

**MINUTES OF THE REGULAR MEETING OF THE AMES CONFERENCE BOARD
AND REGULAR MEETING OF THE AMES CITY COUNCIL**

AMES, IOWA

JANUARY 22, 2008

REGULAR MEETING OF THE AMES CONFERENCE BOARD

The regular meeting of the Ames Conference Board was called to order by Chairperson Ann Campbell at 6:37 p.m. on January 22, 2008. Present from the Ames City Council were Doll, Goodman, Larson, Mahayni, Popken, and Rice. Story County Board of Supervisors present were Clinton, Halliburton, and Strohmman. Representing the Ames School Board was Cakerice, and Livingston attended on behalf of the Gilbert School District. United School District was not represented.

Chairperson Campbell explained that while the school districts in attendance did not have two representatives each, a vote from the combined boards will equal one vote.

MINUTES OF THE FEBRUARY 27, 2007, CONFERENCE BOARD REGULAR MEETING:

Moved by Mahayni, seconded by Halliburton, to approve the minutes of the regular meeting of February 27, 2007.

Vote on Motion: 3-0. Motion declared carried unanimously.

REAPPOINTMENT OF CITY ASSESSOR: Moved by Goodman, seconded by Clinton, to adopt RESOLUTION NO. 08-018 approving the reappointment of Greg Lynch as the Ames City Assessor.

Council Member Larson stated that a letter from the director of the Iowa Department of Revenue had been received indicating that Mr. Lynch had successfully completed the necessary requirements making him eligible to be reappointed. The Mini-Board unanimously approved Mr. Lynch's reappointment.

Roll Call Vote: 3-0. Resolution declared adopted unanimously, signed by the Chair, and hereby made a portion of these minutes.

REAPPOINTMENT OF A BOARD OF REVIEW MEMBER: Moved by Clinton, seconded by Popken, to adopt RESOLUTION NO. 08-019 approving the reappointment of Lowell Greimann to the Board of Review.

Roll Call Vote: 3-0. Resolution declared carried unanimously, signed by the Chair, and hereby made a portion of these minutes.

DISCUSSION OF CITY ASSESSOR'S BUDGET PROPOSALS: City Assessor Greg Lynch entertained questions in lieu of going step-by-step through the report provided.

Mr. Lynch reported that the overall increase in the 2008/09 proposed budget did go up 16.3% over last year's budget. However, when the one-time special expenses were factored in, it equates closer to a 6% increase. It was noted that the salary expense items for the Assessor and all other staff are budgeted with a 3.5% cost of living increase and a 1.5% merit pool. This reflects the same percentages as what is being recommended for the City of Ames.

Supervisor Clinton stated that the Mini-Board discussed concerns related to salaries. While the members tried to draw comparisons between the county and city assessors, there is a great disparity between the two staffs. The Board tried to “mirror in” as much equity as possible, however, Mr. Clinton indicated that this area needs a more thorough look.

Moved by Mahayni, seconded by Clinton, to approve the recommendations of the Assessor’s report.

Council Member Goodman said that while the Mini-Board goes over the City Assessor’s budget in detail, he, as a Conference Board member, feels somewhat left out of that process. He asked that, in the future, a memo be sent out regarding discussions held during Mini-Board meetings.

Supervisor Strohman advised that the county supervisors serve on a separate conference board for the county, and there is a salary differential between the city and county assessors. He stated that the Mini-Board for the county has been trying to use comparables as a means to set the county assessor’s and staff’s salaries, however, it can not keep up with the City’s salaries. Mr. Strohman said that it is an area of “choice” to have two assessors instead of one, and there should be discussion at some point as to the propriety of this situation. Chairperson Campbell advised that prior to the initial hiring of Mr. Lynch, there was considerable discussion regarding this issue and that those discussions are available in the Conference Board minutes.

Supervisor Halliburton advised that county and city conference boards each have their own levying authority. While there will be a motion tonight to set the date of public hearing for February 26 to approve the proposed budget, she asked if, by that time, the Board will know what the City’s proposed budget will be for setting its staff’s salaries. It was her assumption that if the City comes in at a lower level than what is being recommended, the Conference Board is authorized to remedy the Assessor’s salary rate recommendations at that hearing. When questioned by Ms. Halliburton, Mr. Lynch responded that the process for approving the City Assessor’s budget would need to start over again (resulting in another public hearing) if the City’s salary adjustments were higher than what is now recommended. This is done with the understanding that the City Assessor’s proposed budget is mirroring those rates. Mr. Lynch explained that this type of action is necessary anytime a proposed budget is increased.

