

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

AMES, IOWA

AUGUST 12, 2008

The regular meeting of the Ames City Council was called to order by Mayor Campbell at 7:00 p.m. on August 12, 2008, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Doll, Goodman, Larson, Popken, and Rice. Council Member Mahayni arrived at 7:05 p.m. *Ex officio* Member Beals was absent.

Mayor Campbell announced that Item 18c on the Agenda, pertaining to a funding allocation for necessary minor repairs to the low-head dam, had been pulled by staff.

PRESENTATION OF *PEAK PERFORMANCE AWARD TO WATER AND POLLUTION CONTROL (WPC)*: Mayor Campbell presented the *Platinum-18 Peak Performance Award* to John Dunn, Director of the Water and Pollution Control Department; Christina Murphy, Assistant Director; Jim McElvogue, WPC Superintendent; and Lyle Hammes, Environmental Engineer. The Award, given by the National Association of Clean Water Agencies, recognizes public wastewater treatment facilities for outstanding compliance records. Ames received special tribute for achieving 100% compliance with the National Pollutant Discharge Elimination System Permit for the 18 consecutive year, which is the third-longest compliance record in the country.

CONSENT AGENDA: Council Member Popken requested to pull Item No.14, and Council Member Larson asked to pull Item No. 10, for separate discussion.

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

1. Motion approving payment of claims
2. Motion approving minutes of the special meeting of July 29, 2008
3. Motion accepting Report of Contract Change Orders for July 1-15 and July 16-31, 2008
4. Motion approving renewal of the following liquor licenses:
 - a. Class C Liquor & Brew Pub Privilege - Olde Main Brewing Company, 316 Main Street
 - b. Class C Liquor & Outdoor Service Privilege - Mickey's Irish Pub, 109 Welch Avenue
 - c. Class C Liquor - El Azteca, 1520 South Dayton Avenue
 - d. Class C Liquor - Es Tas Stanton, 216 Stanton Avenue
5. Motion rejecting bid from Wolf Material Handling Systems for procurement of Conveyors for Non-Ferrous Metals Recovery System for Resource Recovery Plant
6. RESOLUTION NO. 08-346 approving expenditure from Contingency Fund for Mayor's visit to Frýdek-Místek, Czech Republic
7. RESOLUTION NO. 08-347 approving Neighborhood Improvement Project grants for 2008/09
8. RESOLUTION NO. 08-348 authorizing Mayor to sign Certificate of Consistency with City's 2004-09 CDBG Consolidated Plan on behalf of Youth and Shelter Services, Inc.
9. RESOLUTION NO. 08-350 approving preliminary plans and specifications for Eddy Current System for Resource Recovery Plant; setting September 10, 2008, as bid due date and September 23, 2008, as date of public hearing
10. RESOLUTION NO. 08-351 approving preliminary plans and specifications for Induction Sorting System for Resource Recovery Plant; setting September 10, 2008, as bid due date and September 23, 2008, as date of public hearing
11. RESOLUTION NO. 08-352 approving preliminary plans and specifications for Aquatic Center Traffic Signal; setting September 3, 2008, as bid due date and September 9, 2008, as date of public hearing
12. RESOLUTION NO. 08-354 approving final completion of Year 1 of Water Plant Well Rehabilitation

Project

13. RESOLUTION NO. 08-355 approving final completion of Wal-Mart Subdivision, 1st Addition, and releasing security
14. RESOLUTION NO. 08-356 approving final completion of CyRide Office Building Expansion
Roll Call Vote: 5-0. Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Council Member Mahayni arrived.

2005/06 SHARED USE PATH SYSTEM (GRAND AVENUE - MURRAY DRIVE TO 20TH STREET): Council Member Larson asked for an update on this project. Municipal Engineer Tracy Warner explained that this project would consist of a shared use path being constructed along the west side of Grand Avenue from Murray Drive to 20th Street. Its completion date will be November 30, 2008, with an estimated cost of \$128,000.

