

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

**AMES, IOWA**

**MAY 13, 2008**

**REGULAR MEETING OF THE AMES CITY COUNCIL**

The regular meeting of the Ames City Council was called to order by Mayor Ann Campbell at 6:00 p.m. on May 13, 2008, in the City Council Chambers in City Hall, 515 Clark Avenue. Council members present were Doll, Goodman, Larson, Mahayni, Popken, and Rice. *Ex officio* Member Beals was absent.

**REPORT FROM INCLUSIVE COMMUNITY TASK FORCE:** Mayor Campbell advised that the Inclusive Community Task Force was established after a public meeting on November 27, 2007, raised a number of issues as to the ability of the Ames community to adapt to an increasingly diverse population. The Mayor introduced Jane Acker and Barbara Woods as the Co-Chairs of the Task Force. Ms. Acker identified other members of the Task Force present: Linda Butler, Amber Corrieri, G. P. Foote, Betsy Hoffman, Mary Kitchell, and Cherie Wandling.

Ms. Acker stated that the Task Force began meeting in January with a charge comprised of the following four principal components:

To identify and support existing programs and activities in the Ames community that foster greater understanding and better relations within the entire community;

To identify unmet needs and opportunities for growth and improvement, including use of appropriate practices developed in other communities;

To keep the community informed about the Task Force's progress and identification of unmet needs or underutilized resources; and,

To present to the community and the City Council, by April 30, a report including findings, recommendations, and a plan for regular evaluation of progress.

It was noted by Ms. Acker that one element of the charge, which was to identify activities that are ongoing in other communities, was one that she did not feel was sufficiently addressed. She acknowledged that there are many useful possibilities to be found in Iowa and elsewhere in the country; however, the Task Force was challenged to meet its deadline of April 30 without leaving the City. Ms. Acker also pointed out that the activities of the Police Department were not part of the Task Force's charge.

Ms. Acker advised that the principal activity of the Task Force members was to reach out to the community and talk to a wide variety of people about what made them feel welcome or not welcome in Ames. They attempted to get as specific as possible about the perceptions and incidents. After that information was shared at meetings of the Task Force, it attempted to develop themes, which are summarized in the Report in the form of challenges and opportunities. The three largest themes were: (1) Increasing understanding (building bridges) among community members; (2) Sharing information timely and consistently; (3) Developing the capacity of the community to accommodate the diverse needs of residents, e.g., housing; access to recreation services, shopping, dining, transportation, places of worship.

Barbara Woods detailed possible roles that individuals and institutions can play. She shared that the Task Force was concerned that it could not tell people or institutions what to do, but it could make suggestions and encourage people to be inclusive of others. Ms. Woods identified seven opportunities to improve welcoming others. She added that some of the issues raised initially were relative to newcomers, but it was also found that long-time residents, in some cases, have the same issues and concerns.

Ms. Woods advised that the City of Ames, in collaboration with United Way or other human service group, needs to lead efforts to maximize the use of resource and referral database services. The Task Force encouraged the City to look at the “Cedar Rapids Diversity Focus,” which offers suggestions on how communities can be welcoming and inclusive.

It was stated by Ms. Woods that businesses, educational institutions, and service-providers need to step up the level of customer service, especially relating to first-time interaction with residents. Each person needs to make a difference in a community that prides itself in being a wonderful place to live. Ms. Woods said that there are a number of suggestions contained in the report as to how to make that happen.

Council Member Rice commended the Task Force for the work that it had done. He commented that the report seemed very socioeconomic and racially motivated. Mr. Rice noted that the gay/lesbian community was not included in the process or the report. He also advised that a website listed in the report as *studycircles.org* has changed its name to *everydaydemocracy.org*. Mr. Rice recommended it highly for free training on community-building efforts. Mr. Rice also stated that Ames has a 60% turnover in its population approximately every six years.

Ms. Woods stated that, in parallel with the efforts of the City Council, ISU Extension Service has been looking at study circles as a way to have community conversation. Plans are being made for community conversations, using the model of study circles, to be held in the fall when students are back and there will be a broader representation of the community. Facilitators will be trained to lead the study circles.

Council Member Doll said that he wanted to make sure that there were some “next steps” to follow the work done by the Inclusive Community Task Force.

Council Member Larson pointed out that he was impressed by the personal statement submitted by Debbie Lee, a member of the Task Force. In that statement, Ms. Lee described the challenges of living in a transitional neighborhood, which contains many rental housing and apartment units. Mr. Larson explained that one of the Council’s goals is to strengthen neighborhoods and to create methods for neighborhood groups to communicate better.

Council Member Goodman asked what the Task Force heard from people who had been residents of the community for a long time, but still felt disconnected. Ms. Acker said that it ranged from a lady who has lived in Ames for 50 years and hates traffic jams at mid-day to those who reported that they see a lot of “different” people when they shop at Fareway. Some reported that they did not feel included in the community because they did not live in the right neighborhood, didn’t make enough money, or were not connected to the social fabric of the community.

It was also asked by Mr. Goodman if any ideas had surfaced for getting information out to people. Ms. Acker said that there are people in the community who do not have access to a computer, and she suggested Neighborhood Ambassadors to knock on doors and speak to people face-to-face. Task Force Member G. P. Foote described additional venues where notices and information could be disseminated. Ms. Woods noted that it is important to pay attention to how the message is crafted; make sure that it is understandable by all.

Council Member Mahayni pointed out that Ames has a large transient population. He noted that the City hosts the FACES festival, which is specifically designed to celebrate diversity and ethnicity; however, that is only one day in March. Mr. Mahayni suggested that a festival celebrating neighborhoods be held. He also endorsed a suggestion made by the Task Force, i.e., establishing a “Welcome to Ames” packet and other informative packets.

Council Member Popken asked what one thing should be done by individuals as well as groups. Ms. Woods stated that the City Council members should become involved in community conversation. They should use their influence to influence others to participate. Each individual and organization needs to step up when he or she sees or hears things that make people think that they don’t belong. It was also recommended that service organizations and businesses train their

employees on treating their customers with respect. Council Member Mahayni added that the issue is how those efforts can be institutionalized so that employees will be trained properly.

Mayor Campbell asked that members of the Inclusive Task Force be willing to sit down with individual groups (faith communities, City organization, School District, Chamber of Commerce, etc.) to figure out who should do what. Ms. Woods advised that they would ask Task Force members if they wanted to volunteer to meet with individual groups. Council Member Larson suggested that members of the Breaking Down the Barriers committee might be interested in helping the Task Force carry out some of the recommended action items.

The Regular Meeting of the Ames City Council recessed at 6:44 p.m.

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

The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee met at 7:00 p.m. on the 13<sup>th</sup> day of May, 2008, 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, Larson, Mahayni, Popken, and Rice, representing the City of Ames; Wayne Clinton, Story County Board of Supervisors, and Mike O'Brien, Boone County Board of Supervisors. Robert Anders of the Ames Transit Agency was absent. Mike Clayton, Iowa Department of Transportation, was also in attendance.

**HEARING ON PROPOSED FY 2009-2012 TRANSPORTATION PLANNING WORK PROGRAM (TPWP):** Chairperson Campbell opened the public hearing. There being no one wishing to speak, the hearing was closed.

Public Works Director John Joiner advised that the draft document was sent to state and federal agencies for review. A few minor changes were recommended; however, the text of the document remains substantially the same as presented to the Committee on March 25, 2008.

Moved by Clinton, seconded by Mahayni, to approve the FY 2009-2012 Transportation Planning Work Program.

Vote on Motion: 9-0. Motion declared carried unanimously.

**HEARING ON PROPOSED FY 2009-2012 TRANSPORTATION IMPROVEMENT PLAN:** The public hearing was opened by Mayor Campbell. She closed same after no one came forward to speak.

Director Joiner said that this document had also been sent to state and federal agencies for review, and no changes were recommended. The document presented at this meeting is the same document reviewed by the Committee as its meeting held March 25, 2008.

Moved by Popken, seconded by Goodman, to approve the FY 2009-2012 Transportation Improvement Plan.

Vote on Motion: 9-0. Motion declared carried unanimously.

Council Member Rice noted that this Plan includes all the bike trails to be constructed from 2009-2012.

**ADJOURNMENT:** Moved by Doll, seconded by Goodman, to adjourn the meeting at 7:06 p.m.

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

The Regular Meeting of the Ames City Council reconvened at 7:06 p.m.

**PROCLAMATION FOR PUBLIC WORKS WEEK:** Mayor Campbell proclaimed the week

of May 18 - 24, 2008, as Public Works Week. Accepting the Proclamation were Public Works Director John Joiner; Tracy Warner, Municipal Engineer; and John Pohlman, Resource Recovery Plant Superintendent.

**CONSENT AGENDA:** Council Member Doll requested to pull, for separate discussion, Item No. 7, a request for approval of a Fireworks Permit for the Wilson-Huth wedding on June 7, 2008.

Moved by Goodman, seconded by Rice, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving minutes of the regular meeting of April 22, 2008, and special meeting of May 5, 2008
3. Motion approving certification of civil service applicants
4. Motion approving renewal of the following beer permits and liquor licenses:
  - a. Class C Beer - Swift Stop #2, 3406 Lincoln Way
  - b. Class C Beer - Tobacco Outlet Plus #530, 202 South Duff Avenue
  - c. Special Class C Liquor - Great Plains Sauce & Dough Co., 129 Main Street
  - d. Class C Liquor - Red Lobster #747, 1100 Buckeye Avenue
5. RESOLUTION NO. 08-164 approving reappointment of Council Member Mahayni to Story County Empowerment Board
6. RESOLUTION NO. 08-165 confirming appointments of GSB representatives Mitch Hayek and Jen Munoz to Ames Transit Agency Board of Trustees
7. RESOLUTION NO. 08-166 approving appointments of Harry Budd and Al Campbell to fill vacancies on Library Board of Trustees
8. Requests from Main Street Cultural District (MSCD) for Art Walk on June 6, 2008:
  - a. Motion approving Blanket Temporary Obstruction Permit for MSCD sidewalks from 8:00 a.m. to 8:00 p.m.
  - b. Motion approving Blanket Vending Permit for MSCD from 8:00 a.m. to 8:00 p.m.
  - c. RESOLUTION NO. 08-167 approving waiver of fee for Blanket Vending Permit
  - d. RESOLUTION NO. 08-168 approving waiver of parking meter fees and enforcement for MSCD from 3:00 p.m. to 8:00 p.m.
  - e. RESOLUTION NO. 08-169 closing two parking spaces on southeast side of Kellogg Avenue for food vendor
  - f. RESOLUTION NO. 08-170 approving usage of and waiver of fee for electricity in and near Tom Evans Plaza
9. Requests for 4<sup>th</sup> of July Festivities:
  - a. Motion approving permit to shoot fireworks from Stuart Smith Park on July 4, 2008, at approximately 9:30 p.m., with rain dates of July 5 or 6, pending approval of Iowa State University
  - b. Motion approving Blanket Temporary Obstruction Permit and Blanket Vending Permit for MSCD from 8:00 a.m. to 6:00 p.m.
  - c. RESOLUTION NO. 08-171 approving closure of Clark Avenue between 5<sup>th</sup> Street and 6<sup>th</sup> Street from 6:00 p.m. on July 3 to approximately 12:30 p.m. on July 4 for City Council Community Pancake Breakfast
  - d. RESOLUTION NO. 08-172 approving closure of portions of Northwestern Avenue, Main Street, Douglas Avenue, 5<sup>th</sup> Street, Burnett Avenue, Kellogg Avenue, Clark Avenue, Allan Drive, and Pearle Avenue from 8:00 a.m. to approximately 1:00 p.m. for parade
  - e. RESOLUTION NO. 08-173 approving closure of 5<sup>th</sup> Street between Duff Avenue and Carroll Avenue from 7:00 a.m. to 8:00 p.m. for inflatable games, live music, booths, Talent Show, and food vendors
  - f. RESOLUTION NO. 08-174 approving closure of Parking Lot MM and south half of Parking Lot M for parade staging from 7:00 a.m. to 1:00 p.m.
    - g. RESOLUTION NO. 08-175 waiver of electrical fees for use of outlets in the MSCD and at City Hall and waiver of Vending Permit fee
  - h. RESOLUTION NO. 08-176 approving closure of south side of 6<sup>th</sup> Street adjacent to Bandshell Park for vendor loading and unloading
10. Requests from Ames Patriotic Council for Memorial Day Parade on Monday, May 26, 2008:

- a. RESOLUTION NO. 08-177 closing south half of Parking Lot M from 9:00 a.m. until approximately 11:00 a.m. for staging parade
- b. RESOLUTION NO. 08-178 approving closure of 5<sup>th</sup> Street from Pearle Avenue to Clark Avenue from 9:00 a.m. until 11:00 a.m. for line-up and start of parade
- c. RESOLUTION NO. 08-179 approving temporary closure of Clark Avenue (from 5<sup>th</sup> Street to 9<sup>th</sup> Street), 9<sup>th</sup> Street (from Clark to Maxwell), 6<sup>th</sup> Street (at Clark) and Duff Avenue (at 9<sup>th</sup> Street), as parade moves through the intersections
- 11. RESOLUTION NO. 08-180 approving 2008/09 Contract for Arts Funding with Friends of Ames Strings
- 12. RESOLUTION NO. 08-181 approving preliminary plans and specifications for 2005/06 Low Point Drainage Project (Lincoln Way to West Street); setting June 4, 2008, as bid due date and June 10, 2008, as date of public hearing
- 13. RESOLUTION NO. 08-182 approving preliminary plans and specifications for 13<sup>th</sup> Street Water Main Replacement Project (Crescent Avenue to Furman Aquatic Center); setting June 4, 2008, as bid due date and June 10, 2008, as date of public hearing
- 14. RESOLUTION NO. 08-183 awarding contract to Fletcher Reinhardt Company of Cedar Rapids, Iowa, in an amount based on quantities received and unit prices bid for Watt Hour Meters for Electric Meter Division
- 15. RESOLUTION NO. 08-184 approving purchase of one Minibus under the Ottumwa (Region 15) procurement of vehicles
- 16. RESOLUTION NO. 08-185 awarding contracts for Fleet Replacement Pickups to Moffit Ford, Karl Chevrolet, and Dewey Ford
- 17. RESOLUTION NO. 08-186 awarding contract to Scott Van Keppel, LLC, of Cedar Rapids, Iowa, in the total amount of \$181,685 (including full machine warranty) for Wheel Loader and Bucket
- 18. RESOLUTION NO. 08-187 approving contract and bond for 2007/08 Concrete Pavement Improvements (Green Hills Drive)
- 19. RESOLUTION NO. 08-188 approving contract and bond for 2007/08 Sanitary Sewer Rehabilitation - Contract No. 1 (Meadowlane Avenue - East 13<sup>th</sup> Street to Carr Drive)
- 20. RESOLUTION NO. 08-189 approving Change Order Nos. 1 and 2 for Grand Avenue Extension Project
- 21. West Towne Subdivision:
  - a. RESOLUTION NO. 08-190 approving completion of storm sewer
  - b. RESOLUTION NO. 08-191 approving Major Final Plat

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

**FIREWORKS PERMIT FOR DISPLAY IN CELEBRATION OF WILSON-HUTH WEDDING ON JUNE 7, 2008:** Council Member Doll pointed out that there was no time listed on the Permit application. Assistant City Manager Sheila Lundt stated that the applicants were requesting the display begin at 11:00 p.m. Council Member Larson noted that the display location was in proximity to the Green Hills Retirement Community. It was his feeling that the residents would not enjoy fireworks being shot off at 11:00 p.m. He also preferred that “concussion” type shells not be allowed.

Moved by Goodman, seconded by Popken, to approve a Fireworks Permit for display in celebration of the Wilson-Huth wedding on June 7, 2008, on the grounds of Gateway Hotel and Conference Center, contingent on the display not occurring after 10 p.m. and not including any “concussion” shells.

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

**PUBLIC FORUM:** No one spoke during this time.

**LAND USE POLICY PLAN (LUPP) MAP AMENDMENT FOR THE INTERSECTION OF BLOOMINGTON ROAD AND STANGE ROAD (TABLED FROM 4/22/08):** Planning & Housing Director Steve Osguthorpe explained that the applicant, Uthe Development Company, had requested an amendment to the LUPP Map to place a Convenience Commercial Node at the intersection of Stange Road and Bloomington Road. He advised that associated applications

would include a replat of a portion of Northridge Heights to reflect the lots included for the CVCN uses and an amendment to the Northridge Heights Master Plan to reflect the rezoning and Preliminary Plat changes.

Mr. Osguthorpe presented the history associated with this request. Resolution No. 07-528 had been adopted on December 18, 2007, which amended the LUPP to potentially allow Convenience Commercial Nodes within one-half mile of a village subject to seven criteria. The criteria particularly relevant to this issue are:

No. 3: That the uses allowed in the proposed Convenience Commercial node are restricted to a convenience store, which may include gasoline and food sales, but no sit-down restaurants; a grocery store, medical offices and clinics, and car washes, as long as the uses are not already present in the neighboring village.

No. 4: There is no additional vacant land remaining in the nearby village suitable for a convenience store, grocery store, medical offices and clinics, and car washes.

According to Mr. Osguthorpe, staff now finds that the proposed land use designation complies with the locational criteria for Convenience Commercial Nodes provided that it can meet the other exception criteria.

The Council was told by Mr. Osguthorpe that staff had reviewed existing uses and conditions in Somerset to determine if the proposed uses either existed in Somerset Village or could yet be located there based upon the suitability of existing spaces and vacant land. He said that staff finds the uses currently within Somerset do not include a convenience store, grocery store, or car wash.

Staff had also inventoried the vacant land in Somerset, and the largest parcel, exclusive of the school site, appeared to be southeast of the intersection of Northridge Parkway and Stange Road. Mr. Osguthorpe said that that parcel is approximately one acre in size and was intended for a convenience store, but currently, there is no convenience store in Somerset. There are also some smaller parcels of vacant land. It was noted by Mr. Osguthorpe that the parcel in question is currently owned by the Ames Racquet and Fitness Center; however, ownership does not make a parcel “unsuitable” for uses allowed in the zoning district. The site could not be developed as an expansion of the Fitness Center without the current standards for a village being amended. Also, according to Mr. Osguthorpe, staff is aware of the attempts to market the site as a convenience store and the resistance of most convenience store corporations to change their standard building and site design to fit into a more urban, pedestrian-scale neighborhood, such as Somerset. It was also mentioned that the School District site is under consideration by the Board to be sold, but no decision has been made. Mr. Osguthorpe advised that that site was not designated to be used as a convenience store when the Plan was approved.

According to Mr. Osguthorpe, the staff looked at a convenience store in association with a car wash, and although the site could be used as a convenience store with a creative design approach, it would not work to combine it with a car wash in that location due to traffic circulation needs.

Mr. Osguthorpe pointed out that there is no grocery store in Somerset. The one-acre vacant parcel may accommodate a smaller specialty shop, but not a grocery store of the scale suggested by the developers.

Regarding medical offices and clinics, there currently is a McFarland Clinic for Sports Medicine and Physical Therapy in Somerset, however, according to Mr. Osguthorpe, that does not technically fall under the definition of “medical clinic.” The Zoning Code definition requires “usage as a medical, osteopathic, dental, or surgical diagnosis, or treatment of patients under the care of doctors or nurses with no overnight boarding.” There is a dentist in Somerset, and under that definition, it would fall under the definition of a “clinic.” Mr. Osguthorpe said that the suitability of available land must also be taken into consideration. He offered a point of comparison: 1018 Duff Avenue, the McFarland Clinic East facility, which is on a site similar in size to the vacant parcel. The Clinic East facility is a two-story building with approximately 6,000

square feet/floor. The vacant Somerset parcel is approximately 50% larger than that so it would accommodate more parking. Mr. Osguthorpe advised that the applicant had provided arguments as to why the vacant lot is unsuitable for a medical clinic. Staff, however, is of the opinion that similar office sites have been developed under the same guidelines in Somerset.

Mr. Osguthorpe advised that staff has determined that the criteria have been met except for the question of suitability of the parcel in the Village for a medical clinic. He noted that the Planning & Zoning Commission had recommended, on April 16, 2008, that the City Council modify the proposed amendment to the LUPP Map to place a Convenience Commercial Node at the intersection of Stange and Bloomington, but to not allow a medical office clinic. The Commission did, however, encourage the Council to discuss language about the size and scale of medical offices to find what might be acceptable. It was questioned whether one dental office should preclude a medical clinic.

It was noted by Mr. Osguthorpe that this is the first request received under the modified text and the first instance where staff had needed to interpret the City Council's criteria for allowing uses in the CVCN near a village. He said that staff was able to conclude that convenience stores, grocery stores, and car washes should be allowed in the proposed CVCN, but found it difficult to determine if medical offices should receive the exception. Staff did not want to second-guess the Council's intent and is suggesting that the City Council determine whether the criteria have been met for medical offices.

Discussion ensued on the criteria for grocery stores. Council Member Larson asked how the uses of a grocery store are described to know if any other businesses in the area sell the same type of items. Director Osguthorpe acknowledged that there might be some uses that are duplicated by convenience stores, but staff views grocery stores as being much larger. Mr. Larson said he was concerned about being so specific that there would not be any other commercial businesses allowed. It was stated by Mr. Osguthorpe that staff does not have a definition of grocery stores, but it does have one for medical offices/clinics.

Kurt Mackey, 3217 Red Fox Road, Ames, spoke in favor of allowing a medical clinic/office in the Convenience Commercial Node at Bloomington and Stange. He cited his experience in designing and remodeling medical clinics in his profession as an architect for over 20 years. His firm is knowledgeable as to what is suitable and what is not. Mr. Mackey contended that a dental clinic is substantially different than a primary care physician medical clinic. It is his professional opinion that the scale of a primary care physical medical clinic, similar to the argument used for the scale of a grocery store, should allow for its inclusion in the proposed Land Use Policy Plan amendment. He asked the City Council to acknowledge that the use criteria for a medical office and clinic have been met and to approve the Convenience Commercial Node as proposed by the applicant.

Roger Kluesner, representing McFarland Clinic, advised that it does not have any ownership interests in a medical clinic in Somerset at this time; however, they continually evaluate the need for services and options for meeting those needs in the growth areas of Ames. He said that when they began their investigation, fairly focused on the North Ames area, it became evident early in the process that there were very limited options. The general scope they were looking at would need over two acres of land. A major site consideration is the development of a drive-up, which can take a significant amount of space, but their patients need it. Mr. Kluesner said that when they look at the north area of Ames, they want options, but see very limited opportunities to accommodate the growth needs of that area. Mr. Kluesner urged the City Council to do anything it can do to see that those options are met and to objectively look at information about what is going on in the marketplace to meet those needs.

Dr. Wendy White, 3702 Ashton Drive, Ames, voiced her opposition to allowing a medical clinic/office in Somerset. She said that, based on the size of a proposed medical clinic, 180 parking stalls would be required; that would mean a vast expanse of asphalt. Dr. White recalled that when this proposal was made public, it was specifically stated that the developers were in final negotiations with McFarland Clinic to locate at that site, yet a representative of McFarland

Clinic is stating that they have no ownership interests there at this time. With that information, she said that she is now concerned that a medical clinic with 180 parking spaces would be built, but would stand vacant. Dr. White also commented on the size of the rezoning. It is her understanding that 13 acres are proposed to be rezoned. She pointed out that the size of the West HyVee shopping plaza is 6.5 acres. It was her recollection that the reason given for the need for 13 acres was due to the irregularly shaped land at the base of the water tower, but it appears that that triangular section only consists of 1.5 acres.

Dr. White also refuted that suitable land is not available in Somerset. She alluded to the Ames Community School District Facilities Committee's recommendation to sell 11 acres located within Somerset Village that is immediately adjacent to the commercial district. She believes that presents an opportunity to build a grocery store at that location. It is Dr. White's understanding that the School Board will make its decision on the disposition of those 11 acres by the end of the current school year. She believes that 11 acres of suitable land will become available within the next month. According to Dr. White, City staff has stated that the traffic impact at the School District site would be identical to the Bloomington/Stange site, and there would be no rezoning required. Dr. White also pointed out that there is a sports medicine clinic already located in Somerset and questioned why only the dental clinic is considered to be in conflict with the Convenience Commercial Node.

Chuck Winkleblack, 105 S. 16<sup>th</sup> Street, Ames, the applicant, said that the one lot that is consistently discussed is owned by the Ames Racquet & Fitness Center; it is located at the southeast corner of Northridge Parkway and Stange. He said that the Fitness Center has owned that lot for less than a year, and they continue to hope to build a new facility or have the ordinance amended to allow it to expand to fit the needs of its users. According to Mr. Winkleblack, the Racquet & Fitness Center has been a tremendous asset to Somerset, and they have no desire to sell the one-acre parcel at this time. Also, Mr. Winkleblack advised that he had recently spoken with the Ames School District Superintendent, and the School Board will not make a decision on the disposition of its 11 acres by the end of the current school year. According to Mr. Winkleblack, even if that land became available, it would not be the best location for commercial development due to the infrastructure and street network. He showed the Council a map depicting the locations of a convenience store and a carwash. Also, there is a contractual agreement with Fareway to locate on the first lot north of Bloomington and the lot directly north of the proposed Fareway is where developers would like to locate a medical clinic. Mr. Winkleblack advised that the land would be sold and privately built. Apartment buildings are proposed to be built on five lots across the street to the east on Stange and the first three lots to the west would be built as condominiums.

The developers believe that the proposed uses of land would have minimal impacts on the surrounding uses. The urgency behind a decision on whether a medical clinic/office would be allowed was explained by Mr. Winkleblack. If a medical clinic is not approved, the area would need to be replatted. Also, Fareway Stores is under time constraints to construct its store. He also pointed out that roads have to be widened before the weather again precludes construction from occurring. Mr. Winkleblack urged the Council to approve the proposed amendment to the LUPP Map and place a Convenience Commercial Node at the intersection of Bloomington Road and Stange Road as he has proposed.

Mr. Winkleblack also advised that they are proposing to rezone less than ten net acres; it is not 13 acres.

Council Member Rice believes that if the School District land became available, it would negate the exception criteria; the space would be available within Somerset Village. It was also his understanding that a decision on the disposition of that land will be made within six months to a year, and he prefers not to rush into a decision on this matter.

Moved by Rice, seconded by Popken, to postpone action on this request and refer it back to City staff and/or the applicant for additional information, which would include knowing what the School District plans to do with its 11 acres in Somerset.



Staff reviewed the current zoning designation and uses to be allowed on the 11 acres currently owned by the School District: it was confirmed as Village Residential. Mayor Campbell also recalled that the School District has indicated that when it sells its land, it would prefer that it be used for single-family residential.

Council Member Mahayni expressed his dismay that the City Council was discussing this issue again. He recalled that the Council had resolved what uses would be allowed in the area in question; the uses to be included were a convenience store, grocery store, carwash, and a medical clinic. Mr. Mahayni also recalled that he had recommended that the criteria established for Convenience Commercial Nodes should be consistent throughout the City; however, it was established only for convenience stores in villages, even though Ames only has one “village.” He expressed his frustration that the Council makes decisions and then changes them several months later; he believes that is a very dangerous pattern for the Council to do business.

Council Member Popken pointed out that the Council did narrow the uses to those four; however, the decision being debated now is whether the criteria have been met.

Council Member Larson pointed out that it has been determined that the School District’s land would not be a good site for commercial development from a traffic standpoint.

Vote on Motion: 1-5. Voting aye: Rice. Voting nay: Doll, Goodman, Larson, Mahayni, Popken. Motion failed.

Moved by Mahayni, seconded by Larson, to adopt RESOLUTION NO. 08-196 approving the proposed amendment to the Land Use Policy Plan Map to place a Convenience Commercial Node at the intersection of Bloomington Road and Stange Road, as proposed by the applicant.

Council Member Mahayni said he believes that option is in the spirit of the discussions held previously. He also pointed out that Ames Racquet & Fitness is not willing to sell the one-acre parcel.

Council Member Goodman offered his opinion that dental offices are not the same as medical clinics. Planner Charlie Kuester gave the definition of “medical clinic” again. Mr. Mahayni said that he believed the definition needed further discussion, especially as it relates to a primary care facility.

Council Member Larson pointed out that the land in question was originally planned to be multi-family residential. He believes that the commercial services being requested are needed more than additional multi-family residential.

Council Member Goodman said that the Village was intended to provide certain uses, but in the past ten years, the uses now being requested have not located in Somerset. He also noted that the Ames School Board has clearly expressed its preference to have single-family residential on its land.

Council Member Popken said that he would like to see CVCNs depicted in the LUPP.

Roll Call Vote: 5-1. Voting aye: Doll, Goodman, Larson, Mahayni, Popken. Voting nay: Rice. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these minutes.

**TARGETED GROWTH STRATEGY (TABLED FROM 4/22/08):** City Manager Steve Schainker said that staff has attempted to present several options to enable the Council to make a decision as to which direction Ames should grow. He pointed out that it is quite challenging to compare, evaluate, and balance various considerations for each Growth Priority Area. He recalled that it had been suggested that economic analysis was not the only way to determine that answer; environmental protection and willingness of property owners to make their lands available for development are also factors. Mr. Schainker shared that developers have expressed interest in developing to the north, northwest, and southwest.

Planner Charlie Kuester gave a presentation intended to address certain issues that were raised at the Council's April 1 workshop. He reviewed the ten "Goals for a New Vision" from the LUPP.

Mr. Kuester advised that the annexation studies performed in 2000, 2006, and 2008 may create some confusion as the studies were not entirely consistent in their comparisons. He further explained that the 2006 and 2008 studies arrived at different conclusions as to the relative costs of annexation to the Southwest and the Northwest mainly due to the decision, in the 2008 study, to exclude the \$5 million overpass from the costs assigned to the Northwest. That decision was based on the view that the network traffic improvements are system-wide costs and are based on a model that expected growth to occur in the Southwest and Northwest, but not the North.

Planner Kuester noted that three broad growth areas have been identified in the most-recent study. Each of those growth areas has a number of subareas; Southwest has four subareas, Northwest has two, and the North has three. Hybrid scenarios have been developed where staff has taken subareas from each of the three broad growth areas and identified costs and benefits. Mr. Kuester also referenced the chart of pros and cons for each area that had been given to the City Council; those look at broader impacts other than financial, e.g., School District, environment. One issue that was not measured into the study was the willingness of property owners to make land available for development. It was emphasized by Mr. Kuester that, while the Council may choose the most-cost-effective direction for growth, unless the property owners are willing to make their lands available for development, the City will not be able to reach its growth needs in that direction. The hybrid scenarios were based on: (1) There had been an identified willing property owner who had approached staff or the Council; (2) The land was immediately adjacent to the current City limits; or (3) The land had been identified for further growth and development in that study area. Mr. Kuester also noted that the City's LUPP has a time frame to the Year 2030. He questioned at what point the City will need to start considering post-2030 development. Three issues can impose constraints on developing in only one or two directions: (1) ISU-held land that it has no plans to sell; (2) Topography that does not lend itself to gravity-flow sewer, etc.; (3) Jurisdictional boundaries. Staff is seeking direction from the City Council on its desired growth priority directions and has developed the following factors that could be used to determine its growth priority strategy:

1. Traffic Modeling
2. Near Term Lands
3. Growth Controls
4. Hybrid Scenarios
5. Current Policies
6. Availability of Land
7. Environment
8. Post 2030
9. Urgency
10. Prioritize Factors, such as cost of infrastructure, cost of operations, environmental impacts, impacts on schools, available land for development, post-2030 expansion, cost of network traffic improvements, "pain" of other interior network traffic improvements

Staff suggested that the City Council examine what factors are important and weigh each of the individual growth areas or subareas against those factors and the goals and priorities of the Land Use Policy Plan. Mr. Kuester explained a list of factors that the Council could use in determining a growth priority strategy.

Four scenarios of development were presented, as follows:

- Scenario 1: Southwest B + Northwest A
- Scenario 2: Southwest B + North B
- Scenario 3: Northwest A + North B
- Scenario 4: Southwest B + Northwest A + North B

Erv Klaas, 1405 Grand, Ames, advised that he was speaking strictly for himself and not for the many organizations of which he is a member. He explained his involvement in and his dedication to protecting the Ada Hayden Watershed. Mr. Klaas reviewed nine remedies for protecting water quality at Ada Hayden Heritage Park, which he had distributed previously to the City Council. He pointed out that the cost of “adaptive management,” defined as continually monitoring and updating as more information becomes available, is always much less than the cost of cleaning up a water body. Mr. Klaas briefed the Council on the problems caused by phosphorous in the water and advised that the long-term health of Ada Hayden Lake is in jeopardy if action is not taken soon to correct that problem. He stated that he was advocating for annexing to the north. Mr. Klaas acknowledged that fire protection is an expensive consideration of annexation. After attending a conference last week entitled, “Smart Economic Development,” he offered information on combining services, i.e., police and fire protection, on a regional basis, rather than cities and counties having separate services. Mr. Klaas pointed out that if developments outside the city limits to the north are allowed to happen without annexation, the West Story Volunteer Fire Department will have to serve that area. Those volunteers already cover a large area around Gilbert. It was suggested by Mr. Klaas that an arrangement be worked out to combine the cost of serving the entire region with whatever is annexed into the City. He also believes that there should be more cooperation between the Ames and Gilbert School Districts.

Joe Lynch, 3700 Onion Creek Lane, Ames, cautioned the Council on the cost of the overpass on North Dakota Avenue and the possible result if A and B in the Northwest are chosen by the City Council. He pointed out that extending Bloomington Road to the east and west is a very expensive proposition. According to Mr. Lynch, in addition to the overpass, bridges would have to be built to cross Squaw Creek to the west and the Skunk River to the east, which he estimates as high as \$50 million, depending on when construction occurs. He feels that if growth is allowed to the Southwest, Bloomington Road might not have to be expanded. Mr. Lynch recommended that the City Council look to areas adjacent to Highway 30, which would already provide a transportation corridor.

Gary Reed, Civil Design Advantage, 5501 NW 112<sup>th</sup> Street, Suite G, Grimes, Iowa, representing the developers of Fieldstone, indicated full support of Scenario 4, which provides for growth to Southwest B, Northwest A, and North B. He believes that Scenario 4 provides for the most flexibility for the City of Ames and also responds to what the market is demanding; it represents a true long-term growth strategy versus a short-term “band-aid” fix.

Dick Johnson, 3315 Ridgetop Road, Ames, stated that he was speaking as a representative of Responsible Growth, which is comprised of past Board Chairs of the Ames Chamber and Economic Development Commission. Mr. Johnson advised that Responsible Growth supports Mr. Klaas’ proposal for development north of Ames and his rationale for supporting infrastructure improvements north of Ada Hayden Park. He concurred with Mr. Klaas that there is some urgency to preserving the watershed; the risk of not moving forward is great at this time. According to Mr. Johnson, it isn’t often that development is directly linked to preserving, improving, and protecting such a vital part of a community, and this is Ames’ opportunity to do that. In addition to the environmental aspects, Mr. Johnson added that there is a high market demand for development to the north of Ames. Willing landlords, investors, and consumers make that location highly attractive for future residential development. Mr. Johnson acknowledged that there are concerns related to more-cost-effective locations for residential growth, e.g., to the Southwest, but without willing landlords and investors, “that area is hard-pressed for immediate development potential at this time.” Developing to the north might result in the need for an additional fire station, and Mr. Johnson suggested that the City of Ames partner with the City of Gilbert and the West Story Fire Agency to provide the Gilbert community with full-time fire fighting capabilities. He noted that regional cooperation is commonplace throughout the United States; that makes good economic sense. Mr. Johnson said that when the partnering capabilities are coupled with the new property taxes that will be generated by annexation to the north, there is a real opportunity to find a solution that will expand the tax base of Ames and provide the necessary housing options that are critically important to the economic development of the community. He urged the City Council to support growth to the north. If a hybrid approach is taken, he urged to have the North Priority Growth Area a part of the plan.

Kurt Friedrich, Sixth and Grand, Ames, spoke on behalf of the proposed Fieldstone development. He asked the City Council to support growth to the Northwest. There is ample land for development, and there is a willing land owner. He also advocated for a more long-term solution for future growth and recommended that the City Council adopt a LUPP that would allow for development in the Southwest, Northwest, and the North Areas. It was Mr. Friedrich's opinion that it would provide the City with the most flexibility, the most available land, add the most housing units to the Ames School District, give people the most range of choices, and allow the City to protect its natural resources.

Jeff Athen, 3601 George Washington Carver, Ames, indicated that he was speaking on behalf of his wife, Phyllis, and her brother, Rick Madson, who are willing to annex their 120 acres of land west of George Washington Carver. He noted that the land was included in the City's annexation study. Mr. Athen advised that there is sanitary sewer under the road, and all utilities are in place, but they are not all City, so it seems logical for the City to annex the Athen/Madson land; it is a sizeable portion of the "North C" area. He questioned how the staff determined which parcels of land to include in its annexation study. Mr. Athen also believes that additional explanation should be given regarding estimated costs of development, especially since most of the infrastructure is already in place.

Chuck Winkleblack, 105 S. 16<sup>th</sup> Street, Ames, said that he believes areas north of Ames are going to develop – whether it is done as part of Ames Urban Fringe or through annexation. He pointed out that the report does not talk about income; it only talks about expense. Further explaining, he said that the North Area could accommodate 328 units at an average selling price of \$250,000, which would generate \$2.6 million annually in property taxes. The residents of those homes would come into the City and use its amenities and services. Mr. Winkleblack agreed with Mr. Athen that portions of "North C" are available for development at little or no cost to the City because the sanitary sewer has been installed. He also urged the Council to decide on a long-range plan. Mr. Winkleblack said that it is important to give people options relating to housing types and locations. According to Mr. Winkleblack, it takes approximately 18 months to develop property due to the various approvals needed by the City. He indicated that he is a proponent of Scenario #4.

Matt Eller, 200 Timber Creek, Ames, representing Rose Prairie, said that he supports Scenario #4. Mr. Eller explained that Rose Prairie is proposed as a low-impact development in the fringe area of North Ames. He advised that the developers of Rose Prairie would be open to a voluntary annexation of that land to the City of Ames.

Council Member Popken pointed out that correspondence had been received by the City Council from developers who had already invested in the Northwest Area. They are concerned that the City would now be changing its priority growth areas and creating competition. He pointed out that growing to the north would mean virtually no expansion of the Ames School District. Mr. Popken also believes that the nine remedies for preserving water quality at Ada Hayden presented by Mr. Klaas could be carried out without annexing further lands to the north. He believes that the City should be fiscally conservative, and according to Mr. Popken, residential tax base is subsidized and doesn't pay for the amount of services consumed.

Council Member Larson expressed his respect for Erv Klaas for his environmental knowledge and Dick Johnson for his knowledge of market-driven development. Mr. Larson believes that the real cost to the City will be on the revenue-driven side; if there are not willing sellers and the area doesn't develop, it will not pay for itself.

Council Member Mahayni shared calculations as to the number of acres that would be gained under each of the four scenarios, but added that the scenarios are not mutually exclusive. Mr. Mahayni pointed out that the scenarios only analyze costs, not the environment.

Council Member Doll asked if it were possible to bring in Area North "B," but not pay for oversizing. City Manager Schainker advised that it would be possible.

Council Member Rice indicated his preference that the Growth Priority Areas not be changed. His second preference would be to approve Scenario 1.

Council Member Goodman said that he believed the role of the City Council should be to protect its taxpayers. Because of that, he believes that the City should continue to focus on the Northwest and Southwest Growth Priority Areas. He indicated a strong desire to protect Ada Hayden, but does not believe that annexation of land north of Ames, at the expense of the taxpayers, is the only solution.

Council Member Goodman added that there are buildable lots in the Southwest Growth Priority Area and noted in the current Land Use Policy Plan. Council Member Larson pointed out that two people came forward tonight to indicate their willingness to annex their properties, which are located in the northwest and north areas. He has not heard of any willing sellers in Southwest B. Assistant City Manager Bob Kindred added that one consideration that drove the staff's analysis was where there were willing and ready sellers.

Erv Klaas reviewed the consequences of phosphorous filtering into the Ada Hayden Watershed. None of the alternatives solve the problem, except annexation and connecting to the main sewer. Mr. Klaas believes that the main source of phosphorous will come from sanitary waste. He does not want to risk losing the high water quality that currently exists at Ada Hayden.

City Manager Schainker pointed out that it is anticipated other developers will follow Rose Prairie in the fringe area north of Ames. He does not see a means for stopping further development in that area. According to Mr. Schainker, the City Council will be asked for approval of development in the fringe area north of Ames in the next few weeks.

Moved by Mahayni, seconded by Larson, to approve Scenario 4: Southwest B + Northwest A + North B, with developers paying for infrastructure oversizing in North B.

Council Member Larson asked for clarification as to whom would pay for infrastructure and oversizing costs. Mr. Schainker advised that those specifics would be negotiated. He pointed out that even in the Southwest and Northwest, there is a gap in the sewer line. The incentive of developing in the targeted areas is that the City pays for oversizing. If the motion passes, the City would not pay for oversizing in the North B area.

Vote on Motion: 3-3. Voting aye: Doll, Larson, Mahayni. Voting nay: Goodman, Popken, Rice. Mayor Campbell voted aye to break the tie. Motion carried.

Planner Kuester explained that staff now had direction from the City Council. Appropriate amendments will be drafted to the Land Use Policy Plan and brought back to the City Council for approval.

The meeting recessed at 10:05 p.m. and reconvened at 10:15 p.m.

**SHOPS AT EAST PRAIRIE:** City Attorney Doug Marek reminded the Council that an update on the Major Site Development Plan had already been given, and the Preliminary Plat had been approved. In February, engineering diagrams for the installation of public improvement infrastructure were submitted to the Public Works Department. After that submittal, Mr. Marek had written to Mr. Wolford's attorney outlining the issues that were still pending pertaining to the Development Agreement. Those issues are as follows:

1. Off-Site Improvements. All of the obligations of the developer under Article 7 must be performed or completed or the work must be in progress to complete those obligations before any on-site construction may begin.
2. Fees and Contributions. Payment of \$41,000 water connection fee and a \$50,000 CyRide bus fee must be paid in conjunction with construction of off-site improvements before any on-site improvements may be constructed.

3. On-Site Grading. It was clarified that on-site grading would be allowed before off-site sewer and water lines are completed.
4. Letter of Credit. Representatives of Wolford Development would like to submit dual obligee bonds for security instead of Letters of Credit. This is a new concept to Iowa, and Mr. Marek requested additional information and examples of the bonds. Those were received and reviewed, and it is the determination of Mr. Marek that dual obligee bonds do not provide the same level of security to the City as a Letter of Credit. The City will be requiring a Letter of Credit.
5. Lot Line Adjustments to Accommodate Change in Location of Bike Path: Changes in the Preliminary Plat reflecting the lot line adjustments necessary to accommodate the shift of the bike path from the west side of the entrance to the east side of the entrance may be approved administratively and presented to the Council for approval with the Final Plat. Relocation of the bike path from the north side to the south side of 13<sup>th</sup> Street complies with Section 7.7 of the Development Agreement has also been confirmed.
6. East Barilla Site. It is anticipated that the rezoning application for the East Barilla Site (from Planned Regional Commercial to Planned Industrial) will be filed in the near future. Mr. Marek pointed out that the LUPP and the LUPP Map have been amended to permit that rezoning.
7. Evidence of Binding Leases: The City has received no further information on binding leases. It was noted that the City had received a letter from Mr. Wolford dated May 9, 2008, pertaining to the status of the leases.
8. Report to Council: Wolford Development hopes to begin construction of off-site improvements in the near future. Mr. Schainker added that a series of meetings with Mr. Wolford, the DOT, Federal Highway Commission, and other affected entities will be held after the infrastructure engineering drawings are approved.

Regarding evidence of binding leases, Council Member Rice pointed out that what Mr. Wolford submitted was a schedule of meetings that he has concerning leases. Attorney Marek concurred, stating that there was no further evidence of binding leases or purchase agreements. Under the Development Agreement, Building Permits will not be issued until all requirements of that Agreement are met. City Manager Schainker clarified to the Council that it is possible that, without binding leases in place, the developer will begin construction of off-site improvements, e.g., water, sewer, 13<sup>th</sup> Street improvements. Grading of the site and extension of the infrastructure would follow, but construction could not begin on any buildings.

Mr. Marek said that he had clarified, with Attorney Bill Bartine, that there will be a single construction loan that will include the infrastructure. At the time that on-site work begins, payment of the \$41,000 water connection fee and \$50,000 CyRide bus fee will be made. According to Mr. Marek, that satisfies the Agreement.

Joe Rippetoe, 419 Pearson Avenue, Ames, contended that the City is following a very convoluted process where a developer "is pushing to proceed with building infrastructure to a mall for which he has no tenants." Mr. Rippetoe believes that, if construction of the infrastructure is allowed to proceed, it would constitute a type of quid pro quo agreement that the City will give Mr. Wolford as long as he needs to build the proposed mall. Regarding the leases, Mr. Rippetoe referenced a recent news article on Dillard's, which detailed its financial instability. It is Mr. Rippetoe's belief that Dillard's has pulled out of the December 2005 agreement with Wolford; there has been no evidence to the contrary. However, Wolford's Vice-President for Public Relations John Martin continues to deny the rumor. Each of the three times that Mr. Rippetoe has called Dillard's, representatives only state that they cannot confirm or deny that Dillard's is still in the plan. Mr. Rippetoe also pointed out that people thought Wal-Mart was originally going to be part of Wolford's mall. Apparently, Wal-Mart realized that it wasn't going to work, went out on its own, built a new store in a different location, and is already open. He believes

that Mr. Wolford is not competent in the mall business. Mr. Rippetoe told the City Council members that it was up to them to “fix” this.

Council Member Goodman asked Attorney Marek to respond. Mr. Marek advised again that, under the terms of the Agreement, not taking advantage of a remedy does not mean that it is forfeiting its right to do so. He stated, however, that if the Council is going to take action, the sooner it does so, the better. Mr. Marek added that the longer the Council waits to take action does not necessarily jeopardize its position, but it does weaken it.

**RENTAL CODE VIOLATIONS:** Moved by Goodman, seconded by Larson, to direct staff to continue to identify Code violations under the current Codes, communicate violations to the appropriate rental property owner/manager and issue Conditional Letters of Compliance until violations are corrected.

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

**HEARING ON 2008/09 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ANNUAL ACTION PLAN:** Mayor Campbell opened the public hearing. No one wished to speak, and the Mayor closed the hearing.

Moved by Rice, seconded by Popken, to adopt RESOLUTION NO. 08-192 approving the 2008/09 Community Development Block Grant Program Annual Action Plan.

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

**HEARING ON POWER PLANT COAL HANDLING SPRINKLER SYSTEM, PHASE 1:** The public hearing was opened by the Mayor and closed after no one asked to speak.

Moved by Mahayni, seconded by Rice, to adopt RESOLUTION NO. 08-193 approving final plans and specifications and awarding a contract to Ahern Fire Protection of Davenport, Iowa, in the amount of \$601,241.

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

**HEARING ON WATER POLLUTION CONTROL FACILITY CLARIFIER PAINTING PROJECT:** The Mayor opened the public hearing. There was no one who came forward to speak, and the Mayor closed the hearing.

Moved by Goodman, seconded by Rice, to adopt RESOLUTION NO. 08-194 approving final plans and specifications and awarding a contract to HEG Painting of Cherokee, Iowa, in the amount of \$255,900.

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

**HEARING ON NUISANCE ASSESSMENTS:** Mayor Campbell opened the hearing and closed same after no one asked to speak.

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 08-195 assessing costs of snow/ice removal and certifying assessments to Story County Treasurer.

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

**SANITARY SEWER UTILITY RATE ORDINANCE (TABLED FROM 4/22/08):** Moved by Popken, seconded by Goodman, to pass on first reading a sanitary sewer utility rate ordinance increase metered revenue by 8.0%.

Council Member Doll indicated that he could not support that motion as no studies had been done to indicate if an increase was needed at this time. He noted that residents will be seeing other utility increases, and it could be that increasing sanitary sewer utility rates could wait until next

year.

Council Member Larson concurred, noting that the sanitary sewer utility rate increase was originally in the budget for next fiscal year.

Roll Call Vote: 4-2. Voting aye: Goodman, Mahayni, Popken, Rice. Voting nay: Doll, Larson. Motion declared adopted.

**ORDINANCE SETTING PARKING REGULATIONS ON TIMBER RIDGE DRIVE:**

Moved by Goodman, seconded by Doll, to pass on first reading an ordinance setting parking regulations on Timber Ridge Drive.

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

**ORDINANCE MAKING A CORRECTIVE AMENDMENT TO THE MUNICIPAL CODE REGARDING TRESPASS:**

Moved by Larson, seconded by Rice, to pass on first reading an ordinance making a corrective amendment to Municipal Code, Section 17.1(1)(e): Trespass.

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

Moved by Larson, seconded by Doll, to suspend the rules necessary for the adoption of an ordinance.

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

Moved by Goodman, seconded by Mahayni, to pass on second and third readings and adopt ORDINANCE NO. 3952 making a corrective amendment to Municipal Code, Section 17.1(1)(e): Trespass.

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

**ELECTRIC UTILITY RATE ORDINANCE:**

Moved by Goodman, seconded by Mahayni, to pass on second reading an electric utility rate ordinance.

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

**ORDINANCE PERTAINING TO STREET LIGHT INSTALLATIONS OUTSIDE AMES ELECTRIC SERVICES TERRITORY:**

Moved by Goodman, seconded by Mahayni, to pass on second reading an ordinance pertaining to street light installations outside of Ames Electric Services territory.

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

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

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

Moved by Mahayni, seconded by Doll, to pass on third passage and adopt ORDINANCE NO. 3953 pertaining to street light installations outside of Ames Electric Services territory.

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

**ORDINANCE REGARDING WATER RATE STRUCTURE:**

Moved by Goodman, seconded by Mahayni, to pass on third reading and adopt ORDINANCE NO. 3950 regarding water rate structure.

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

**ORDINANCE PERTAINING TO RAGBRAI VENDING:**

Moved by Doll, seconded by Mahayni, to adopt ORDINANCE NO. 3951 pertaining to RAGBRAI vending.

Roll Call Vote: 5-0-1. Voting aye: Doll, Larson, Mahayni, Popken, Rice. Voting nay: None. Abstaining: Goodman. Ordinance declared adopted, signed by the Mayor, and hereby made a portion of these minutes.



**COMMENTS:** Council Member Larson indicated his desire to attend the upcoming University Community Relations Conference.

Moved by Rice, seconded by Goodman, to approve funding for Council Member Larson to attend the University Community Relations Conference.

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

Moved by Mahayni, seconded by Goodman, to refer to staff the letter from Ken Shaw, Coordinator for AMOS.

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

**ADJOURNMENT:** Moved by Doll, seconded by Goodman, to adjourn the meeting at 10:58 p.m.

---

Diane R. Voss, City Clerk

---

Ann H. Campbell, Mayor