

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

NOVEMBER 18, 2008

The Ames City Council met in special session at 7:00 p.m. on the 18th day of November, 2008, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding and the following Council members present: Doll, Goodman, Popken, Larson, and Rice. *Ex officio* member Tracy was also present.

WORKSHOP ON PROPOSED CHANGES TO RENTAL HOUSING CODE: Mayor Ann Campbell recognized the Rental Housing Advisory Committee, whose work has involved over 20 meetings, and public input sessions. The Committee's work ultimately resulted in the report that is now being presented to the City Council.

Assistant City Manager Bob Kindred explained the Committee's work, and spoke of the Public Input Session held on November 12, 2008. He explained it has been 31 years since the rental housing Code was examined in depth, and summarized the efforts made this year to move toward clarifying parts of the Rental Housing Code.

The Committee members introduced themselves.

Gary Denner, Large Property Owner/Manager

Gary Hunziker, Large Property Owner/Manager

Melissa Sommerfield, ISU student

De Betts, Long-term, non-student Tenant

Sharon Guber, Neighborhood Resident

Jeff Drury, Medium/Small Property Owner/Landlord

Alex Galyon, Medium/Small Property Owner/Landlord

Bert Schroeder, Neighborhood Resident

Al Warren, Medium/Small Property Owner/Landlord

Pat Brown, Neighborhood Resident, was not able to attend.

Fire Chief Clint Petersen complimented the group, and said the Committee started with 26 items that were considered ambiguities. After the public input sessions were held, 10 more were added. In the end, 84 formal votes were taken, and 78 recommendations are being made to the City Council. Mr. Petersen said 71 of the votes were unanimous. Mr. Petersen summarized the report, highlighting top issues that came forward.

Council Member Goodman asked if anything had been changed since the Public Input Session on November 12. Mr. Petersen said there were several clarifications suggested that may become integrated and part of the final report. Mr. Denner said he hoped the Committee meets again following last week's public input session and this workshop. Council Member Larson said he thought Mr. Denner's suggestion would be wise in order to get the best final report possible.

City Manager Steve Schainker said it is important to get input at this stage to see where there is consensus, and where there is objection. Mr. Schainker said he hoped Council could then give a recommendation on how staff should move forward, so that Code language changes can begin.

Council Member Larson said there are some instances that remain unclear, such as alternative 30, Protective Treatment - Paint. Mr. Schroeder explained that the language of that section is from the International Property Code, and agreed it is difficult to interpret. He stated the importance of the Committee's notation on that section regarding noting and citing. He said the Committee voted unanimously to suggest that only the worst cases would be cited, and others would be noted. This would give property managers and landlords more time to comply with the Code. Mr. Petersen gave picture examples of peeling and chipping paint, explaining that peeling paint alone is not an issue, but when the paint no longer provides structural protection it becomes an issue.

There was discussion regarding the Committee's recommendation that several of the property maintenance alternatives can and should be applied to all residential housing.

Ada Mae Lewis, 122 N. Russell Avenue, Ames, spoke in support of alternative 26, Sidewalks and Driveways. She agrees that all residential properties should be required to keep sidewalks "in a proper state of repair, and maintained free from hazardous conditions."

Jim Gunning, 119 Hickory Drive, Ames, said he is concerned that these alternatives are representing much more than a minimum standard, and could be very costly. He also wondered how the Committee recommends the alternatives should be combined with the existing Code.

Keith Denner, 5801 Vista Drive, West Des Moines, said he is concerned landlords are not aware when there is a change. He suggested making new requirements retroactive, and said he believes the appeals board would be very effective.

Lad Grove, 30080 US Highway 69, Huxley, said there should be no charge for the appeals board, and not every appeal should be lengthy. He said rental property owners have seen a drop in income and increase of expenses. He said he does not agree that all driveway approaches should be paved.

Matt Randall, 420 S. 17th Street, Ames, said he feels that student housing is being targeted. He asked if these alternatives are adopted to pertain to all residential housing if owner-occupied homes would be periodically inspected as rental housing is inspected. Mr. Randall said he does not support the idea of grants for property owners to convert rental housing to owner-occupied housing.

Jay Avellino, 115 Manning Avenue, Ames, said he appreciates the report, and the clarifying of many issues. He said if the alternatives are implemented, it may not be affordable for landlords to make the changes. He asked that the Council consider adopting it, but not enforcing it until 2010 because of the economy.

Debbie Lee, 214 South Maple, Ames, spoke regarding the process taking place to clarify Code language. She suggested to the group that the Committee had probably hashed out these same concerns in length during their meetings, and that the report should be received for what it is. She agreed that some alternatives should be required of all residences if they are for safety or structural integrity. She said in 22 years the rental housing in her neighborhood has not been maintained well, so she doesn't believe the economy is a reason to delay adopting an improved Code.

There was discussion on how the requirements would be enforced for owner-occupied housing.

Council Member Doll asked what the next step would be in this process, now that the report has been received.

Mr. Schainker said if the report is accepted in its entirety, dialogues would need to take place with the broader public regarding the issue of an exterior maintenance code for owner-occupied properties. He suggested beginning the drafting of Code language for the rental housing-specific items while educating the public concerning the property maintenance alternatives the Committee believes can and should be applied to all residential housing. Then, all changes could be adopted together.

There was more discussion on how to move forward with the suggestions of the Rental Housing Advisory Committee.

Moved by Popken, seconded by Goodman, to proceed with rental housing changes and a residential property maintenance ordinance simultaneously by modifying Chapter 13 and adding an additional chapter to the Municipal Code dealing with residential property maintenance, with the caveat that public input will be received regarding the items concerning all residential properties; then all issues be put together for final approval. Vote: 5-0. Motion declared carried unanimously.

COMMENTS: Moved by Rice, seconded by Popken, to refer to staff a letter regarding water leakage. Vote: 5-0. Motion declared carried unanimously.

Moved by Larson, seconded by Rice, to refer to staff a request for waiver of major plat requirements.

Vote: 5-0. Motion declared carried unanimously.

Doll wanted to appreciate the support of the Story County Board of Supervisors regarding Richmond Center.

ADJOURNMENT: Moved by Doll, seconded by Popken, to adjourn the meeting at 9:38 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

Erin Thompson, Recording Secretary