Ms. Warner further advised that this project was identified to receive Federal Surface Transportation Program (STP) funding for 80% of the construction costs up to \$80,000. Due to that funding, federal procedures must be strictly followed for obtaining easements to facilitate path construction. According to Ms. Warner, one of the landowners is Alliant Energy, which has its own set of corporate processes that must be followed. That has resulted in an extended delay in getting this project to the bidding stage. Also, because STP funding is involved, this project would need to be bid through the Iowa DOT letting process, which would not allow construction to begin until Spring 2009. Mr. Warner said that, for construction to occur in 2008, staff is proposing that the STP funding originally allocated to this project be moved to the 2007/08 Shared Use Path Project (Skunk River Trail - Bloomington Road to Ada Hayden) and the Local Option Sales Tax funding for that project be used to fund this project. In addition, because of the delay that has resulted from working through the easement procurement process, Alliant Energy has offered the City an opportunity to apply for a corporate grant in the amount of \$2,500, which could be used to help fund this project. However, the grants are awarded on a competitive basis, so that amount is not guaranteed.

Moved by Larson, seconded by Rice, to adopt RESOLUTION NO. 08-349 approving preliminary plans and specifications for the 2005/06 Shared Use Path System (Grand Avenue–Murray Drive to 20th Street); setting September 3, 2008, as bid due date and September 9, 2008, as date of public hearing; and, authorizing the use of Local Option Sales Tax funding from the 2007/08 Shared Use Path project to replace the STP funding.

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

VIDEO SECURITY EQUIPMENT AT AMES PUBLIC LIBRARY: Council Member Popken asked what the Library's policy will be on stored video from the surveillance cameras, specifically, if there would be public access to that video. Library Director Art Weeks explained that, under the public disclosure laws, there could be a request to view the video. Those requests would be honored, and the requesting party charged an appropriate fee. Mr. Weeks advised that the Library Board of Trustees will be discussing the enactment of a video surveillance policy at its meeting to be held in November. City Attorney Doug Marek explained that the video would constitute a public record; however, there could be exceptions. It is not believed that the titles of books or publications that are being checked-out by Library patrons would be discernible on the video.

Moved by Popken, seconded by Rice, to adopt RESOLUTION NO. 08-353 awarding a contract to

Communication Innovators of Pleasant Hill, Iowa, in the amount of \$52,736.15 for Video Security Equipment at the Ames Public Library.

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

PUBLIC FORUM: Roy Cakerice, 2911 Duff Avenue, Ames, asked what process he needed to follow to be allowed to make a presentation at the City Council's August 26 meeting. He said his presentation would pertain to ways that Carr Pool could be saved from demolition. Mr. Cakerice indicated that he will be meeting with Parks & Recreation on August 21 at 4 PM. He has presented a packet of material to the Commission members for their review prior to that meeting. Mayor Campbell told Mr. Cakerice that he could provide the same packet of materials to the City Council, and after receipt of same, the Council would decide whether or not to add the topic to a future agenda.

LOW-HEAD DAM MODIFICATIONS: Lyle Hammes, WPC Environmental Engineer, explained that, in March 2008, a letter had been received from Piper Wall, on behalf of the Skunk River Paddlers, requesting modifications to the low-head dam on the South Skunk River. The Skunk River Paddlers are proposing to modify the water flow pattern that occurs on the concrete apron of the 13th Street River Valley Park dam. The purpose of the modifications would be to break up the river-wide uniform water recirculation that currently occurs on the dam's concrete apron. Their proposal includes the placement of eight large rocks (one ton each) in a V-configuration on the concrete apron. A second set of approximately 42 smaller rocks would also be placed on the concrete apron farther downstream.

Mr. Hammes described the function and history of the Skunk River low-head dam. He also explained what safety measures are currently in place. It was noted that ten dam-related deaths had occurred in Iowa from 2006/07, one occurred in Ames and one occurred in Boone. It was acknowledged by Mr. Hammes that, if placed properly, the boulders could minimize the recirculation effect that creates such dangerous conditions. However, it would also create water "features" that could be used by kayakers, and although the City has never encouraged recreation in this area, it occurs regularly. Attorney Marek explained that the Skunk River is a waterway of the state, and paddlers have the right to be on it. The dam is the property of the City, and it plays a critical role in augmenting the City's water supply. Damage to it could be expensive to repair. According to Mr. Hammes, the City does have several concerns about the proposed modifications, such as liability, ongoing maintenance, and potential damage to the existing structure during installation.

