Valverde are very strict about not allowing under-age persons. Mr. Vaughn said that it is very difficult to determine if the ID being presented is fake.

Clifford Budd, also a doorman at Phuel Bar, testified that employees are given \$10/each false identification turned in to management. He advised that it is a very difficult job; there are times when persons present the identification of an older sibling, whose appearance is very similar.

Lieutenant Huff stated that it is difficult to detect false IDs; however, it makes it more difficult when the bar has the reputation of allowing minors to enter. Also, the level of cooperation from the Bar has not been good.

Attorney Mauk pointed out that based on the volume of patrons in the Phuel Bar, i.e., 15,600/year, the number of violations equates to one (1) incident for 917 patrons. He does not feel that that is excessive.

Even though Ms. Valverde testified that no violations had occurred on weekends, Council Member Doll pointed out that eight of the violations had occurred on a Friday or Saturday night.

Council Member Goodman advised that he would prefer that the Phuel Bar be issued a six-month license in an attempt to allow the bar to operate under the sole management of Bonnie Valverde and Pio Rivera. He believes this to be a family corporation and doesn't think that it is reasonable to prevent members of the family from entering the Bar.

Council Member Rice indicated that he would like to approve a six-month license with a stipulation that no violations be issued during that time period. Attorney Marek advised that it

was possible to deny the one-year license and to approve a six-month license, but not to place conditions on the approval.

Council Member Doll pointed out that this same situation occurred at the Phuel Bar's last annual renewal date; however, no improvements have been made. He pointed out that the Bar actually has had a year to make improvements, but has not done so.

Moved by Mahayni, seconded by Popken, to deny the Class C Liquor License for Phuel Bar, 116 Welch Avenue.

Vote on Motion: 3-2. Voting aye: Doll, Mahayni, Popken. Voting nay: Goodman, Rice. Motion declared carried.

Council Member Goodman asked that the Renewal Criteria Form be made more clear. Instead of using words, e.g., low, medium, high, to describe the level of cooperation, occupancy, etc., he suggested that numbers be used. Lieutenant Huff explained how they came up with the Form; it is really not possible to use numbers.

MAIN STREET CULTURAL DISTRICT (MSCD) REQUEST TO PURCHASE HOLIDAY DECORATIONS: Assistant City Manager Sheila Lundt stated that the banners would be removed when the snowflakes were installed. City crews would not be installing the snowflakes; a private contractor would do that.

Ms. Lundt further explained that the City's 2006/07 budget includes a \$3,250 allocation to the MSCD for pots and plantings. The MSCD now desires to, instead, utilize this funding for snowflake decorations. If approved, 12 snowflakes would be hung on each side of Main Street. Lighted garland would still be used on the poles not decorated with a snowflake.

Moved by Popken, seconded by Goodman, to approve the purchase of 24 snowflake lights with partial City funding in the amount of \$3,250, contingent on confirmation that the enamel on the light poles will not be damaged in any way by the decorations or the brackets.

Vote on Motion: 5-0. Motion declared carried unanimously.

The meeting recessed at 8:27 p.m. and reconvened at 8:37 p.m.

HEARING ON MAJOR SITE DEVELOPMENT PLAN/ADAPTIVE REUSE FOR THE STREETS OF NORTH GRAND LOCATED AT 2801 GRAND AVENUE: Mayor Campbell opened the public hearing.

Planner Seana Perkins advised that the developers are requesting approval of a Preliminary Plat and Major Site Development Plan for the redevelopment of the existing North Grand Mall. Ms. Perkins corrected a property line boundary on Exhibit 1 attached to the Council Action Form. She stated that the proposed renovated mall would consist of 480,815 square feet, which is over 60,000 square feet more than the existing structure. The renovation would include demolition of the Sears store and the associated building connected to the south side of Sears. Okoboji Bar and Grill, Wells Fargo, and the Ames Back and Neck Care Center are also proposed to be removed. Four independent structures, including Proposed Retail Buildings A, B, C, and D, would be constructed where Sears and the associated structure to the south are located. Proposed Retail Building E would be constructed in the general location of the existing Okoboji Bar and Grill. The Major Site Development Plan, being processed concurrently with the Preliminary Plat, is needed to remedy property lines that conflict with proposed locations for the retail buildings.

Ms. Perkins stated that the proposal also includes a reconfiguration of the parking lot, which will entail removing the interior driveway that runs diagonally across the site in front of Sears and which connects to the easterly most driveway entrance on 24th Street. The driveway traversing that portion of the mall to be demolished would be relocated to the west to make room for an expanded footprint for the mall. It was pointed out that these changes will result in changes to the interior landscaped island within the parking lot; some islands will be removed and new islands will be installed at the ends of some of the parking aisles. Because all of the proposed changes to the site do not conform to specific requirements of the Code, the Adaptive Reuse standards must be met. Ms. Perkins reviewed the interpretation made by the City Council at their meeting of January 23, 2007, concerning the applicability of the Adaptive Reuse provision. According to Ms. Perkins, the applicant is basing its Adaptive Reuse application on the stated economic value of the mall site to the City rather than historic or architectural value.

Planner Perkins advised that staff believes the application qualifies for the Adaptive Reuse provision. However, since not all of the proposed changes to the site conform with the specific requirements of the Code, the applicant is requesting waivers, as follows:

1. Waiver of the Floor Area Ratio (FAR) requirements of Table 29.805(3), which require a minimum FAR of 0.50.

Staff supports approval of this waiver.

2. Waiver of landscaping provisions of Table 29.805(3) pertaining to landscaping in setbacks abutting a residentially zoned lot.

Rather than waive this requirement, staff suggested that an alternative would be to buffer the residential apartment building to the south by installing a masonry wall at the back end of the landscaped strip next to the apartment site and covering the wall with espaliers or similar landscaping treatments that would provide landscaped cover over and in front of the wall.

3. Waiver of landscaping provisions of Section 29.403(4)(c)(I) pertaining to landscaping islands and medians within parking lots of specified sizes and spacing.

Instead of a waiver, staff is suggesting that stamped and/or scored colored concrete be placed at prominent locations within the parking lot, including entrance drives, driveway intersections, and along the main entrance to the mall. This pavement treatment would minimize the otherwise bleak appearance of the expansive pavement, would warn motorists of critical pedestrian crossing areas, and serve as a traffic-calming device.

Staff also recommends that pedestrian-scaled decorative pole lights be placed both along the entire length of the driveway between 24th Street and 30th Street and along both sides of the Grand Avenue entrance.

It is also being suggested by staff that the developer increase the density of trees between the parking lot and street by providing enough trees along the boundary of the entire mall site to achieve an average spacing of 30 feet. This suggestion was in response to the applicant's concerns about negatively impacting the site lay-out or reducing parking spaces.

4. Waiver of landscaping provisions of Section 29.403(4)(f) pertaining to landscaping, both around the perimeter and within the interior portions of parking lots.

Again, staff prefers that a waiver not be issued, but this issue addressed through the three landscape elements above-noted. In addition, staff proposed an extension of a pedestrian walkway from the public sidewalk on 24th Street to the southeast corner of the lifestyle center area to provide safe pedestrian crossings and minimize conflicts between pedestrians and vehicles. The staff also would like the developer to provide a mechanical irrigation system for all landscaped areas on the site, including the rights-of-way.

Summarizing, Ms. Perkins said that staff believes it is possible for the developer to meet Code requirements pertaining to landscaping, using alternative landscape provisions, without granting waivers.

In addition to the above-described waivers, the applicant is also requesting approval under the Adaptive Reuse provisions to relocate the on-site landscaping required under Table 29.805(3), which amounts to 15%, of the site area to the public right-of-way abutting the site. The developer is concerned that the required landscaping could not be met on-site without sacrificing tenant-demanded parking spaces.

Steve Osguthorpe, Planning and Housing Director, stated that the Planning and Zoning Commission heard this request at their meeting of March 21, 2007, and had agreed with the placement of stamped and/or scored colored concrete at prominent locations within the parking

lot, including entrance drives, intersections, and along the main entrance to the Mall. Mr. Osguthorpe stated that the purpose of alternative landscape provisions being suggested was to allow for creative ways of meeting the Code's intent without strictly complying with the Code. The developer, however, has indicated that he is not wishing to pursue the other alternative elements that staff has proposed. Director Osguthorpe advised that the applicant has submitted revised plans, which still need to be reviewed in detail by City staff.

Pat Burke, attorney with the Bradshaw Law Firm, 801 Grand Avenue, Suite 3700, Des Moines, Iowa, introduced Dan Sullivan, GK Development; Scott Williams, HWS; and Kurt Carlson, General Manager of the North Grand Mall. Mr. Burke explained that the developers prefer that the Preliminary Plat not need to return to the City Council for a final decision on its approval if an ordinance text amendment or variance is approved.

Mr. Sullivan gave a brief presentation on the prospective changes to be made to North Grand Mall. He asked for the City Council's approval of the Adaptive Reuse application and the Preliminary Plat at tonight's meeting so that they can move forward to the next step.

Dan Culhane, President of the Ames Chamber of Commerce and Ames Economic Development Commission, 1601 Golden Aspen Drive, Ames, urged the Council's support for the proposed redevelopment.

Lynn Franko, 1322 Barkley Court, Ames, stated that she is excited for the redevelopment of the Mall.

Dale Brentnall, 429 - 25th Street, Ames, said that for the past 35 - 40 years, the North Grand Mall has served as a catalyst for the North Ames neighborhoods and development. He asked for the Council's approval of the Adaptive Reuse application.

Merle Hillson, 420 - 25th Street, Ames, advised that he and his wife appreciate the convenience of the North Grand Mall. He encouraged the City Council to approve the proposal.

Catherine Scott, 1510 Roosevelt, Ames, spoke in favor of the waiver of the Floor Area Ratio. She believes that the developers will be using the existing land more efficiently. Ms. Scott also pointed out that the reasons behind the landscaping requirements needed to be looked at, and she suggested that the Council not "quibble" over one to two percent.

Holly Fuchs, 806 Brookridge Avenue, Ames, asked for a clarification as to what exactly had been agreed to by the developers.

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

Moved by Goodman, seconded by Rice, to adopt RESOLUTION NO. 07-147 approving the Preliminary Plat for the Streets of North Grand Subdivision with the following conditions:

1. Civil drawings of all public improvements shall be submitted to the Public Works Department for review and approval prior to installation and prior to the Final Plat approval.
2. All structures are subject to the fire-resistance rating requirements and limitations on openings on exterior walls of buildings when located adjacent to a property line. (Openings with a fire separation distance of three feet or less are not allowed.)
3. Prior to Final Plat approval, the parking spaces on Lot 2 shall be reconfigured to provide Code-required parking, as indicated on the associated Adaptive Reuse/Major Site Development Plan being reviewed concurrently.
4. Prior to Final Plat approval, the applicant must have obtained approval of waivers of the FAR standards through the Adaptive Reuse process unless the applicant has, within 30 days of the date of this decision, submitted to the City a complete application for a text amendment or

variance that will amend, or grant relief from, the FAR standards. If the application for a text amendment or variance is not submitted within 30 days or if the application is denied, this Preliminary Plat application shall be considered denied. If the application for a text amendment or variance is approved, this Preliminary Plat application shall be reviewed again by the City Council to determine compliance with the approved text amendment or variance, and the City Council shall render a final decision on the Preliminary Plat.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Regarding the Adaptive Reuse application, Council Member Popken would like to see more pedestrian walkways connecting the main shopping area with the perimeter. He pointed out that there was only one main connection on the Grand Avenue side. Mr. Popken specifically asked for more connections to the perimeter sidewalks, particular on the south to 24th Street and on the north to 30th Street, to provide for easier pedestrian access. Kurt Carlson pointed out where the crosswalks are currently located and where they could be potentially be located. Director Osguthorpe stated that he had visited the site, and to add more pedestrian walkways would require the elimination of some parking spaces. Council Member Goodman also encouraged additional pedestrian walkways. Mr. Osguthorpe said that it would be possible for the City Council to define pedestrian connections on the Final Plat. Mr. Sullivan of GK Development said that the developers would be willing to discuss additional walkways, however, he is concerned about the potential loss of parking spaces. He again alluded to requirements of the tenants to provide a certain number of parking spaces for their stores. Mr. Osguthorpe said it would be helpful if staff could review the leases.

Moved by Popken, seconded by Goodman, to adopt RESOLUTION NO. 07-148 approving Alternative #2, as recommended by the Planning and Zoning Commission, with the addition of pedestrian walkways at 24th, Ferndale, and 30th Street.

For the record, Alternative #2 is approval of the Adaptive Reuse application and Major Site Development Plan for the Streets of North Grand Mall, allow a waiver of the FAR requirements for the site and allow the landscaping requirements to be partially met within the right-of-way, subject to the following conditions:

1. Prior to City Council approval, the applicant shall submit a revised landscaping plan that will include the following features and/or changes:
 - a. The placement of stamped and/or scored colored concrete at prominent locations within the parking lot, including entrance drives, intersections, and along the main entrance to the mall.
 - b. Buffering of the residential apartment building to the south by installing a masonry wall at the back end of the landscaped strip next to the apartment site and covering the wall with espaliers or similar landscaping treatments that will provide landscaped covering on and in front of the wall.
 - c. Provide enough trees along the boundary of the entire mall site to achieve an average spacing of 30 feet.
 - d. Comply with all other landscape requirements of the Ames Municipal Code.
2. Prior to any permit issuance, construction plans for public improvements shall be submitted to the Public Works Department for review, and if compliant with all standards, approval.
3. Prior to clearing, grading, or issuance of building permits, a COSESCO permit shall be issued.

4. Building permits for the proposed redevelopment shall not be issued until the associated Preliminary Plat for this site has received Final Plat approval and the Plat has been recorded.

Council Member Mahayni asked about the traffic study that was conducted. Damion Pregitzer, City Traffic Engineer, advised that he had reviewed the study and was confident that all requirements for levels of service and operation have been met. The study area was any access on and off the site, any intersection, and including 13th and Grand.

Mr. Mahayni said that he is concerned about the entrance to the Mall from 24th Street. He would like to see that improved. Mr. Pregitzer said that the traffic study does not include the safety aspect. He explained that there is an easement in place with the gas station at the corner of 24th and Grand; it is a perpetual easement.

Council Member Mahayni asked for clarification as to what has been recommended to be approved. He would like to see Paragraph a.ii. of the staff's recommendation added, which pertains to installation of decorative pole lights. Discussion ensued as to the lighting requirements. Decorative pole lights, both along the entire length of the driveway between 24th Street and 30th Street, had been recommended by staff.

City Manager Schainker pointed out that the developers would like to have approval given at this meeting or allow administrative approval by staff. City Attorney Marek pointed out that Alternative #2 does not call for additional Council review and approval.

Moved by Goodman, seconded by Mahayni, to amend the motion to add the condition under Paragraph a.ii. of the staff's recommendation, i.e., requiring the placement of pedestrian scaled decorative pole lights both along the entire length of the driveway between 24th Street and 30th Street spaced on the end of every other parking aisle and along both sides of the Grand Avenue entrance drive.

Vote on Amendment: 4-1. Voting aye: Doll, Goodman, Mahayni, Popken. Voting nay: Rice. Motion declared carried.

Moved by Doll, seconded by Mahayni, to further amend the motion to include staff approval of the revised plan with the opportunity for the developers to take the revised plan back to the City Council if staff is not in agreement with said revised plan.

Vote on Amendment: 5-0. Motion declared carried unanimously.

Roll Call Vote on Motion, as Amended: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

HEARING ON ZONING TEXT AMENDMENT TO TABLE 29.1001(3) TO CHANGE THE DEVELOPMENT STANDARDS FOR THE HEIGHT OF PRINCIPAL BUILDINGS IN THE "S-HM" (HOSPITAL/MEDICAL DESIGN) DISTRICT: The hearing was opened by the Mayor and closed after no one asked to speak.

Moved by Mahayni, seconded by Goodman, to pass on first reading an ordinance making a text amendment to Table 29.1001(3) to change the development standards for the height of principal buildings in the "S-HM" (Hospital/Medical Design) District.

Roll Call Vote: 5-0. Motion declared carried unanimously.

HEARING ON URBAN REVITALIZATION PLAN FOR 207 - 215 LYNN AVENUE: The Mayor opened the public hearing. She closed same after no one came forward to speak.

Moved by Rice, seconded by Popken, to adopt RESOLUTION NO. 07-149 approving the Urban Revitalization Plan for 207 - 215 Lynn Avenue.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Mahayni, seconded by Goodman, to pass on first reading an ordinance establishing the 207 - 215 Lynn Avenue Urban Revitalization Area.

Roll Call Vote: 5-0. Motion declared carried unanimously.

HEARING ON SALE OF CITY-OWNED PROPERTY LOCATED AT 2125 FURMAN DRIVE: Mayor Campbell opened the public hearing. No one wished to speak, and the hearing was closed.

Moved by Goodman, seconded by Doll, to adopt RESOLUTION NO. 07-150 approving the sale of 2125 Furman Drive to Habitat for Humanity.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

HEARING ON CYRIDE OFFICE BUILDING EXPANSION: The hearing was opened. No one asked to speak, and the hearing was closed.

Moved by Goodman, seconded by Mahayni, to reject the bid.

Vote on Motion: 5-0. Motion declared carried unanimously.

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 07-151 approving preliminary plans and specifications for CyRide Building Expansion; setting April 16, 2007, as bid due date and April 24, 2007, as date of public hearing.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

FIXED BASE OPERATOR (FBO) CONTRACT: Steve Salvo, Operations Manager, advised that the Airport Advisory Committee, at their meeting of November 29, 2006, recommended that the proposal submittal process begin for the 2007 contract. On December 12, 2006, the City Council directed staff to solicit proposal from individuals wishing to perform FBO services at the Airport for the next five years, starting July 1, 2007. A Selection Committee rated the two proposals received and recommended unanimously to recommend Hap's Air, Inc., be awarded the five-year Airport FPO Lease.

Lyle Vust, Midwest Flying Service, 3040 Hwy. 69, Sheldon, Iowa, cited the experience that he and his wife have in this industry. He felt that the voting was not fair and the Selection Committee was unfairly chosen. Mr. Vust pointed out that, if another FBO is selected, employees of Midwest Flying Service will be unemployed. Midwest Flying Service has added two corporate jets and will add another one in the next few months. Mr. Vust said that they also have added Hertz Rental Car at the Airport, which has brought in another revenue source. He alluded to additional federal funding that will be available in the future if an airport has three corporate jets; if Midwest Flying Service leaves, one corporate jet also leaves. According to Mr. Vust, his company has worked cooperatively with another provider, Haps, at the Airport. If Midwest is not chosen as the FBO, they leave the community. Mr. Vust advised that he also receives criticism about some of his employees being students; however, they are very good employees, and it provides part-time employment to that segment of the Ames community. Mr. Vust requested a thorough review of the selection process.

Jeff Smalling, representing Hap's, Inc., said that his company has many new ideas that they would like to pursue at the Airport, including additional services and staff.

Mr. Salvo stated that the Selection Committee consisted of Airport Advisory Committee members, an airport user, and the Assistant City Finance Director. He felt that members of the Committee were familiar with both providers. Lee Livingston, Sue Rybolt, Bob Mortensen, Darrell Mullins, and Steve Salvo were named as the members of the Committee.

Moved by Mahayni, seconded by Popken, to adopt RESOLUTION NO. 07-152 approving the Fixed Base Operator Contract with Hap's Air, Inc.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby

made a portion of these minutes.

UPDATE ON STORM DAMAGE: Public Works Director John Joiner described the problems encountered due to the wind conditions and dampness of the wood. The burning operation was suspended by the City Manager on March 26. The E. 13th Street site will be cleaned up and the City will move on with a yard waste provider to take the debris and dispose of same. Representatives of FEMA will be on site tomorrow to review the process. The free drop-off will also be extended to April 22, 2007.

ENCROACHMENT PERMIT FOR IOWA STATE UNIVERSITY (ISU) GATEWAY COLUMNS: City Manager Schainker described the requests of Iowa State University relative to its plan to construct a gateway feature along Elwood Drive that will be located partially within the City right-of-way. The University is requesting that the City Council approve an Encroachment Permit, which allows a structure to extend into the limits of a City street, alley, or sidewalk. ISU is also requesting that the City waive the fee for the Encroachment Permit and amend the Municipal Code to waive the requirement for an insurance certificate from agencies of the state of Iowa.

Cathy Brown, Program Coordinator of Facilities Management at ISU, presented Iowa State University's South Campus Gateway Plan. She stated that this project is part of a larger corridor plan to improve the image of the major entryway to the portion of the community where ISU is located. These improvements will also reinforce a major route for visitors to the University. Jesse Lewis, RDG Planning & Design, gave additional details on the design of the proposed gateway improvements.

Moved by Mahayni, seconded by Rice, to pass on first reading an ordinance amending Section 22.3 of the Municipal Code pertaining to insurance requirements (second and third readings and adoption requested).

Roll Call Vote: 5-0. Motion declared carried unanimously.

Moved by Goodman, seconded by Popken, to suspend the rules necessary for the adoption of an ordinance.

Roll Call Vote: 5-0. Motion declared carried unanimously.

Moved by Mahayni, seconded by Goodman, to pass on second and third readings and adopt ORDINANCE NO. 3906 amending Section 22.3 of the Municipal Code pertaining to insurance requirements.

Roll Call Vote: 5-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Mahayni, seconded by Rice, approving the Encroachment Permit.

Vote on Motion: 5-0. Motion declared carried unanimously.

Moved by Goodman, seconded by Rice, to adopt RESOLUTION NO. 07-153 approving waiver of the Encroachment Permit fee.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

UNIT NO. 7 TURBINE GENERATOR OVERHAUL PROJECT: Electric Services Director Don Kom gave an overview of the rotor work necessary. Upon inspection and testing, it was revealed that, due to several defects, a complete rotor rewind is necessary in order to keep Unit No. 7 in service. According to Mr. Kom, the costs for the rotor rewind would be \$279,585 and the turbine rotor and diaphragm repair would be \$48,875.

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 07-140 approving Change Orders 1 through 7 for Unit No. 7 Turbine Generator Overhaul Project to Cotter Turbine Services, LLC, of Big Lake, Minnesota, in the amount of \$453,206.50, plus applicable sales

taxes.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Mr. Kom advised that as the Unit was being dismantled, worn parts were noted. These parts are internal to the steam turbine and are what maintain the clearances within the steam path between the stationary and rotating elements. Staff recommends waiving formal bids in order to expedite delivery and ensure functionality of the parts.

Moved by Mahayni, seconded by Rice, to adopt RESOLUTION NO. 07-154 waiving formal bidding procedures and awarding a contract to General Electric Energy Parts, inc., in an amount not to exceed \$87,711.84 for parts for Unit No. 7 Turbine Generator Overhaul Project.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

ORDINANCE MAKING SCRIPT REVISIONS PERTAINING TO PARKING REGULATIONS ON SOUTH BELL AVENUE: Moved by Mahayni, seconded by Popken, to pass on first reading an ordinance making script revisions pertaining to parking regulations on South Bell Avenue.

Roll Call Vote: 5-0. Motion declared carried unanimously.

Moved by Mahayni, seconded by Goodman, to suspend the rules necessary for the adoption of an ordinance.

Roll Call Vote: 5-0. Motion declared carried unanimously.

Moved by Mahayni, seconded by Rice, to pass on second and third readings and adopt ORDINANCE NO. 3907 making script revisions pertaining to parking regulations on South Bell Avenue.

Roll Call Vote: 5-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

ORDINANCE MAKING SCRIPT REVISIONS PERTAINING TO PARKING REGULATIONS ON COCHRANE PARKWAY: Moved by Goodman, seconded by Popken, to pass on first reading an ordinance making script revisions pertaining to parking regulations on South Bell Avenue.

Roll Call Vote: 5-0. Motion declared carried unanimously.

Moved by Goodman, seconded by Popken, to suspend the rules necessary for the adoption of an ordinance.

Roll Call Vote: 5-0. Motion declared carried unanimously.

Moved by Mahayni, seconded by Goodman, to pass on second and third readings and adopt ORDINANCE NO. 3908 making script revisions pertaining to parking regulations on Cochrane Parkway.

Roll Call Vote: 5-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

ORDINANCE ALLOWING OPERATION OF GOLF CARTS UPON CITY STREETS:

Moved by Goodman, seconded by Popken, to pass on second reading an ordinance allowing on-duty law enforcement, fire department, and emergency medical personnel to operate a golf cart upon a city street.

Roll Call Vote: 5-0. Motion declared carried unanimously.

ORDINANCE CHANGING THE NAME OF ELWOOD DRIVE TO UNIVERSITY BOULEVARD: City Attorney Marek explained that the effective date of this prospective ordinance may need to be delayed until September or October 2007. Assistant City Manager Bob Kindred explained that the signage through the Iowa Department of Transportation will not be

installed until Fall 2007. Warren Madden, Vice-President of Business and Finance at Iowa State University, indicated that the University desires the prospective ordinance to be effective in September 2007.

Mr. Marek advised the Council that they have three options:

1. Wait until fall to pass on third reading.
2. Start over with the process and include an effective date in the ordinance.
3. Pass the ordinance on third reading and direct the City Clerk to delay publication of the ordinance.

Council Member Goodman suggested that the ordinance be passed on second reading, with the hope that details as to when the ordinance should be effective would be worked out by the next meeting.

Moved by Goodman, seconded by Rice, to pass on second reading an ordinance changing the name of Elwood Drive to University Boulevard.

Roll Call Vote: 5-0. Motion declared carried unanimously.

COMMENTS: Council Member Doll asked that a microphone be installed for the City Clerk.

ADJOURNMENT: 11:17 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor