

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

**AMES, IOWA**

**JUNE 26, 2007**

The regular meeting of the Ames City Council was called to order by Mayor Ann Campbell at 7:00 p.m. on June 26, 2007, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Doll, Goodman, Larson, Mahayni, and Rice. *Ex officio* Member Luttrell was also present. Council Member Popken was absent.

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

1. Motion approving payment of claims
2. Motion approving minutes of regular meeting of June 12, 2007, and special meeting of June 19, 2007
3. Motion approving the following applications for new liquor licences:
  - a. Class BW Liquor License for Le's Vietnamese Restaurant, 113 Colorado Avenue
  - b. Class C Liquor License & Outdoor Service Privilege for The Basil Conference Center, 2321 North Loop Drive
  - c. Class C Liquor License for Chicha Shack, 2418 Lincoln Way
  - d. Class E Liquor License for Midwest Management & Design Group, 126A Welch Avenue
4. Motion approving renewal of Class BW Liquor License for Hickory Park, 1404 S. Duff Avenue
5. Motion approving request from Iowa Sports Foundation for a permit to display fireworks for the Iowa Games from a location on Iowa State property southeast of the intersection of Elwood Drive and S.E. 16<sup>th</sup> Street at approximately 9:15 p.m. on July 13, 2007
6. Motion approving change in designation of City representatives to the U. S. EPA
7. Motion referring Proposed Historic Landmark Designation for Martin House property located at 218 Lincoln Way to state of Iowa
8. Motion approving submittal of a Justice Assistance Grant for the Police Department for use in computer fraud enforcement efforts
9. RESOLUTION NO. 07-294 approving and adopting Supplement No. 2007-3 to the Ames Municipal Code
10. RESOLUTION NO. 07-295 approving 2007/08 Pay Plan
11. RESOLUTION NO. 07-296 adopting new and revised fees
12. RESOLUTION NO. 07-297 approving Bid Awards and Purchases, \$25,000-\$50,000, for the period June 1-15, 2007
13. RESOLUTION NO. 07-298 approving appointment of Robyn Johnson to fill vacancy on Human Relations Commission
14. RESOLUTION NO. 07-299 approving appointment of Richard Seagrave to fill vacancy on Library Board of Trustees
15. RESOLUTION NO. 07-300 approving appointment of Norman Cloud to fill vacancy on Planning and Zoning Commission
16. RESOLUTION NO. 07-301 approving Cooperative Agreement with the Iowa Department of Transportation for Grand Avenue Extension
17. RESOLUTION NO. 07-302 approving Fall 2007 Commission On The Arts (COTA) Mini-Grants
18. Requests for Midnight Madness on July 7, 2007:
  - a. Motion approving 5-day Class B Beer permit and Outdoor Service Area in Parking Lot N
  - b. RESOLUTION NO. 07-303 approving closure of certain streets and parking lots and on July 7 and 8, 2007, pending receipt of certificate of insurance
  - c. RESOLUTION NO. 07-304 approving waiver of the fee for use of electricity in City Hall Parking Lot N and on Burnett Avenue
  - d. RESOLUTION NO. 07-305 approving suspension of parking regulations and enforcement and waiver of parking meter fees in the Central Business District from 5:30 p.m. to 10:00 p.m.
19. RESOLUTION NO. 07-306 waiving water use charges associated with the "Waterball" fundraiser sponsored by Acacia Fraternity on September 9, 2007

20. RESOLUTION NO. 07-307 approving increase in grant amounts for Foundation Drain Program
21. RESOLUTION NO. 07-308 approving preliminary plans and specifications for Power Line Relocation Project - Boone County Road E26; setting July 25, 2007, as bid due date and August 14, 2007, as date of public hearing
22. RESOLUTION NO. 07-309 approving preliminary plans and specifications for Pearle Avenue Reconstruction, setting July 18, 2007, as bid due date and July 24, 2007, as date of public hearing
23. RESOLUTION NO. 07-310 approving purchase order changes and payment of outstanding invoices to C & K Heating, Air Conditioning, & Plumbing of Ames, Iowa, in the amount of \$51,000 for installation of Digital Control Units (DCUs)
24. RESOLUTION NO. 07-311 approving extension of contract for Chemical Treatment Services and Supplies for Power Plant with Nalco Company of Peoria, Illinois, in an amount not to exceed \$100,000
25. RESOLUTION NO. 07-320 approving Change Order No. 5 in connection with the SE Entryway Project
26. RESOLUTION NO. 07-312 accepting completion of 2006/07 Water System Improvements (S. Hazel/Lincoln Way to South 4<sup>th</sup> Street)

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

**PUBLIC FORUM:** Mayor Campbell noted that there had been miscommunication from the media; the 13<sup>th</sup> and Grand Intersection Improvements project is not on the Agenda. She advised that, if there are those who would like to speak on that issue, they would need to do so during Public Forum. The Mayor asked Assistant City Manager Bob Kindred to give an update to the City Council as to the schedule for that project. Mr. Kindred advised that since the June 12, 2007, City Council meeting, staff had been working with WHKS (engineering consulting firm) to hasten the detail work so that answers could be provided to the questions raised at that meeting. Secondly, staff has been working diligently to respond to the 22 questions posed by several citizens, and staff's response was provided to them this morning. Staff would be happy to share the response with anyone who is interested. A key question from many members of the community is the timeframe when more detailed information will be available. City Traffic Engineer Damion Pregitzer has requested that WHKS inform the City of a date when additional detailed information will be available. As soon as that is known, the public will be informed. It is hoped that information will be received by the staff by the middle part of July. A public input and education session will then be held. At this time, it is the staff's desire to place this item on the Council's July 24 Agenda for additional public input. It is unknown at this time, however, if WHKS will be able to meet that time frame.

Lynn Burnett, 703 - 12<sup>th</sup> Street, Ames, referenced an analogy used by Council Member Mahayni at the June 12, 2007, City Council meeting to describe the situation at the intersection in question. Mr. Mahayni had said that it was like "trying to fit a gallon of milk into a half-gallon jug." He also said that it was not only a matter of what was good for the intersection in question, but also what is good for the entire transportation network. Mr. Burnett acknowledged that Mr. Mahayni had made a valid point; however, he contended that that simple cliché actually supported the fact that widening the intersection was not the right approach. He further explained that making the intersection bigger would allow more traffic to pass through at a much faster rate, but "the traffic would still be funneled into a half-gallon container," i.e., Grand or 13<sup>th</sup>. Mr. Burnett said that the solution is not to shove the traffic through there at a faster rate, but rather "to get more containers." It is Mr. Burnett's opinion that there need to be other routes so that every single vehicle is not being sent down Grand Avenue or across town on 13<sup>th</sup> Street. Mr. Burnett believes that if there were alternatives, people might even travel through Main Street more often. People go on Grand Avenue because they don't want to "fight the tracks." Another point made by Mr. Burnett is that the "half-gallon container" is only full for several minutes each day. He said it was fairly obvious to him that the homes being slated for total acquisition were built long before North Grand Mall, WalMart, Cub Foods, Northridge, Northridge Heights, Somerset, and almost any

other property north of 13<sup>th</sup> Street that have been allowed to develop without alternate traffic routes. According to Mr. Burnett, the debate should not be so much about which came first, but about what is right. He believes that the right thing is to recognize the residents whose homes have long been an established part of Ames and reconsider the widening of Grand and 13<sup>th</sup>. Mr. Burnett said that he believes part of the problem that has led to the current situation is the lack of time for Public Works staff to work through this type of problem in a timely manner. He hopes that public relations will be handled in a better way on future projects; better communication early on may have resulted in fewer issues.

Erica Fuchs, 4014 Marigold Drive, Ames, requested that the City Council reverse its decision to approve the \$2.3 million plan to widen and reconfigure the 13<sup>th</sup> and Grand Intersection. That decision will force eight families to lose their homes and approximately 30 families to lose parts of their yards due to acquisition by the City. She thinks the City should improve safety and traffic flow at that intersection by using methods that do not destroy and damage citizens' homes and properties against their will. Ms. Fuchs made the following suggestions: use alternating traffic lights with left-lane turn arrows, install signals at the 16<sup>th</sup> and Grand intersection, synchronize traffic lights on Grand, and consider reducing the speed limit on Grand to 30 mph. She said that she is not convinced that safety problems at the intersection are significant. According to Ms. Fuch's research of accident data, there had been only one traffic injury, which was listed as a "possible" injury, at this location from 2002-2006, and there is an average of only eight accidents/year there. She believes improvements to that statistic are not worth \$2.3 million or destroying people's homes and trust in their government. Ms. Fuch believes that when the government takes people's property against their will, all citizens should be concerned.

Neil VanSlyke, 1012 Vermont Court, Ames, said that he is not one of the affected property owners, but has sat two blocks deep on Grand Avenue waiting to turn west onto 13<sup>th</sup> Street. He believes, however, that it is not worth the price some people have to pay to improve the situation, and he thinks the City "should not touch that intersection." Mr. VanSlyke stated that there have been numerous times when he has waited two to three blocks deep waiting to turn west; however, "it is not that big a deal." He said that today, he hit the light just right and turned west onto 13<sup>th</sup> Street, only to wait seven minutes at Ridgewood for the train. He pointed out that even if there had been a delay at the light, he still would have had to wait seven minutes for the train to pass. The whole concept is based on just "trying to hurry people up," and the price that is being asked of the residents of the area who have to give up their homes is not worth it. Mr. VanSlyke said that he hopes the entire issue just gets dropped.

Robert Lindemeyer, 1229 Harding Avenue, Ames, advised that his home is one that is slated to be removed. He considers his home to be historic; it was built 70 years ago, and he and his family have lived in it for 36 years. Mr. Lindemeyer has researched the history behind his home and shared his findings with the Mayor and City Council. He asked to add the following question to the list that staff has been working on: "How far along is the City on fulfilling the requirements of Section 106 of the Federal Code relative to historical sites and properties for the project at 13<sup>th</sup> and Grand?"

Brian Cassaidy, 3200 Kingman Road, Ames, voiced concerns about the lack of a safe route to school for children in his neighborhood, which is comprised of 80 households located on the north side of Ontario Street, east of ISU Applied Sciences complex. Persons from this neighborhood have difficulty safely accessing the sidewalk on the south side of Ontario. They believe that school children are at risk when crossing Ontario Street and request that the City Council consider installing a pedestrian crossing facility at that location. Similar crossing facilities include signs, painting on the street, and a reduction of the speed limit. Mr. Cassaidy said his personal preference would be a crossing facility similar to the one on 24<sup>th</sup> Street adjacent to Kent and Prairie View Streets, which includes a pedestrian signal. He asked for support from the City Council in dealing with this issue.

George Belitsos, 5508 West Lincoln Way, Ames, representing Youth and Shelter Services (YSS),

reminded the Mayor and City Council that, on April 16, 2007, a request had been made by YSS for the City Council to review the historic preservation requirements of Old Town regarding the type of building materials allowed. He reiterated that YSS would like to replace 36 wooden windows with vinyl ones at the Rosedale Shelter. The vinyl windows would look exactly like the wooden ones. Mr. Belitsos urged the City Council to address the request soon as they cannot go through another winter with the current windows; there is too much wind leaking through. Mr. Belitsos asked for an answer on this issue to either grant an exception or change the Code in the next few months.

Holly Fuchs, 806 Brookridge, Ames, encouraged the City Council to consider alternatives to the 13<sup>th</sup> and Grand Intersection Improvement project. She suggested that traffic could be reduced at that intersection by the City enacting a “smart driving” policy to encourage people to avoid busy intersections. This would also reduce expense since the improvements would not be needed. Ms. Fuchs said that she felt the timeline given was very short; there needed to be more lead time, as property owners did not know that they were going to lose their homes or some of their property until three weeks before the decision was made by the City Council. According to Ms. Fuchs, the project was in the *Public Safety* section of the Capital Improvements Plan, not in the *Transportation* part, and there were no details. If alternatives are considered, Ames would be a much more attractive community to live in as it would show that public officials listen to its citizens. Ms. Fuchs also said that this would send the message that “quality of life is more important than a car.”

**HUMAN SERVICE CAMPUS FEASIBILITY STUDY:** Assistant City Manager Sheila Lundt reminded the Council members that they had approved an allocation from the FY 2007/08 Local Option Fund of \$20,000 to be used for a human services campus feasibility study. The possibility of a human services campus has been discussed for several years; however, lack of funding has prevented the option from being seriously studied until now. Staff prepared and sent out a Request for Proposal. One proposal, from RDG, was received. According to Ms. Lundt, staff was very impressed with the proposal from RDG and feels that it would provide a solid review of the feasibility of a human services campus in Ames.

Council Member Larson asked if specific sites would be considered. Ms. Lundt explained that the results of the study would not determine a location, but will be an assessment of need. There are nine agencies that have indicated a need for new space, additional space, or replacement space; there are different levels of need at this point. Agencies will be interviewed to determine what the space needs are to provide services at the current level and new and/or expanded services. Another component of the study would be to ascertain if there are compatible uses to enable the sharing of space in a facility. A basic footprint would be outlined. Also to be included in the study would be a preliminary look at what funding would be available through the agencies, and via public and/or private funding. If the study proves that such a facility is feasible, an architect would be hired to start designing a building and looking for a location. Ms. Lundt pointed out that, through prior discussions, it is known that the City Council does not want to take property off the tax rolls, but to look for property that is currently institutional or not-for-profit. According to Ms. Lundt, the study would begin immediately and conclude in August, which would allow for possible programming into the 2008/09 CDBG process.

Moved by Larson, seconded by Rice, to adopt RESOLUTION NO. 07-313 approving a contract with RDG IA, Inc., d/b/a RDG Rudi Lee Dreyer, in the amount of \$18,000 for a human services campus feasibility study.

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

Ms. Lundt emphasized that approval of a contract with RDG would in no way bind the City to build a structure or commit any additional City funds or CDBG funds to a future project. If it is shown that a human services campus is not feasible, it will be dropped and no further funds would be expended. Ms. Lundt advised that she and Housing Coordinator Vanessa Baker-Latimer had

preliminary discussions about this possible project with the Community Development Block Grant auditors visiting the City last week. One of the key things that will be discussed with the agencies is that, in order for CDBG funds to be used for this project (in excess of the 15% reserved for human services projects), it will be necessary to prove that 51% of those served by such a campus are low- to moderate-income clients. Ms. Baker-Latimer said that it is important for the City Council to make a decision on the feasibility study as soon as possible so that all components can be completed in time to apply for CDBG funds in FY 2008. Also, an environmental review will have to be done on the site.

Ms. Lundt explained that there is some risk in using CDBG funds as a financing vehicle. She advised that the City would have to repay the funding, over a 20-year period, if the requirement of serving 51% low- to moderate-income (LMI) persons is not met. It is the advice of HUD representatives that the City retain control of the building to ensure that the LMI requirement is met. Also, the repayment amount, if necessary, would increase as the building appreciates in value.

Council Member Goodman asked if discussions would be occurring on a human services center if CDBG funds were not an option. Ms. Lundt said they would be. She pointed out that the City is allocating close to a million dollars for support of various human services agencies, and it is costing more due to maintenance, duplication, and support staff issues. It is felt that perhaps monies could be saved, e.g., operational and maintenance, if services were centralized. She emphasized that many of the agencies are at a point where available space for service delivery is critical, and, in fact, some is substandard. Due to the federal limits on what may be charged for services, the ability of some of the agencies to raise funds will be very minimal for this type of project. Mr. Kindred added that CDBG funds would be a part of the funding for construction; there would need to be other funding sources. Ms. Baker-Latimer advised that CDBG funds for minor repairs to non-profit agencies have been utilized to the greatest extent possible, and many agencies are at a point where no additional funds may be borrowed. A new facility would reduce the requests for funds for repairs to non-profits. She stated that a human services campus is an eligible project under the CDBG program, and similar projects have been done in other communities.

Council Member Goodman asked if the City had looked for a private property owner who would be willing to rent a site for a human services center. Ms. Lundt said that the City had not gotten to that point yet because the need is still being assessed, but it will be considered.

**AGREEMENT WITH AMES ECONOMIC DEVELOPMENT COMMISSION (AEDC):** An e-mail from Merlin Pfankuch dated June 26, 2007, was placed around the dais. In his e-mail, Mr. Pfankuch expressed his dismay that the proposed agreement did not include: (1) other possible ways that economic development monies generated by the Hotel-Motel Tax could be used, and (2) whether it is acceptable for a group that receives significant funds from the City to be involved in lobbying on City issues.

Moved by Mahayni, seconded by Larson, to adopt RESOLUTION NO. 07-314 approving the Contract for Services Agreement with the AEDC in the amount of \$90,000.

Council Member Goodman said that he had not been part of the original discussion about this agreement as he was absent from that meeting. He asked if the City Council had discussed the appropriateness of the Ames Economic Development Commission being politically active in the community. Council Member Rice recalled the discussion and said that he was comfortable with the answer given. Council Member Larson pointed out that the entire ASSET process is laden with groups that take political stances on issues with which the City does not always agree. It is a question of whether the “greater good of the community” is served for the dollars that are being spent. Mr. Larson pointed out that dollars are being leveraged 7 or 8:1.

Mr. Goodman also referenced former discussions about making funds available to other groups

that want to get involved in economic development. Council Member Rice stated that he did not recall the exact discussion; however, he, again, was comfortable with the outcome. He felt that the agreement does allow for “checks and balances.” Mr. Kindred pointed out that the AEDC had been in existence for 20 years and has been the entity in the community to take the lead in many economic development efforts. If there are other groups that want to bring proposals or ideas to the City Council, they are encouraged to do so. One such venue would be at the Town Budget Meeting held annually in the fall. Council Member Mahayni pointed out that the City Economic Development Specialist position was eliminated as it was felt that the AEDC would accomplish those tasks.

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

**AGREEMENT FOR STREAMING VIDEO SERVICE FOR CITY CHANNEL 12:** Finance Director Duane Pitcher and Information Services Manager Stan Davis gave a presentation on providing a streaming video service for Government Access Channel 12. Staff has been evaluating alternative methods of making City Council and Boards/Commissions meetings available for public viewing. Currently, viewing of these meetings is only possible by attendance at the meetings or on the local cable TV channel. Responses to the annual Citizen Satisfaction Survey showed that 75% of Ames residents have access to high-speed internet, and the numbers subscribing to cable TV are shrinking. Providing streaming video would make viewing the meetings and other Channel 12 information available to anyone with a broadband internet connection. Dial-up connections will not provide adequate speed for use of streaming video.

According to Mr. Pitcher, to initiate streaming video service at a level that will allow for growth in use and not degrade the current service level for City internet services will require an initial investment in set-up and equipment of \$5,000 and an ongoing cost for hosting service and internet bandwidth of approximately \$560/month. Mr. Pitcher added that if demand for this service grows, the City could consider archiving video of meetings and providing video on-demand; however, those services would come at a much higher cost.

Council Member Rice asked if a Council member were out of town, could this system be used to allow that member to participate in the meeting. City Attorney Marek said that it would be possible, depending on the bandwidth of the location where the Council member was visiting.

Council Member Larson asked if funds had been budgeted for such a system. Mr. Pitcher advised that adequate appropriation is available for the initial investment; however, an amendment to the 2007/08 budget will be needed to provide for the ongoing costs.

Moved by Goodman, seconded by Doll, to adopt RESOLUTION 07-315 authorizing City staff to enter into an agreement to establish streaming video service for City Channel 12.

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

**REVISIONS TO PURCHASING POLICIES AND PROCEDURES:** Purchasing Agent Luana Stoneking stated that several changes proposed to the City’s Purchasing Policies and Procedures are necessary to comply with changes to Code of Iowa Chapters 26, 314, 380, 384, and 386, relating to public bidding, that became effective January 1 or will become effective July 1, 2007. Additional changes relating to contract change orders are also being recommended.

Moved by Mahayni, seconded by Rice, to adopt RESOLUTION NO. 07-316 approving revisions to Purchasing Policies and Procedures.

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

**PARKING AGREEMENT WITH YOUTH & SHELTER SERVICES (YSS):** Public Works

Director John Joiner advised that, pursuant to an agreement between the City and YSS for redevelopment of the old Municipal Building, YSS is entitled to exclusive use of the 16 parking spaces in Municipal Lot P for a 15-year period (ending in 2012). The Agreement specifies that YSS may use the lot at no charge for the first ten years and will pay market rate fees for the parking spaces during the final five years of the Agreement. The ten-year period will end on July 1, 2007, and charges for the parking spaces will then be incurred. During the 2007/08 budget hearings, the City Council determined that YSS should pay the established market rate of \$35/month for each of the 16 spaces. On February 22, 2007, the City Council received a letter from YSS requesting further consideration of the rate since they had not budgeted for that expense during the current fiscal year. During additional discussion of the rate at the Council's April 24, 2007, meeting, YSS Chief Executive Officer George Belitsos advised that YSS performs all maintenance for Municipal Lot P. Since that time, it has been ascertained that YSS pays approximately \$2,880 annually for upkeep of Municipal Lot P, which equates to \$15/space/month. Staff believes that it is appropriate to take into account the maintenance costs, which typically would be borne by the City, when establishing the rate of payment. In consideration of the maintenance expense being incurred by YSS, staff is recommending that a rate of \$20/space/month now be established for the final five years of the Parking Agreement.

Council Member Goodman asked if there would be any cost savings to both entities if the City would take on the responsibility of maintaining Lot P. Mr. Joiner stated that an amendment to the agreement could be approved; however, it is unknown if any savings would be realized.

Moved by Larson, seconded by Rice, to adopt RESOLUTION NO. 07-317 approving a revision to the Agreement with Youth & Shelter Services relating to Municipal Parking Lot P, as follows: establish a rental rate of \$20/space/month for 16 spaces for the final five years of the Agreement, commencing July 1, 2007, provided YSS continues to perform all lot maintenance.

Roll Call Vote: 4-0-1. Voting aye: Doll, Goodman, Larson, Rice. Voting nay: None. Abstaining: Mahayni. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these minutes.

**CLOSURE OF DUFF AVENUE FOR REPAIR OF UNION PACIFIC RAILROAD (UPRR) TRACKS:** Moved by Mahayni, seconded by Rice, to adopt RESOLUTION NO. 07-321 delegating to staff the authority to administratively close Duff Avenue to facilitate Union Pacific Railroad surface repair work beginning June 27, 2007, and ending upon completion of the repairs.

Director Joiner advised that staff was contacted by the UPRR regarding conducting surface repairs at the Duff Avenue tracks, specifically the southern east/west line, on June 27 through June 28, 2007. Staff communicated to UPRR officials concerns over the vertical abruptness related to the raising of the northern set of tracks, and Railroad personnel offered to work with the City to establish an acceptable asphalt transition taper. Once completed, the crossing, as a whole, should have a smooth transition.

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

**HEARING ON UPDATE TO 2004/09 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED PLAN:** Housing Coordinator Vanessa Baker-Latimer explained that, prior to receiving CDBG funds, the City is required to submit a Consolidated Plan to the Department of Housing and Urban Development. She defined the Consolidated Plan as the planning document for the jurisdiction and must identify, over a five-year period, the goals and priorities to address the housing and community development needs of low- and moderate-income persons.

Ms. Baker-Latimer advised that beginning October 1, 2006, all entitlements are required to incorporate into their Consolidated Plan, Annual Action Plan, and Annual Performance and Evaluation Report (CAPER), the status of the grantee's efforts toward implementing outcome

performance measurement requirements described in the Federal Register Notice dated March 7, 2006. All of those documents should provide a description of how the jurisdiction's program provided new or improved availability, accessibility, affordability, sustainability of decent housing, a suitable living environment, and economic opportunity. For the City of Ames, the updated Consolidated Plan must be submitted for the beginning of the fiscal year along with the 2007/08 Annual Action Plan by June 29, 2007.

According to Ms. Baker-Latimer, the 2004-09 Consolidated Plan Update was made available on the City's website and in the City Clerk's Office. It was also made available for public comment from June 19 - 26, 2007. No comments were received.

The public hearing was opened by the Mayor. No one wished to speak, and the Mayor closed the hearing.

Moved by Goodman, seconded by Rice, to adopt RESOLUTION NO. 07-318 approving the 2004-09 Community Development Block Grant Consolidated Plan Update.  
Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

**HEARING ON TEXT AMENDMENT TO THE ZONING ORDINANCE TO ELIMINATE THE MINIMUM FLOOR AREA RATIO STANDARDS IN THE PLANNED COMMERCIAL DISTRICT:** The Mayor opened the public hearing. No one asked to speak, and the hearing was closed.

Planning and Housing Director Steve Osguthorpe said that during recent discussions with the City Council pertaining to both the adaptive reuse proposal for the North Grand Mall and development within the Ames Industrial Park, questions were raised regarding the applicability of FAR standards. Staff was subsequently directed to further review the FAR standards as they pertained to all development in all zoning districts. At its meeting of June 12, 2007, the City Council directed staff to prepare a text amendment to the Zoning Ordinance to eliminate the FAR standards from the Planned Commercial District. It was also noted that at its meeting of June 20, 2007, the Planning and Zoning Commission voted unanimously to recommend approval of the amendment to Ames Municipal Code Table 29.805(3) eliminating FAR standards from the PRC District. Mr. Osguthorpe reminded the City Council that the floor area ratio (FAR) defines the area of a building's square footage in relation to the lot size.

Moved by Goodman, seconded by Mahayni, to pass on first reading an ordinance eliminating the minimum Floor Area Ratio standards in the Planned Commercial District.  
Roll Call Vote: 5-0. Motion declared carried unanimously.

**HEARING ON VACATING EASEMENTS IN SOMERSET SUBDIVISION, 11<sup>TH</sup> AND 18<sup>TH</sup> ADDITIONS:** The public hearing was opened by Mayor Campbell and closed after no one came forward to speak.

Moved by Mahayni, seconded by Doll, to adopt RESOLUTION NO. 07-319 approving vacating the ingress, egress, and parking easements in Somerset Subdivision, 11<sup>th</sup> and 18<sup>th</sup> Additions.  
Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

**ORDINANCE ADOPTING THE 2006 INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE:** Moved by Goodman, seconded by Larson, to pass on second reading an ordinance adopting the 2006 International Building Code and International Residential Code.  
Roll Call Vote: 5-0. Motion declared carried unanimously.

Moved by Goodman, seconded by Larson, to suspend the rules necessary for the adoption of an

ordinance.

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

Moved by Goodman, seconded by Mahayni, to pass on third reading and adopt ORDINANCE NO. 3924 adopting the 2006 International Building Code and International Residential Code.

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

**ORDINANCE SETTING PARKING REGULATIONS ON APPLE PLACE:** Moved by Mahayni, seconded by Goodman, to pass on second reading an ordinance setting parking regulations on Apple Place.

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

**ORDINANCE ADDING A COLLECTION FEE TO PARKING REGULATION VIOLATIONS:** Moved by Mahayni, seconded by Goodman, to pass on second reading an ordinance adding a collection fee to parking regulation violations.

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

**ORDINANCE DELETING REQUIREMENT TO DECLARE A PUBLIC WATER SHORTAGE BEFORE ENACTING VOLUNTARY CONSERVATION:** Moved by Goodman, seconded by Mahayni, to pass on second reading an ordinance deleting the requirement to declare a public water shortage before enacting voluntary conservation.

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

**ORDINANCE ESTABLISHING A SITE PLAN STORMWATER POLLUTION PREVENTION PLAN REVIEW FEE AND A STORMWATER LOT DEVELOPMENT PERMIT FEE:** Moved by Goodman, seconded by Mahayni, to pass on third reading and adopt ORDINANCE NO. 3923 establishing a Site Plan Stormwater Pollution Prevention Plan Review fee and a Stormwater Lot Development Permit fee.

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

**COMMENTS:** Council Member Goodman asked for the status of the vinyl window issue. Planning and Housing Director Osguthorpe advised that the issue has been placed on the next agenda for the Historic Preservation Commission for recommendation. Additionally, a Planner has been assigned to explore remedies with the applicant.

Mr. Goodman asked how much notice had been given to the residents affected by the 13<sup>th</sup> and Grand Intersection Improvements Project. Public Works Director Joiner stated that the study on that project began in 2002 and then was tabled. When the present contract was initiated with WHKS to continue the study, affected residents were notified by direct mail, through the press, and via information aired on Channel 12 approximately five weeks before the issue appeared on the City Council agenda. He pointed out that the project is still in the planning stages. Land acquisition would not occur until 2008/09, and construction is not slated to begin until 2009/10. Holding a public informational meeting is typical at the beginning of a project, but usually occurs in the engineering phase, not in the planning phase.

Moved by Mahayni, seconded by Goodman, to refer to staff, the letter from Brian and Julie Cassaidy, Mark and Deb Power, and Kirstin Sullivan, requesting the City to investigate the feasibility of a pedestrian crossing signal at Minnesota and Ontario Street, and bring the issue back to the City Council for resolution prior to school starting in the fall. Director Joiner advised that the letter had been reviewed by Public Works staff, and a report on options and estimated costs will be on the July 10, 2007, City Council agenda. If a pedestrian crossing signal is pursued, Mr. Joiner is not sure if there would be adequate time to get it installed prior to school starting in the fall.

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

**ADJOURNMENT:** Moved by Doll, seconded by Goodman, to adjourn the meeting at 8:28 p.m.

---

Diane R. Voss, City Clerk

---

Ann H. Campbell, Mayor