The Council was told by Mr. Hammes that the Skunk River Paddlers group worked with the Iowa Department of Natural Resources (IDNR) to create the proposed design for modifications to the dam. The group has applied for, and is anticipating the receipt of, a grant from the IDNR, which would cover labor and materials for the installation of the modifications.

Greg Vitale, 2510 Pierce Avenue, Ames, stated that he is a member of the Skunk River Paddlers. He said that he has "played in the water feature" in question and has had problems; it does present a dangerous situation. Referencing the low-head dam near Ada Hayden Heritage Park, Mr. Vitale stated that it was built in the late 1870's. Due to deterioration, it was modified in the 1940's. According to Mr. Vitale, that dam is more dangerous than the one near River Valley Park; however, it has historical significance, which has further complicated proposals to modify it.

Moved by Popken, seconded by Rice, to approve the concept, direct staff to work with Skunk River Paddlers, and further direct staff to bring any proposal to modify the low-head dam back to the City Council for approval.

Moved by Doll to amend the motion to direct that the modifications focus on the safety aspects and not on recreational aspects. Motion to amend failed for lack of a second.

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

WATER PLANT INFRASTRUCTURE AND CAPACITY NEEDS ASSESSMENT: Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 08-358 approving a Professional Services Contract with FOX Engineering Associates of Ames, Iowa, for the Water Plant Infrastructure and Capacity Needs Assessment in an amount not to exceed \$243,000 without prior approval.

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

WI-FI HOT SPOT SERVICES: Finance Director Duane Pitcher gave the history of this project, which began approximately two years ago. It was noted by Mr. Pitcher that staff did not review the Council's direction given on January 8, 2008, and subsequently, created a Request for Proposals to include only four sites: Campustown Court, Brookside Park, Tom Evans Plaza, and Hunziker Youth Sports Complex. He acknowledged that the City Council had actually directed staff to issue a RFP for hot spot services at those four sites and add alternates for seven additional locations: Country Gables Park, Ada Hayden Park, Bandshell Park, Emma McCarthy Lee Park, Moore Memorial Park, Daley Park and greenbelt, and Inis Grove Park. Although those seven sites were not included in the RFP, Mr. Pitcher said that the City's Information Technology staff is in the process of implementing WiFi hot spots in other City locations where network infrastructure is already in place or is planned. Those sites include City Hall, Ice Arena, Community Center, Municipal Pool, and the Donald and Ruth Furman Aquatic Center.

Mr. Pitcher indicated that, based on an evaluation of the proposals received for the four sites, ICS Advanced Technologies was identified as the preferred provider. The business model proposed by ICS included funding of the initial setup by the City plus a contribution to annual operating costs. ICS would sell advertising on the WiFi hotspot gateway page (log-in) where users gain access to the Internet; that would be the only time users would be subject to advertising from the service provider.

Council Member Larson asked to know the difference between the two proposals that were received. Mr. Pitcher indicated that the other proposal was significantly higher. Mr. Larson pointed out that problems could occur when the City does bid for services to the other seven sites since ICS's numbers have been exposed. He asked if there was a way to negotiate with ICS to provide service to the additional seven sites. Mr. Pitcher advised that subsequent Wi-Fi projects would need to be bid due to the City's Purchasing Policies and Procedures. He explained that a spouse of an owner of ICS is an employee of the City.

Moved by Mahayni, seconded by Doll, to adopt RESOLUTION NO. 08-359 awarding a contract to ICS Advanced Technologies of Ames, Iowa, to provide WiFi hotspot service at Tom Evans Plaza, Brookside Park, Campustown Court, and Hunziker Youth Sports Complex at a cost of \$15,000, plus \$3,000/year operating costs.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby

made a portion of these minutes.

