

**MINUTES OF THE AMES AREA METROPOLITAN PLANNING  
ORGANIZATION TRANSPORTATION POLICY COMMITTEE MEETING**

**AMES, IOWA**

**MAY 26, 2009**

The Ames Area Metropolitan Planning Organization Transportation Policy Committee met at 7:00 p.m. on the 26<sup>th</sup> day of May, 2009, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with the following members present: Campbell, Doll, Goodman, Larson, Mahayni, Popken, and Rice.

**PUBLIC HEARING ON PROPOSED FY 2010-2013 TRANSPORTATION IMPROVEMENT PLAN (TIP):** Public Works Director John Joiner described the public input meeting in April and said there were no requests for changes at that time. He told the Council members the final Plan is very similar to the draft they have seen, except for the addition of a project on North Dakota Avenue with no funding ties. This project will be submitted for federal funding consideration in October.

The Mayor opened the public hearing. No one asked to speak, and Mayor Campbell closed the hearing.

Moved by Mahayni, seconded by Goodman, to approve the FY 2010-2013 Transportation Improvement Plan.

Vote on Motion: 7-0. Motion declared approved unanimously.

**PUBLIC HEARING ON PROPOSED 2010 TRANSPORTATION PLANNING WORK PROGRAM (TPWP):** Mr. Joiner said this final Work Program is the same as the draft presented to Council in April.

The Mayor opened the public hearing. No one asked to speak, and Mayor Campbell closed the hearing.

Moved by Goodman, seconded by Rice, to approve the 2010 Transportation Planning Work Program.

Vote on Motion: 7-0. Motion declared carried unanimously.

Moved by Goodman, seconded by Rice to adjourn at 7:02 p.m.

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

The regular meeting of the Ames City Council was called to order at 7:03 p.m. on May 26, 2009, 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, Larson, Mahayni, Popken, and Rice. *Ex officio* Member Keppy was also present.

**PRESENTATION OF AMES MAIN STREET AWARD PLAQUE:** Mayor Ann Campbell asked all representatives from the Main Street group to come forward. Tim Coble, Janice Coble, Jayne McGuire, Terry Stark, and John Doyle represented Main Street. Mr. Coble described the recognition Main Street is receiving because of the application and award by the Main Street Iowa Program. A plaque was presented to the City Council, along with pins for Council members. The group thanked the Council members and staff for their work and support.

**CONSENT AGENDA:**

Moved by Doll, seconded by Larson, to approve the following items on the consent agenda:

1. Motion approving payment of claims
  2. Motion approving minutes of Regular Meeting of May 12, 2009, and Special Meetings of May 16, 2009, and May 19, 2009
  3. Motion setting Special City Council Workshop for June 2, 2009
  4. Motion approving Contract Change Orders for May 1-15, 2009
  5. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
    - a. Class B Beer - Pizza Hut #4303, 436 South Duff Avenue
    - b. Class C Liquor - Dangerous Curves #2, 122 Welch Avenue
    - c. Class C Liquor - Old Chicago, 1610 South Kellogg Avenue
    - d. Class B Liquor, Catering, Outdoor Service - Gateway Hotel & Conference Center, 2100 Green Hills Drive
  6. RESOLUTION NO. 09-211 approving addition of Temporary Manager position to the City's Pay Plan
  7. RESOLUTION NO. 09-212 approving Amendment to 2008/09 ASSET Contract with American Red Cross
  8. RESOLUTION NO. 09-213 approving contract renewal with QualityOne Commercial Cleaning for Custodial Services for City Hall and Community Center
  9. RESOLUTION NO. 09-214 awarding contract to Waste Management of Ames for Hauling and Related Services from Resource Recovery Plant to Boone County Landfill
  10. RESOLUTION NO. 09-215 approving IDOT Funding Agreement for Federal Stimulus Program project – Rehabilitation of George Washington Carver Avenue from Stange Road to Bloomington Road
  11. RESOLUTION NO. 09-216 approving contract and bond for 2006/07 Storm Sewer Outlet Erosion Control (Top-O-Hollow Road)
  12. RESOLUTION NO. 09-217 accepting completion of contract with Interstate Roofing & WTP, Inc., for Power Plant Roof Replacement Project
  13. RESOLUTION NO. 09-218 accepting completion of contract with Ahern Fire Protection for Power Plant Coal Handling Sprinkler System Project
  14. RESOLUTION NO. 09-219 accepting completion of Water Treatment Plant Clarifier Painting Project
- Roll Call Vote: 6-0. Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

**PUBLIC FORUM:** Richard Deyo, 505-8<sup>th</sup> Street, spoke regarding the 22<sup>nd</sup> amendment. He believes the law has no merit, and is restrictive.