Vote on Motion: 3-0. Motion declared carried unanimously.

Moved by Rice, seconded by Halliburton, to receive the proposed budget (adoption of budget will occur after the hearing is held).

Vote on Motion: 3-0. Motion declared carried unanimously.

Moved by Mahayni, seconded by Clinton, to set 6:30 p.m. on February 26, 2008, as the date of public hearing on the proposed FY 2008/09 City Assessor’s budget.

Vote on Motion: 3-0. Motion declared carried unanimously.

Council Member Goodman requested that staff make available the report in regards to combining the city and county assessors’ offices into one.

ADJOURNMENT: The meeting adjourned at 6:55 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 7:02 p.m. on January 22, 2008, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Doll, Goodman, Larson, Mahayni, Popken, and Rice. *Ex officio* Member Luttrell was also present.

PRESENTATION OF AWARDS OF VALOR: Chief of Police Chuck Cychosz said that he was pleased to present two officers with the department's highest award. He introduced Lieutenant Jeff Brinkley and Officer Clint Hertz, the gentlemen receiving the Award of Valor. Chief Cychosz reported that Commander Jim Robinson, Chair of the Awards Committee, would recite the award letter and describe the event; Doug Houghton, Support Service Manager, would present the Award of Valor Letter; and, Commander Randy Kessel would present the red uniform bars. Mr. Cychosz stated that the Award of Valor ... "may be presented to any member of the department who, by his or her acts of bravery or outstanding courage, exposes themselves to great bodily harm or death."

At this time, a video was played showing Lt. Brinkley and Officer Hertz saving an unconscious man from a burning vehicle. Commander Robinson read the Award Letter, which was followed by presentation of the Award and Bars to the two officers.

CONSENT AGENDA: Mayor Campbell indicated that the public hearing date for Item No. 11 is February 26, 2008, instead of March 4, 2008. Moved by Popken, seconded by Goodman, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving minutes of the regular meeting of January 8, 2008, and the special meetings of January 12 and January 15, 2008
3. Motion accepting Report of Contract Change Orders for January 1-15, 2008
4. Motion approving renewal of the following beer permits/liquor licenses:
 - a. Class A Liquor - American Legion Post #37, 225 Main Street
 - b. Class C Liquor - Café Beau, 2504 Lincoln Way
 - c. Class C Liquor - Café Shi, 823 Wheeler Street, Ste. 5
 - d. Class C Liquor & Outdoor Service Privilege - Cy's Roost, 121 Welch Avenue
 - e. Class B Native Wine - Coe's Floral & Gifts, 2619 Northridge Parkway
5. Motion approving the following new liquor licenses:
 - a. Class C Liquor License for Fuji Japanese Steakhouse, 1614 S. Kellogg Avenue, Ste. 101, pending issuance of Certificate of Occupancy
 - b. Class C Liquor License for Sgt. Pepper's, 116 Welch Avenue
 - c. Special Class C Liquor License for Shogun Ames, 3704 Lincoln Way, pending issuance of Certificate of Occupancy
 - d. Five-day Class C Liquor License for Olde Main Brewing Company for an event on January 26 at The Octagon Center for the Arts, 427 Douglas Avenue
 - e. Fourteen-day Special Class C Liquor License (Feb. 16-29) for Ames Best Pies at Actors, 120 Abraham Drive
 - f. Five-day Special Class C Liquor License (March 1-5) for Ames Best Pies at Actors, 120 Abraham Drive
6. RESOLUTION NO. 08-020 approving City's Investment Report for quarter ending December 31, 2007
7. RESOLUTION NO. 08-021 approving amendment to Human Services Contract with Community & Family Resources

8. RESOLUTION NO. 08-022 approving requests from Main Street Cultural District for suspension of parking regulations and enforcement for Dollar Days promotion on January 31, February 1, and February 2, 2008
9. RESOLUTION NO. 08-023 approving preliminary plans and specifications for 2006/07 Annual Traffic Signal Program (Welch Avenue/Lincoln Way); setting February 20, 2008, as bid due date and February 26, 2008, as date of public hearing
10. RESOLUTION NO. 08-024 approving preliminary plans and specifications for 2007/08 Traffic Signal Program (Lynn Avenue/Lincoln Way); setting February 20, 2008, as bid due date and February 26, 2008, as date of public hearing
11. RESOLUTION NO. 08-025 approving preliminary plans and specifications for WPC Facility Trickling Filter Building HVAC Heat Recovery Unit; setting February 14, 2008, as bid due date and February 26, 2008, as date of public hearing
12. RESOLUTION NO. 08-026 accepting completion of Southeast Gateway Project, Phase I
Roll Call Vote: 6-0. Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

PUBLIC FORUM: Roy Cakerice, 2911 Duff Avenue, said that he was representing a group of people who were trying to save Carr Pool. This group feels that an extra pool in Ames would be beneficial, even though the budget is tight. Mr. Cakerice reported that the pool could possibly be opened on the weekends; groups may want to rent it for parties, or camps might use the pool facilities for different activities. He stated that this is an historic area, and he hates to see it destroyed. The “Friends of Carr Pool” Committee will come back to Council in early spring to see if some sort of compromise might be reached in keeping the pool open for a couple of years to see if it’s workable.

2008-2013 CAPITAL IMPROVEMENTS PLAN: Erica Fuchs, 4014 Marigold Drive, distributed a written statement, which she read into the record. Ms. Fuchs’ statement indicated her concerns with the City planning to close Carr Pool and the Brookside Park wading pool, which will be replaced with a \$300,000 interactive fountain in the Downtown area. She indicated that there are people who value Carr Pool, and she would rather see tax money used to maintain current facilities. Ms. Fuchs stated that Carr Pool is a unique part of Ames’ history, and she did not want to see it destroyed.

Catherine Scott, 1510 Roosevelt Avenue, questioned the logic of constructing an interactive fountain. She doesn’t feel it has been adequately discussed and is unsure whether or not it is eco-smart. Ms. Scott said that many other things need to be addressed with tax dollars, and this is a lot of money for a fountain.

AGREEMENT FOR ARTWORK AT ADA HAYDEN HERITAGE PARK: Assistant City Manager Bob Kindred reported that this issue needs to be delayed until the Public Art Commission member arrives.

UPDATE ON WOLFORD DEVELOPMENT AGREEMENT: City Attorney Doug Marek indicated that at a meeting held January 10, City staff met with representatives from Wolford Development, which included architectural staff, construction and project engineers, corporate counsel, and local counsel. At that time, submissions provided to the City were reviewed and approved in some preliminary fashion. As the Council may recall, it approved the Preliminary Plat, subject to conditions, and the Major Site Development Plan, contingent upon 11 conditions precedent to final approval. Mr. Marek explained that revised plans and drawings were submitted at the January 10 meeting, and the majority of the meeting focused on the proposed

construction schedule. He advised that within the next week or two, City staff will be receiving this proposed construction schedule with detailed plans for off- and on-site plans for improvements. Mr. Marek updated the Council on changes to the Preliminary Plat, which included the locations of bike paths and the CyRide stop, and minor adjustments on lot lines and easements. With regard to the Major Site Development Plan, Mr. Marek indicated that construction-level drawings are forthcoming. Once these documents and the schedule are received, they will detail the following kinds of improvements: extensions of water mains and sanitary sewers, the installation of the bike path extension, the contribution to CyRide, enlargement of East 13th Street south of the proposed site, and provisions for guarantees for the costs of improvements. Mr. Marek advised that because the Preliminary Plat has already been approved, these kinds of improvements normally begin off-site at this stage. The agreement with Mr. Wolford provides that on-site improvements can not take place until all the other requirements for off-site improvements have either been completed or substantial progress has been made. One issue that was explained at the meeting on January 10 was that when off-site improvements that extend onto the site, work is normally done without interruption. He indicated that when the project gets to that point, it will be one large project. City Attorney Marek anticipates that when the submissions are received, some will be provided along with a time line for staff review and an indication when that review will be completed. It is expected that the staff review will take four to five weeks. At this time, the City has not been provided with any updates on lease agreements.

City Manager Steve Schainker felt that the recent update indicates a positive move. It appears that Wolford Development is willing to move ahead with some substantial investments for off-site—or public—improvements that will benefit the City. As indications appear, Mr. Wolford is willing to invest millions of dollars more than what he has already been spent. Mr. Marek advised that according to the Development Agreement, the City will issue no permits or approvals with respect to any work or installations on the site until the developer has performed or completed all of the developer’s obligations, however, work may be in process to complete those obligations. He explained that if these activities are underway, the City could give approval to move on site.

In response to Council Member Rice, Mr. Marek stated that he had received no further information on leases for the mall. Mr. Bartine, counsel for Mr. Wolford, will inform him when this occurs.

City Attorney Marek had previously advised that it would be good to not leave it hanging with uncertainty about whether the Council is inclined to take steps of initiating a rezoning. The action which can “undo” this agreement would be to repeal the existing ordinance and rezone the area for the proposed mall property. He believes that it is helpful that the developer is intending to move forward with significant investments at this point.

Council Member Rice expressed his concerns regarding the developer’s ability to make a tremendous investment, with the potential of coming back to Council requesting that he be allowed to move forward when all of the agreement obligations have not been met. He said a “stop date” would be a good remedy. Mr. Marek advised that if the Council took action in the form of any resolution, it would need to be placed on an agenda. There could be a resolution proposing to set a date, by which there was an expectation that the agreement would be fulfilled with regard to the lease requirements. He pointed out that the agreement is very explicit in that

by not taking action to seek a remedy, the Council does not give up that right. City Attorney Marek noted that positive steps are also being taken by Wolford Development in that it is in the process of preparing for rezoning the eastern area of the property to Industrial.

Holly Fuchs, 806 Brookridge Avenue, voiced her concern that the City is willing to go ahead with this project when there are no signed leases, which she thought was required. Mr. Wolford has had two years to obtain leases, and he has not performed as expected. Ms. Fuchs believes that the Ames market is not big enough to support Mr. Wolford's mall. She felt that the Council should not allow him to continue leading the City along.

BRIEFING ON PROPRIETARY INFORMATION REGARDING CONTRACT SUBMISSIONS: Mr. Marek explained that there are a number of projects for which staff is seeking bids and requests for proposals, and several of these are accompanied by documents marked as proprietary by the vendor/bidder. This issue deals with the interaction of purchasing policies and law pertaining to bidding procedures. When a vendor indicates or submits materials that that company considers proprietary, the City immediately puts them on notice. The Instructions to Bidders has language included that indicates these materials are considered to be public record. If the documents are marked as proprietary, the City then provides the vendor/bidder with notice that if a request is received for public records, these records include its proprietary document. He reported that there are provisions in the Iowa Code that allow the City to keep certain types of records confidential; these fall under the category of "trade secrets." The bidder would have to prove that its process would have less value to it if that information became public. City Attorney Marek said that if the document is marked proprietary and the bidder cites it to the applicable Code section, City staff will then take steps to make sure the company has an opportunity to keep the document out of the public view, however, the burden is on the company.

Mr. Marek briefed the Council on the legal procedures that occur. The first step is that staff would notify the vendor that a request for information was received. Staff will then wait 10 days for the vendor to take steps for it to obtain a Court order to prohibit the release of its information. If the vendor files a petition with the Court, the City will receive notice and, generally, at that same time the Court will order a temporary injunction. At this point, the following occurs: the City notifies interested persons, the Court sets a hearing date, the vendor bears the burden of proof, and the Court determines the outcome—either dissolving the temporary injunction or granting a permanent injunction. Mr. Marek stated that the bottom line is that a vendor has to go to Court, or the City will disclose all of the information.

HEARING ON REZONING AT 329 SOUTHEAST 5TH STREET: Mayor Campbell declared the hearing open.

Planning and Housing Director Steve Osguthorpe stated that a request had been received to rezone land situated between Target and the Super Wal-Mart along South Duff Avenue. The current Land Use Policy Plan (LUPP) designation for the site is Highway-Oriented Commercial (HOC). The land is now zoned as Agricultural (A), and it is being proposed to rezone it to HOC. While it is located in the Floodplain Overlay District, the area would be available for general commercial uses. Mr. Osguthorpe explained the access points to the property, and that existing stormwater management will provide adequate protections. He stated that, based on the findings of facts, staff supports the request to rezone the property.

Holly Fuchs, 806 Brookridge Avenue, inquired about the types of lighting that will be used. She said that Target has nice lighting and that she would hate to see the lighting atmosphere ruined. Mr. Osguthorpe explained that this matter would be addressed at the time of development review.

Council Member Rice stated that the access road on Southeast 5th Street is getting pretty heavily traveled, and he wondered what the actual traffic impact would be. Director Osguthorpe indicated that he spoke with Tracy Warner, Municipal Engineer, regarding this issue. He was told that traffic studies would be done prior to the property development; however, it is unlikely that the traffic pattern would reach a point that mitigation would be required.

Mayor Campbell closed the hearing.

Moved by Goodman, seconded by Mahayni, to pass on first reading an ordinance rezoning property located at 329 Southeast 5th Street from "A" (Agricultural) to "HOC" (Highway-Oriented Commercial).

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

PROPOSED HISTORIC DESIGNATION FOR 405 HAYWARD AVENUE: Planning and Housing Director Steve Osguthorpe explained that the property owner of 405 Hayward Avenue (the former Sigma Sigma-Delta Chi Fraternity House) has submitted an application to the Iowa State Historical Society for nomination to the National Register of Historic Places. The State Nominations Review Committee (SNRC) has requested that the Historic Preservation Commission (HPC) and the Mayor determine whether the nominated property meets the National Register of Historic Places significance criteria. This Committee has further requested that the HPC and Mayor agree to waive the 60-day commenting period, since the SNRC plans to consider the nomination at its meeting on February 8, 2008.

The applicant selected the following two National Register criteria as being applicable: Property is associated with events that have made a significant contribution to the broad patterns of our history; and, property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction. City staff believes that the criteria are met. Mr. Osguthorpe reported that the Historic Preservation Commission recommended that the Council waive the 60-day review period, and it also found that this property meets the two criteria to support the National Register eligibility.

Moved by Mahayni, seconded by Rice, to refer the proposed Historic Designation for the former Sigma Sigma-Delta Chi Fraternity House at 405 Hayward Avenue to the National Register of Historic Places, and to waive the requirement for the 60-day review period.

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

PURCHASE OF 443 SOUTH MAPLE AVENUE THROUGH THE CITY'S FLOOD BUY-OUT PROGRAM: Moved by Doll, seconded by Rice, to adopt RESOLUTION NO. 08-028 approving the purchase of 443 South Maple Avenue in connection with the City's Flood Buy-Out Program.

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

WAIVER OF SUBDIVISION REQUIREMENTS FOR OUTLOT H, GENE HARRIS SUBDIVISION, 2ND ADDITION: Director Osguthorpe stated that the City Council had referred to staff the request to waive subdivision requirements for this property located in Boone County,

which is within the City's two-mile jurisdiction. The applicant proposes to subdivide Outlot H into two parcels with Lots 1 and 2 consisting of 17.4 and 8.6 acres, respectively. Mr. Osguthorpe indicated that since there is no public infrastructure, a major subdivision would be required. In review of other subdivisions involved in rural development, the City has waived these subdivision standards, but property owners have been bound by covenant requirements.

Mr. Osguthorpe said the City has now completed an Urban Fringe Plan that includes this area, and the Plan identifies Highway-Oriented Commercial (HOC) as the future land use. Boone County has also finished its comprehensive plan, which designates commercial and industrial land uses along this same corridor. He explained that industrial types of uses in this area are of concern to the City, and that it is the City's plan to impose our standards for subdivision approval. Mr. Osguthorpe advised that there are a number of issues to consider in reviewing future subdivisions in the area, and that certain impacts need to be addressed—such as traffic, stormwater management, wastewater systems, water usage, etc. He indicated that although it isn't prudent or necessary to address these specific impacts for this subdivision, future applications need to be carefully considered for this development area. Staff will need to work with Boone County in addressing these future impacts.

Director Osguthorpe reiterated that with the approval of other subdivision waivers, covenants are typically required. However, this lot was part of a previous subdivision, and covenants are already in place for Outlot H.

Discussion ensued regarding Boone County's proposed comprehensive land use plan for this part of the City's urban fringe. Mr. Osguthorpe said that the City will want to look carefully at how to coordinate efforts with Boone County. Council Member Goodman asked how soon this coordination effort will take place. City Manager Steve Schainker indicated that prioritization of this particular activity with other Planning projects will be brought back to Council, possibly in March.

Larry Curtis, attorney for PowerFilm, appeared as representative for the company. He explained that the Boone County Supervisors rezoned this outlot in December, and upon the City of Ames' approval, the Plat of Survey will be submitted to Boone County. He stated that the zoning for the smaller parcel will remain as Highway-Oriented Commercial according to officials with Boone County. Mr. Curtis reported that the company is an "energy-area hot button," in that it has low water usage and very little waste with regard to septic issues. He further reported that traffic is a non-issue, and this type of development is a good match in accordance with concerns discussed by the Council.

Moved by Mahayni, seconded by Popken, to adopt RESOLUTION NO. 08-029 approving waiver of subdivision requirements for Outlot H, Gene Harris Subdivision, 2nd Addition, located at 230th Street and "X" Avenue in Boone County.

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

WAIVER OF SUBDIVISION REQUIREMENTS FOR LOT 4, WESTWOODS, PLAT 2 (2228 29TH PLACE, BOONE COUNTY): Director Osguthorpe reported that this is a very similar situation as was just discussed. In this case, the covenants are required and have been provided to the applicant for signature, but they have not been returned. Therefore, he asked that action on this item be deferred until the signed covenants have been received.

Moved by Popken, seconded by Rice, to refer back to staff the request to waive subdivision requirements for Lot 4, Westwoods, Plat 2, Boone County, until such time that the covenants are provided that bind property owners and future property owners to waive rights to protest future assessments for public improvements, and that bind property owners and future property owners to pay the full cost of abandoning rural water systems in the future.
Vote on Motion: 6-0. Motion declared carried unanimously.

AGREEMENT FOR ARTWORK AT ADA HAYDEN HERITAGE PARK: Assistant City Manager Bob Kindred reported that Dan Naegele, Public Art Commission member, had planned to attend, but a conflict has arisen. At this time, a video was shown of an interview that took place with the artist, Patrick Dougherty. The interview was informational regarding the artistic process, whereby the artist forms very large sculptures by weaving sticks and saplings into shapes.

At the Public Art Commission's request, the City Council previously approved a total of \$18,000 in local option funding over a three-year period for this sculpture. Mr. Kindred stated that nothing like this has previously been done, in terms of the City's artwork. He further stated that it is also unique in that, due to the natural materials used in the artwork, it is temporary, and it will be heavily dependent on volunteer labor. The payment to Mr. Dougherty will be \$14,000, and the City will also pay for transportation and living expenses, which should cost no more than \$4,000. Assistant City Manager Kindred indicated that the Parks and Recreation Commission is very enthusiastic with this art project being located in Ada Hayden Heritage Park. Upon questioning, Mr. Kindred responded that the proposed location for the sculpture is in a willow grove west of the shelter house on the north lake.

Council Member Rice stated that if the location is not well lit or some preventative action is not taken, vandalism could likely occur. Mr. Kindred said it has been suggested that some type of fire protection could be applied. Council Member Doll indicated his concerns regarding the sculpture's durability and safety pertaining to children climbing on the structure. Assistant City Manager Kindred advised that staff has tried to look at every risk management aspect; the artist's sculptures are very sturdy and structurally sound. As far as safety concerns, there is no protection against that. He reported that while the sculpture is something that can be interacted with, it is hoped that it does not pose many situations of temptation.

Erica Fuchs, 4014 Marigold, inquired as to how many saplings the artist will be allowed to take. She believes in the planting of trees—not in taking them. Mr. Kindred stated that the multitude of sticks to be used will not come from the park. In consulting with Steve Lekwa with Story County Conservation, it was felt that there are many locations where it will actually be beneficial to remove sticks and to thin out overgrown brush.

Holly Fuchs, 806 Brookridge Avenue, stated her same beliefs about allowing trees to live. She asked where the trees were coming from, to which Mr. Kindred responded that he did not know at this point. He reiterated that the saplings and sticks will be harvested at locations where they need to be thinned out. Ms. Fuchs indicated that she was concerned with the amount of money, and she reminded the Council that, on her street, there are still unsightly limbs dangling from trees from previous storms that need to be removed.

Moved by Rice, seconded by Goodman, to adopt RESOLUTION NO. 08-027 approving an agreement with Artist Patrick Dougherty for creation of "Stickwork" artwork at Ada Hayden Heritage Park.

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

COMMENTS AND FUTURE AGENDA ITEMS: *Ex officio* Member Luttrell updated the Council regarding the Student Affairs Commission. One issue that was addressed was the couch burning in the Greek's "triangle." The Commission brain stormed and contacted some of the Greek officials in trying to come up with a positive solution, e.g., permanent artwork in the triangle that can not be burned. Ms. Luttrell also thought that an "end-of-the-school year" event could be planned. She felt that an event such as this would end the year with a good feeling in terms of the City and Iowa State relations.

ADJOURNMENT: Moved by Doll, seconded by Goodman, to adjourn the meeting at 8:58 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

Jill L. Ripperger, Recording Secretary