Council Member Goodman asked how the City would be analyzing the value of this service and deciding how and when to move forward. Mr. Pitcher explained that usage will be monitored.

Moved by Goodman, seconded by Popken, to direct staff to provide feedback to the City Council on the usage of the four WiFi hot spots after one year.

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

URBAN DEER MANAGEMENT: Police Chief Chuck Cychosz stated that the Ames urban deer hunts have been conducted in a limited number of locations under special rules administered by the Police Department. In 2006, three deer were harvested, and in 2007, five deer were harvested. The designated hunting areas are South and North River Valley Parks, Gateway Park, Homewood Golf Course, the landfill in East Ames off Edison Street, and the Hunziker Youth Sports Complex. All participants in the deer hunt must purchase a special tag and register with the Police Department. Rules also require participants to pass a proficiency test, hunt only from tree stands situated at least 85 feet from trails, and limit shots to 75 feet or less.

Chief Cychosz explained that in Spring 2008, staff hosted a public meeting to gain insight on the Special Urban Deer Task Force/City staff's 2008/09 program goals, which are (1) to continue to increase the number of deer harvested and (2) minimize the impact to the general public. Task Force members recommended that the season begin on September 15 in locations where conflicts with other park users can be minimized.

It was noted that the Iowa Department of Natural Resources (DNR) establishes legal hunting hours; however, the City may modify those hours and dates as long as they fall within the overall DNR timeline. Chief Cychosz advised that the biggest change being proposed is to begin the bow hunting season on September 15. That suggestion was made based on input provided by bow hunters as a means to make the most significant difference. Also, a significant addition would be wording in the Rules that allows the Ames Police Department to cancel or postpone the deer hunt for any safety-related reason.

The staff's recommendations on locations, dates, and times for deer hunting in the city limits were presented by Chief Cychosz, as follows:

Non-Park/Public Area:

1. Wooded City property south of the Hunziker Youth Sports Complex: DNR legal hunting hours beginning November 10, following the conclusion of the youth sports season
2. City property north of the landfill in East Ames off Edison Street: DNR legal hunting hours beginning September 15

Parkland Areas:

1. Weekdays: One-half hour before sunrise ending by 4 PM from September 15 to October 31 (hours not used by sports leagues)
2. Weekends: One-half hour before sunrise ending by 8 AM from September 15 to October 31 (hours not used by sports leagues)
3. Daily beginning November 3: DNR legal hunting hours (following the conclusion of sports

leagues)

Gateway Park: Restricted to the west timber. Daily beginning on September 15: DNR legal hunting hours

Homewood Golf Course: Daily beginning November 3 (following Course closure for the season)

Moved by Popken, seconded by Goodman, to adopt RESOLUTION NO. 08-360 approving bow hunting with the Park System as detailed as listed above and in the Urban Deer Management Ordinance and Rules.

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

PARKING RECREATIONAL VEHICLES IN RESIDENTIAL ZONES: City Manager Schainker reminded the Council that, on June 24, 2008, an email from the City's Neighborhood Inspector had been referred to Council Member Rice regarding the issue of expanding restrictions related to the storage of recreational vehicles on residential property. The situation that brought this issue to the forefront involved a large motorized recreational vehicle (RV) that was parked in the side yard on private property in a residential zone, i.e., 3324 Jewel Drive, which is a single-family owner-occupied dwelling. It was alleged that the RV was owned by someone other than the property owner, was occupied frequently, was not parked on a hard-surface pad, was very close to the property line, and was a nuisance due to the noise created by its air conditioning system. The property owner was informed of the City's current standards, and subsequently installed a concrete parking pad. Other enforcement actions are pending, specifically in regard to occupancy of the vehicle and its connection to a sanitary sewer line.

The City's current standards were outlined by Mr. Schainker. A survey of the standards in Sioux City, Iowa City, and Dubuque had been taken, and the results were reviewed.

City Manager Schainker presented options for the Council's consideration, as follows: (1) Make no changes in the Municipal Code, (2) Change the Municipal Code to prohibit storage of recreational vehicles, (3) place additional limitations on RV parking. Several possible limitations were presented by Mr. Schainker. He pointed out that this was the only complaint that had been brought to the staff's attention.

Council Member Rice said that possible solutions would be to require ownership of the RV if placed on residential property, limit the size of the vehicle, and/or require a larger setback between the RV and the neighboring residence. Mr. Rice also suggested that the size of an RV allowed to be parked be based on a ratio comparing its size to the size of the owner's residence.

Mayor Campbell asked if the situation that prompted this discussion could be resolved by neighbors talking to neighbors or perhaps even by mediation.

Council Member Larson indicated that in some areas of Ames, subdivision covenants would prohibit the parking of such a vehicle in the neighborhood. He also pointed out that a Minimum Property Maintenance Code could resolve the issue. At this point, he is advocating that the City Council not take any action since this appears to be an isolated incident that does not merit a change in the Municipal Code.

Moved by Larson, seconded by Doll, to not take any action on this issue at this time.

Council Member Goodman suggested that this issue be a topic for a future Council workshop.

It was asked by Council Member Larson where the Council would draw the line for other types of vehicles, e.g., boat trailers, tractors, etc., once regulations are set for storage of recreation vehicles in residential neighborhoods.

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

CITY HALL SPACE RE-USE PROJECT: Moved by Mahayni, seconded by Doll, to adopt RESOLUTION NO. 08-361 approving an Architectural and Design Services Contract with Shive-Hattery, Inc., for City Hall Space Re-Use Project in the amount of \$10,395.

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

POWER PLANT NITROGEN OXIDE CONTROL PROJECT FOR UNIT #7: Moved by Mahayni, seconded by Goodman, to reject all bids for the Power Plant Nitrogen Oxide Control Project for Unit #7.

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

MERCURY CONTINUOUS EMISSIONS MONITOR: Moved by Mahayni, seconded by Popken, to adopt RESOLUTION NO. 08-362 awarding a contract to Thermo Environmental Instruments, Inc., of Franklin, Massachusetts, in the amount of \$235,541, plus applicable taxes, for Mercury Continuous Emissions Monitor.

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

HEARING ON CITY HALL DOORS REPLACEMENT PROJECT: Mayor Campbell opened the public hearing. No one requested to speak, and the Mayor closed the hearing.

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 08-363 approving final plans and specifications and awarding a contract to R. H. Grabau Construction, Inc., of Boone, Iowa, in the amount of \$189,258.

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

HEARING ON ZONING TEXT AMENDMENT REGARDING PARKING AND LANDSCAPING IN CONVENIENCE COMMERCIAL NODES (CVCNs): The public hearing was opened by the Mayor. She closed same after no one asked to speak.

Director of Planning and Housing Steve Osguthorpe provided the history of the proposed change. He advised that the proposed amendment would allow a reduction in parking, but not impose a maximum limit on parking. The market would, therefore, be free to provide more parking than the standards require while allowing relief to those retail businesses that need fewer parking spaces. It would also provide visual enhancement to parking areas of all sizes serving retail uses in the CVCN District.

Mr. Osguthorpe advised that the amendments would result in the following changes:

1. Amend Table 29.406(2) to reduce the parking requirement for all retail, shopping centers, and

grocery stores in the CVCN zone to 1/300 square feet

2. Increase the landscaping requirement for parking lots by .28 square feet by 1 square foot of retail or grocery store building area in the CVCN Zone
3. Specifically reference and include driveways and drive aisles accessing parking areas in the parking area landscaping requirements of Section 29.403(b)

Director Osguthorpe explained that the .28 square-foot landscaping increase was based on a one-for-one correlation between the amount of pavement that would be reduced under the proposed parking ratio of 1 space/300 square feet as opposed to the current 1 space/200 square feet for retail sales and services. Currently, grocery stores have a parking requirement of 1 space/150 square feet. To avoid confusion, Mr. Osguthorpe said that staff is now recommending language that contains the word “minimum” pertaining to parking standards.

Moved by Popken, seconded by Rice, to pass on first reading an ordinance making a zoning text amendment regarding parking and landscaping in Convenience Commercial Nodes.
Roll Call Vote: 6-0. Motion declared carried unanimously.