**5-DAY LIQUOR LICENSE FOR GATEWAY HOTEL AND CONFERENCE CENTER:**

Moved by Mahayni, seconded by Doll, to approve a 5-day Class C Liquor License for Gateway Hotel and Conference Center at ISU Alumni Center, 420 Beach Avenue.

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

**CLASS C BEER PERMIT FOR WALGREENS #2637:** Moved by Larson, seconded by Popken, to approve a new Class C Beer Permit for Walgreens #2637, 2501 Grand Avenue.

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

**WAIVING ENFORCEMENT OF ORDINANCE 19.9 ON SEPTEMBER 13, 2009:** Moved by Mahayni, seconded by Popken, to adopt RESOLUTION NO. 09-220 waiving enforcement of Ordinance 19.9 on September 13, 2009, to allow Moose Lodge members to provide cart rides for mobility-impaired individuals around Ada Hayden Heritage Park.

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

**OLDE MAIN BREWING COMPANY SUMMER CONCERT SERIES:** Moved by Rice, seconded by Mahayni, to approve addition of Outdoor Service Privilege to Class C liquor license on June 20, July 18, August 8, and September 4, 2009, from 7:00 p.m. to Midnight.

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

Moved by Doll, seconded by Goodman, to adopt RESOLUTION NO. 09-221 approving closure of CBD lot Y north of east-bound drive lane between Kellogg Avenue and Tom Evans Plaza, pending receipt of certificate of liability insurance naming City of Ames as additional insured.

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

**13<sup>TH</sup> STREET AND GRAND AVENUE PROPERTY ACQUISITION:** Council Member Mahayni discussed his preference to attain the three properties as discussed at the May 12, 2009 Council meeting. He said he does not believe the issue is being resolved by installing the new traffic lights and that it is only a matter of time until the situation must be reassessed and the properties attained.

City Manager Steve Schinker reminded the Council that staff approached all four property owners regarding the portions of land needed by the City for installing the new traffic signal. He said at that time, three property owners asked that the City consider purchasing their total properties. Mr. Schinker said that motion to purchase these three properties failed on May 12, 2009. On that date there was also a motion to purchase the one property that is currently for sale, and that motion also failed. He said at the City Council goal-setting session on May 16, 2009 there was a motion to reconsider proceeding to purchase and demolish one property located at 629/631 - 13<sup>th</sup> Street. Mr. Schinker said this motion is not to acquire the property, but to proceed to purchase, which would mean the City would have the property appraised, a funding source would need to be decided, and other steps would need to be taken.

Council Member Goodman said he believes there should be a broader philosophy to guide this

type of decision. He said he feels this is haphazard. Mr. Mahayni said the property would be acquired for a specific public purpose, to improve the level of service, which is the philosophy behind the issue. He said the philosophy is there, but the Council is being very selective on how it votes regarding the issue. Mr. Mahayni said the problem is being improved, but not solved, and that the Council should face it now, or it will be faced later.

Council Member Popken said the level of service is an imperfect measure, taking into account only an engineer's calculation. Mr. Goodman said he is concerned that the project is no longer part of the Capital Improvements Plan and would like a larger overall goal if this is what is going to happen. Mr. Mahayni said the level of service reflects more than just an engineering standard. He said it also reflects environmental standards and economic standards, among others. He said to have cars sitting at an intersection for more than two to three minutes at a time is money being wasted.

Council Member Larson said he agrees with Mahayni that it is inevitable that something will need to happen. He said right now the northeast corner is available at a reasonable price, and is in poor condition. Mr. Larson said there is the chance someone might buy it and spend \$50,000 or more to improve it, and then when the City does need that property, the price would be much more. Mr. Popken said he does not support buying the property with Community Development Block Grant (CDBG) funds. He said CDBG funds should be used for other causes than acquiring property for street or intersection improvements. Discussion ensued on the previous votes of the Council members regarding this subject.

Kim Burnett, 703 12<sup>th</sup> Street, Ames, asked some questions of the Council regarding the motion to reconsider purchase of the property.

Brian Vandewater, 1217 Grand Avenue, Ames, said two years ago homeowners were against improving the intersection, but asked that the City revisit the Duff Avenue railroad crossing and intersection. He said residents would believe City government works for the people if it would spend this much time considering improving the Duff Avenue intersection. He said to purchase this property with CDBG funds with no plan in place is fiscally irresponsible of government. He asked the Council to give the traffic signal a five-year evaluation as Public Works recommends, to evaluate its effectiveness.

Kevin Bourke, 3427 Polaris, Ames, said he is the owner of 629/631 Grand Avenue. Mr. Bourke said he believes the intersection improvements are inevitable and is willing to work with the City on the purchase price of the property. He said he feels the level of service would be improved, as well as safety. He told the Council that one lease is expiring at the end of next month, and the other tenants are renting month-to-month, and need one month's notice that he will not renew the lease.

Rob White, 1212 Grand Avenue, Ames, said the public keeps hearing that an expansion of the intersection is inevitable because of safety or increase in traffic. He suggested the intersection is no more dangerous than any other major intersection in town. Mr. White said he is not sure where the explosion of traffic that is frequently discussed will come from in the future. He said

the aquatic center will not create that much more traffic since half the population of Ames leaves before it opens and comes back after it closes. He said he believes Lincoln Way and Duff Avenue to be the problem intersection.

Ex officio Member Keppy said he agrees with Larson and Mahayni. He said the problem is recognized by all Council members, and suggested addressing the problem now, and creating a policy for future circumstances as well.

Mr. Popken said the new traffic lights will not meet Level C service but a significant improvement will be made.

Council Member Doll agreed that the service level will still be failing, and that steps need to be taken now toward improving service.

Moved by Mahayni, seconded by Larson, to reconsider proceeding to purchase and demolish one property located at 629/631 - 13<sup>th</sup> Street.

Vote on Motion: 4- 2. Voting aye: Doll, Larson, Mahayni, Rice. Voting nay: Goodman, Popken. Motion declared carried.

Mr. Schainker clarified the next steps that will take place. He said an appraisal of the property must be done and a funding source must be determined.

**CURB AND INTAKE REPAIR OF TWO PORTIONS OF U.S. HIGHWAY 69:** Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 09-222 approving the IDOT Agreement.

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

Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 09-223 approving funding allocation for local costs.

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

**BRIDGE REPAIRS AT SQUAW CREEK SHARED-USE PATH:** Public Works Director John Joiner said this is the path connecting the areas between Iowa Department of Transportation and Iowa State University College of Veterinary Medicine. Mr. Schainker said the challenge for the Council exists because this bridge is an important component to the shared-use path plan, but when the Grand Avenue Extension project takes place, the bridge will no longer be needed.

Council Member Goodman asked about the status of the Grand Avenue Extension project. Mr. Joiner said staff made a request to the congressional delegation to have this project included as an appropriation for FY 2010.

Cedric Collins, 511 10<sup>th</sup> Street, Ames, said he would currently be using the bridge in his commute to work at Ag Leader Technology. He has used the bridge in the past, and encouraged

the Council to repair it.

Moved by Popken, seconded by Larson, to adopt RESOLUTION NO. 09-224, directing staff to obtain engineering services related to bridge repairs at Squaw Creek Shared-Use Path.

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

**NORTHWOOD HEIGHTS SUBDIVISION, 4<sup>TH</sup> ADDITION:** By request of the Developer, this item was removed from the agenda.

**GRAND ASPEN SUBDIVISION, 3<sup>RD</sup> ADDITION:** City Manager Steve Schainker said in December 2003 the Council approved a preliminary plat creating three outlots in the Grand Aspen Subdivision. Mr. Schainker discussed the expectations of the Developer as outlined in the current Developer Agreement if/when any portion of those three outlots were further subdivided. He explained that after reviewing the agreement in preparation for the replatting of Outlot A into two lots, staff is advising, and the Developer agrees, a revised Developer Agreement is needed for two reasons.

The Developer Agreement requires the Developer to grant to the City at no cost the land that is necessary for the Grand Avenue Extension within Outlot A. Mr. Schainker said the current strategy for funding the Grand Avenue Extension calls for a substantial infusion of federal funding. He said that if federal funding is received, one requirement is the City must pay property owners a fair market value for their land based on a current appraisal. He explained that if they secured that right of way free of charge from the Developer as required in the current agreement, it may negate the opportunity to receive federal funding for the project.

Mr. Schainker told the Council that when Developers have obligations to widen or improve streets, the City traditionally pays for extra thickness of the pavement. In this case, the Agreement requires the City to reimburse the Developer for the extra thickness of pavement associated with the widening of South 16<sup>th</sup> Street and the extension of Grand Avenue. Mr. Schainker said there has been a recent change in state law that prohibits the City from paying for a portion of a project financed by a private entity.

Mr. Schainker said that in order for Outlot A to be replatted into two lots, the responsibilities of the Developer and the City have been revised to meet state law requirements, and enable the City to receive federal funding for the Grand Avenue Extension project. Mr. Schainker described the new requirements of the Developer in the proposed Developer Agreement:

- A. Install a bike path along South 16<sup>th</sup> Street adjacent to Outlot B and Lot 1 of the Grand Aspen 3<sup>rd</sup> Addition and Lot 1 of the Grand Aspen Subdivision prior to final plat approval;
- B. Install a bike path adjacent to Greenbriar Park within one year of the completion of the park renovation;

- C. Construct a street lane along South 16<sup>th</sup> Street adjacent to Lot 1 of Grand Aspen 3<sup>rd</sup> Addition prior to final plat approval;
- D. Construct a street lane along South 16<sup>th</sup> Street that completes the connection to the previously completed improvements at the time the City Council approves funding for the Grand Avenue Extension project or either Outlot B of the Grand Aspen 3<sup>rd</sup> Addition or Outlot B of Aspen Ridge Subdivision is subdivided;
- E. Pave the existing railroad right-of-way trail 2,525 feet from South 16<sup>th</sup> to the intersection of the future Grand Avenue right-of-way at the time the City Council approves funding for the Grand Avenue Extension project (or, if the developer so requests, the City will complete the work with reimbursement from the developer);
- F. Reimburse the City for constructing a bike path along Grand Avenue Extension from its intersection with the former railroad right-of-way to its intersection with South 16<sup>th</sup> Street.

Mr. Schainker described that a letter of credit would be needed on the items not completed before the final plat, which includes the widening of the road, and the bike path adjacent to Greenbriar Park.

Matt Randall, 420 S. 17<sup>th</sup> Street, Ames, spoke about the Grand Avenue Extension project based on federal funding. His concern is that the money may not come for the extension of Grand Avenue, and the City would not want to make the investment. He said after the Grand Avenue Extension is finished, they are responsible for installing the bike path, which is not a problem. Mr. Randall said his concern is regarding the letter of credit which must be provided. He said if the extension does not happen for an extended period of time, he doesn't feel that the obligation should continue. Mr. Randall also said they prefer to wait to install the portion of bike path adjacent to Greenbriar Park until the Grand Avenue Extension project is initiated by the Council. Mr. Randall asked the Council to pass Alternative No. 2, approving the Developer Agreement with modified language regarding the termination of the security and the timing of the bike path construction adjacent to Greenbriar Park.

Mayor Campbell asked if there are any examples of waiving a letter of credit. City Attorney Doug Marek said the City uniformly requires letters of credit, or bond, or cash in escrow for projects, and normally there is a fixed time frame. Mr. Marek could not think of a case where the security requirement has been waived. Mr. Randall said that because the project is federally funded, and there is a possibility it may not happen for an extended period of time, his concern is maintaining that letter of credit in perpetuity. Council Member Larson said he didn't believe the Developer's request was unreasonable. Mr. Marek said it is a code requirement as a condition of approval of subdivision, so it would be an exception to a code requirement to not have one.

Council Member Popken said he would like to see the bike path moving forward, and doesn't see a particular tie to the extension. Council Member Rice said he is impressed the parties have reached agreement on the majority of the issues. He said he didn't believe the Developer's request to approach the City after five years regarding the letter of credit was unreasonable.

Moved by Rice, seconded by Mahayni, to adopt RESOLUTION NO. 09-225, approving Developer Agreement as recommended by City staff.

Discussion ensued regarding the Developer's request.

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

Planning and Housing Director Steve Osguthorpe said this preliminary plat is a replat of Outlot A of the Grand Aspen 2<sup>nd</sup> Addition Subdivision. He said this lot will become two lots, Lot 1 and Outlot B. The plat includes standard frontage improvements including street trees and a shared-use path along the frontage. Mr. Osguthorpe said there are negative easements along the plat, and discussed the access points. He said the Developer intends to develop only Lot 1, and the intent for Outlot B is farming. He said the Developer's request to revise the original plat provides the opportunity to renegotiate the Developer Agreement. He told the Council street lights are required in new subdivisions, and said the street lights on the south side of the street would need to be upgraded if lights are not placed on the north side of the street. Mr. Osguthorpe said the Council may require all public improvements described on the approved preliminary plat be installed and dedicated prior to approval of the final plat, or Council shall require the applicant to execute a Developer Agreement for improvements and provide security in the form of an improvement guarantee as set forth in the code.

Mr. Osguthorpe said staff has concluded that the proposed preliminary plat is consistent with the Land Use Policy Plan provided that the conditions outlined in the Developer Agreement are approved. Mr. Osguthorpe told the Council that the Planning and Zoning Commission voted unanimously to recommend that the City Council approve the Preliminary Plat for Grand Aspen Subdivision 3<sup>rd</sup> Addition subject to the granting of the street light waiver, approval and execution of the development agreement, and the following conditions:

- A. Civil drawings of all public improvements shall be submitted to the Public Works Department for review and approval prior to installation and prior to final plat approval.
- B. The final plat shall label the identified bike path along South 16<sup>th</sup> Street as a "shared use path".
- C. A notation to label the boundary of the "Floodway" shall be added to the final plat.
- D. The statement on the preliminary plat that "Outlot B's uses will be in conformance with the RH zoning" shall not be shown on the final plat.
- E. A perpetual negative easement shall be shown on the face of the final plat of subdivision, with respect to the south line of the site such that there shall be no access to South 16<sup>th</sup> Street from the site except for one 30-foot intersecting driveway, located directly across from and aligned with Fountain View Drive, to serve as access to Lot 1, and also that there shall be no access along the easterly and westerly sides of Grand Avenue, except for a driveway thirty feet (30')

wide from the easterly and westerly sides 419.99 feet north of the south line of the Site.

Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 09-226, approving waiver of Subdivision Ordinance street light requirement subject to Developer signing the Developer Agreement as recommended by City staff.

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

Council Member Goodman asked about the street light requirement. Mr. Schainker said it should be clarified why sometimes it has been applied off-site, and sometimes it has not. He said a better policy needs to be in place on the broader issue.

Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 09-227, approving Preliminary Plat subject to Developer signing the Developer Agreement as recommended by City staff.

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

**WAIVER OF SUBDIVISION REGULATIONS AT 55497 - 265<sup>TH</sup> STREET:** Planning and Housing Director Steve Osguthorpe said this lot is located less than a mile south of Ames, and updated the Council on the applicant's original request that the City Council waive the City's subdivision public improvement requirements. Mr. Osguthorpe said that the applicant, David Norris, 1616 Grand Avenue, Ames, would like to withdraw his request for the subdivision waivers. Mr. Norris said he now concurs with the City Manager's recommendation to deny the request, and said it would be better to make the request after the procedure for amending the Ames Urban Fringe Plan has been worked out with the other parties. He said to avoid complicating the matter further, he would like to invite the Council to waive the City's requirement for subdivision approval for this and other developments for a specified period of time.

Because of the withdrawal by the applicant, no action was taken on this item.

**DOWNTOWN FACADE GRANT FOR 410 FIFTH STREET:** Planner Jeff Benson stated that Triplett Real Estate has applied for a facade grant for half the cost of improvements plus \$1,000 toward professional fees. Mr. Benson said the main features of the improvement include replacement windows, stone on the corners of the building to make it more noticeable, and rebuilding the existing metal sign. He said the building will also be made handicap accessible in a way that does not alter the facade. Mr. Benson said he has found the building meets the guidelines and recommends approval of a facade grant up to \$14,500. Mr. Benson noted that City staff recommends that funds will not be used for sign improvements. Council Member Popken asked about the stone corners. Mr. Benson said they are not required, but something the owners would like to add. Council Member Larson asked how the grant is capped at \$14,500. Mr. Benson said the City is not allowed to contribute more than what the Council approves by resolution.

Moved by Goodman, seconded by Larson, to adopt RESOLUTION NO. 09-229, approving \$14,500 Downtown Facade Grant for 410 Fifth Street.

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

**ADA HAYDEN HERITAGE PARK WATER QUALITY MONITORING:** Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 09-230, approving two-year contract for Ada Hayden Heritage Park Water Quality Monitoring to Dr. John Downing of Iowa State University in the amount of \$25,519 per year.

Water & Pollution Control Director John Dunn told the Council there is a base level of monitoring that was bid on by multiple entities. Mr. Dunn said Mr. Downing bid on that, and also gave the City some additional options that he recommended. Mr. Dunn said staff agreed with him, and the work was still in the scope of the budget. He said the lake is being monitored ten times per year.

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

**ELECTRIC SERVICES BOILER MAINTENANCE AND REPAIR:** Moved by Doll, seconded by Popken, to adopt RESOLUTION NO. 09-231, approving renewal of contract from July 1, 2009, through June 30, 2010, with Plibrico Company, LLC, of Omaha, Nebraska, in an amount not to exceed \$1,370,000.

Council Member Larson asked if the labor rates were tied to labor contracts. Assistant City Manager Sheila Lundt said yes, the labor rates are tied to contracts.

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

**FINAL AMENDMENTS TO FISCAL YEAR 2008-09 BUDGET:** Finance Director Duane Pitcher said the budget is generally amended three times per year, and this is the final amendment to the budget. Mr. Pitcher said State Code mandates budget amounts cannot be exceeded in the state program areas. Mr. Pitcher reviewed the budget amendments. He told the Council the change in revenue expense is just over two percent. Mayor Campbell opened the public hearing. There being no one wishing to speak, the hearing was closed.

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 09-232, approving Final Amendments to Fiscal Year 2008/09 Budget.

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

**INTERSTATE POWER AND LIGHT COMPANY FRANCHISE:** According to a note from City staff, negotiations are continuing so that the hearing should continue. Mayor Campbell opened the public hearing. There being no one wishing to speak, the hearing was closed.

Moved by Mahayni, seconded by Rice, to continue this hearing to June 9, 2009.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**SOUTH DUFF AREA STORM SEWER:** Mayor Campbell opened the public hearing. There being no one wishing to speak, the hearing was closed.

Moved by Mahayni, seconded by Doll, to adopt RESOLUTION NO. 09-233, approving final plans and specifications and awarding contract to Keller Excavating, Inc., of Boone, Iowa, in the amount of \$1,077,472.

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

**SECOND PASSAGE OF ORDINANCE CHANGING ALL REFERENCES TO “ELWOOD DRIVE” TO READ “UNIVERSITY BOULEVARD”:** Moved by Larson, seconded by Popken, to pass on second reading an ordinance, approving the change of all references to “Elwood Drive” to read “University Boulevard”.

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

**THIRD PASSAGE AND ADOPTION OF ORDINANCE NO. 3991 ASSIGNING WARDS AND PRECINCTS TO ANNEXED AREAS AND CORRECTING BOUNDARY DESCRIPTIONS:** Moved by Goodman, seconded by Doll, to adopt ORDINANCE NO. 3991, assigning Wards and Precincts to annexed areas and correcting boundary descriptions.

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

**COMMENTS:** Council Member Larson commented on areas where arterial streets are needed before the development or subdivision happens, or in anticipation of the development. He also discussed not having a firm policy on street lights. Mr. Larson said he has concerns regarding the length of time that it takes in some development projects to complete additional lanes on busy streets such as Stange Road or South 16<sup>th</sup> Street.

Moved by Larson, seconded by Goodman, that staff prepare a report to Council on development and heavily trafficked arterial street areas in written form and present it at a City Council meeting or workshop. Mr. Larson said more specifically that he would like the Council to discuss and clarify the current process for land that has been targeted for development. He said in the same way developers do not want to be held hostage by the City for long periods of time, it is unclear how long land that is targeted for development should sit undeveloped without requiring that streets be completed. Mr. Schainker said that a developer does not have to pay until they develop the adjacent piece of property. Mr. Larson said he agrees with that method if the timing of the development proceeds in a reasonable fashion. He said he is interested in staff's perspective and a discussion among Council members.

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

Council Member Dan Rice thanked the Planning and Housing Department staff for the updates to the Land Use Policy Plan.

**ADJOURNMENT:** Moved by Doll, seconded by Rice, to adjourn the meeting at 9:14 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor

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Erin Thompson, Recording Secretary