ORDINANCE ESTABLISHING PARKING REGULATIONS FOR TIVERTON COURT AND STANGE ROAD: Moved by Mahayni, seconded by Goodman, to pass on third reading and adopt ORDINANCE NO. 3964 establishing parking regulations for Tiverton Court and Stange Road.
Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

ORDINANCE REZONING PROPERTY LOCATED AT 4401 WESTBROOK DRIVE: Moved by Goodman, seconded by Mahayni, to pass on third reading and adopt ORDINANCE NO. 3965 rezoning property located at 4401 Westbrook Drive from Planned Residence Development (F-PRD) to Residential Low Density (RL).
Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

COMMENTS: Council Member Goodman said that he thought the City Council was going to meet with the COTA in June 2008 to discuss a funding issue that came up during budget review. He asked staff to check the minutes to see what direction was given.

Moved by Goodman, seconded by Mahayni, to direct staff to develop a plan to assess the environmental issues at Ada Hayden Watershed with assistance from others, who may include environmental engineers familiar with Ada Hayden and how it is used by the City, DRCS, DNR, Story County Conservation, ISU faculty who are involved with the City’s Water Department in studying Ada Hayden, and anyone else whom the staff deems would be a good addition to be involved in this process.

Council Member Goodman clarified that the process may include the people listed above; he is not requiring them to be involved.

Council Member Mahayni asked if discussion on this topic would take place in a workshop setting. Council Member Goodman advised that his motion is directing staff to develop a plan to assess the situation and advise the City Council; he has no preference as to the meeting type.

Council Member Rice noted that studies of the Ada Hayden Watershed are currently being funded by the City. It was his understanding that a report was forthcoming from those studies. WPC Director Dunn advised that the City is funding an ongoing study with Dr. Simpkins from Iowa State University (ISU). That study is part of the larger aquifer modeling, but a portion of that focuses on Ada Hayden Park. Mr. Dunn also recalled that funds were set aside at budget time to have an assessment of the Park area performed in collaboration with three ISU professors; however, it has not moved forward due to budget issues.

City Manager Schainker suggested that experts be brought in to meet with the Council to review existing data and provide recommendations on the best actions to be taken, e.g., policies that could be enacted to protect the Ada Hayden Watershed. Council Member Goodman clarified that he is not looking for a study to find new data; current data would be assessed.

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

Moved by Larson, seconded by Mahayni, to refer to staff the letter from Chuck Winkleblack regarding clarification of the CVCN ordinance pertaining to car washes, specifically at Stange and Bloomington Road.

Council Member Larson explained that staff has interpreted the Code to state that a stand-alone car wash cannot be constructed in the CVCN District. He recalled the discussion when the Council approved adding car washes as allowed uses in the CVCN District, but did not believe that there was ever any intent to require that the car wash be part of a convenience store. Mr. Larson pointed out that all drawings shown to the City Council for the development at Stange and Bloomington have shown a car wash as a separate structure. However, to allow that to occur, the City Council would have to approve a Zoning Ordinance text amendment. It was clarified by Mr. Larson that, at this point, he is asking that the item be referred to staff for a report back to Council.

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

Moved by Mahayni, seconded by Popken, to refer to staff the letter from Anne Clark pertaining to fertilizer, herbicide, and pesticide run-off, requesting a report on how other cities deal with the run-off and a recommendation on how Ames should deal with it.

City Manager Schainker said that some of the issues that are brought to the attention of the City Council by the public are philosophical, and it is up to the Council to decide if there is a problem, and if so, how to correct it. If the issue is determined to be a problem, staff would then provide information to the Council on ways to resolve it.

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

Moved by Popken, seconded by Goodman, to direct staff to reply to Kristine Zunkle explaining the rationale behind the Code requirements regarding garage sales.

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

Moved by Popken, seconded by Doll, to direct the City Attorney to draft an ordinance change to allow for food orders to be placed and paid for at sidewalk cafés.

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

ADJOURNMENT: Moved by Doll, seconded by Goodman, to adjourn the meeting at 9:22 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor