

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

AMES, IOWA

MARCH 23, 2010

SPECIAL MEETING OF THE AMES CITY COUNCIL

The Special Meeting of the Ames City Council was called to order at 5:30 p.m. on March 23, 2010, 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: Davis, Goodman, Mahayni, Orazem, and Wacha. Council Member Larson and *ex officio* Member Keppy were absent.

STAFF REPORT ON WATER AND SEWER RATES: Water and Pollution Control Director John Dunn gave a presentation on the need for increases in water and sewer rates in order to provide the revenue necessary to support the planned operating and capital budgets. Both utilities are facing significant expenses in the coming years. The proposed projects are to address the need to provide increased water and wastewater capacity, the need to respond to new and anticipated regulatory requirements, and the need to reinvest in the infrastructure of the two utilities.

National trends in water and sewer rates were reviewed by Director Dunn. Comparisons were given for cities in Iowa with populations over 10,000. Mr. Dunn stated that Ames' average water rate increase from 2003 - 2009 was 11.7% while the state-wide median increase during that time period was 31.7%. Ames' sewer rate median increase from 2003 - 2009 was 19.1%; the state-wide median increase was 44.9%.

Previous City Council guidance given on rates was reviewed: (1) Maintain a 10% operating reserve (not counting capital expenses) and (2) Rate increases should be done with smaller percentage increases on a more frequent basis, as opposed to larger increases on a less frequent basis.

Mr. Dunn detailed specific revenue needs. Staff is proposing the following rate increases for water: FY 2010/11: 10%; FY 2011/12: 10%; FY 2012/13: 12%; and FY 2013/14: 12%. Proposed rate increases for the sewer utility are FY 2010/11: 9%; FY 2011/12: 9%; FY 2012/13: 10%; and FY 2013/14: 10%. Options to arrive at the needed revenue increases were outlined and a summary of the impacts of those options was given. Pros and cons of each option were listed by Mr. Dunn. Staff is recommending "across-the board" percent increases for both the water and sewer utilities.

Future rate comparisons were shown. On the drinking-water side, for 600 cf, the median bill in Ames in 2013 would be \$26.52/month, and the statewide median bill would be \$21.88/month. In 2013, the sewer utility bill would be \$23.91/month in Ames, and the statewide median bill would be \$26.67. Examples of total utility bills for customers in the median residential, moderate use residential, small commercial use, moderate commercial use, and large commercial use customers were given.

Mr. Dunn advised that it is anticipated that an ordinance increasing the water and sewer rates by 10% and 9%, respectively, would be presented to the City Council at its first meeting in April. Second and third readings and adoption would need to occur so that the increased rates

would be effective for usage on and after June 1, 2010 (for bills mailed on or after July 1, 2010).

Chuck Winkleblack, 105 S. 16th Street, Ames, stated that multi-family units that have one water meter pay higher water rates for the exact same type of building that has separate meters for each unit. It is his belief that having one meter for multi-family units saves the City money, both in reading the meter and billing. He requested that the rate be adjusted for multi-family units having one meter to the residential rate or at least be put “on the same playing field” as the same type of buildings with multiple meters.

Moved by Goodman, seconded by Mahayni, to direct the City Attorney to draft rate increase ordinances for the water and sewer utilities, as recommended by staff.

Vote on Motion: 5-0. Motion declared carried unanimously.

The meeting recessed at 6:50 p.m. and reconvened at 6:55 p.m.

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

The Ames Area Metropolitan Planning Organization Transportation Policy Committee met at 6:55 p.m. on the 23rd day of March, 2010, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with the following voting members present: Campbell, Davis, Goodman, Mahayni, Orazem, and Wacha. Also present was Mike Clayton, representing the Iowa Department of Transportation. Voting Members Anders, Clinton, Larson, and O’Brien were absent.

2011 DRAFT TRANSPORTATION PLANNING WORK PROGRAM (TPWP): Public Works

Director John Joiner stated that the Fiscal Year 2011 TPWP includes several elements to ensure an integrated transportation system. This year, it will be back to a more traditional program with usual transportation activities. Transit Director Sheri Kyras said that the transit planning projects are pretty much the same every year.

Council Member Wacha asked Ms. Kyras to explain how the special transit studies came about. Ms. Kyras said that the Transit Board completed a Transit Feasibility Study in 2007; seven different corridors in the Ames area were analyzed to see where new or additional services were needed. Out of that Study, one of the corridors that had a lot of growth was the Orange Route (from Iowa State Center to Campus), and it was recommended that a Bus Rapid Transit System be explored. There was enough ridership along that Orange Route to justify a more-enhanced transit service in that corridor. A grant was applied for and received from the Federal Transit Administration, and an Analysis Study for Bus Rapid Transit was performed. However, due to other priorities, the project has been put on hold. The Ames/Des Moines Corridor Study is also on hold, due to both transit agencies having higher priorities at this time..

Moved by Wacha, seconded by Davis, to approve the draft 2011 TPWP and set May 25, 2010, as the date of public hearing.

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

2011-2014 DRAFT TRANSPORTATION IMPROVEMENT PROGRAM (TIP): Director

Joiner said the Program shows one street project and one bike/shared-use path per year. It also includes annual support for the SUDAS program, the federal aid component of the Pavement Management System, and lays out the transit projects. The street project proposed for FY 2011 is on Ash from Mortensen Parkway to Knapp, and the trail project is the final piece of the Skunk River Trail (from Inis Grove Park to Bloomington Road). Stimulus funding will be used

to cover the portion from Hunziker Youth Sports Complex to the South River Valley Park.

On the Transit side, Ms. Kyras said this represents all the grants that will be requested for state and federal funding over the next four years. The projects are already listed in CyRide's operating or capital budget, but they also have to be included in the TIP.

Moved by Davis, seconded by Goodman, to approve the draft 2011-2014 TIP and set May 25, 2010, as the date of public hearing.

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

2011 DRAFT PASSENGER TRANSPORTATION DEVELOPMENT PLAN (PTDP): Sheri Kyras, Transit Director, described the PTDP as an annual document required of Metropolitan Planning Organizations by the federal government that must be submitted to the Iowa Department of Transportation. According to Ms. Kyras, this year's document is a little different due to a change in the process; the AAMPO is required only to update the Plan this year. Ms. Kyras said there are several areas that must be covered: documentation of the process in collaboration with the Human Service agencies and transportation, list of recent development that might affect CyRide's capability to pay for identified needs, and the recommendation projects.

Moved by Mahayni, seconded by Wacha, to approve the final 2011 PTDP Update for submission to Iowa Department of Transportation and Federal Transit Administration.

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

AAMPO ANNUAL SELF-CERTIFICATION: Director Joiner said that this document verifies that the AAMPO is following the planning regulations set by the federal government.

Moved by Goodman, seconded by Wacha, to approve the AAMPO Annual Self-Certification.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Goodman, seconded by Davis, to adjourn the AAMPO Transportation Policy Committee meeting at 7:04 p.m.

REGULAR MEETING OF THE AMES CITY COUNCIL

The regular meeting of the Ames City Council was called to order at 7:04 p.m. on March 23, 2010, 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: Davis, Goodman, Mahayni, Orazem, and Wacha. Council Member Larson and *ex officio* Member Keppy were absent.

PROCLAMATIONS: Mayor Campbell proclaimed March 25, 2010, as *Claim Ames!* Day as part of the 2010 Census promotion. Accepting the Proclamation was City of Ames Public Relations Officer Susan Gwiasda.

April 2010 was proclaimed as *Good Neighbor Emergency Assistance Month* by Mayor Campbell. Good Neighbor representatives Mike Fritz, Director; Kathy Hanson, President; and Tim Gossett, Immediate Past-President, accepted the Proclamation.

CONSENT AGENDA: Pulled from the Consent Agenda for separate discussion were Items No. 7 and 13, at the request of Council Member Orazem, and Item No. 8, at the request of Council Member Wacha.

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

1. Motion approving payment of claims
2. Motion approving minutes of the Regular Meeting of March 2, 2010, and Special Meeting of March 9, 2010
3. Motion approving Report of Contract Change Orders for February 16-28, 2010
4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class C Liquor - Café Northwest, 114 Des Moines Avenue
 - b. Class C Beer and B Wine - Kum & Go #200, 4510 Mortensen
 - c. Class C Liquor - Ge'Angelo's, 829 Wheeler Street, Suite 9
 - d. Class E Liquor, C Beer and B Wine - Wal-Mart Store #749, 3015 Grand Avenue
 - e. Class E Liquor, C Beer and B Wine - Campustown Liquor, 218 Welch Avenue Suite 3
 - f. Class C Beer and B Wine - Kum & Go #227, 2108 Isaac Newton Drive
5. RESOLUTION NO. 10-090 approving corrective amendment to *Municipal Code*, Appendix G - Fire Lane Designations
6. RESOLUTION NO. 10-091 approving appointment of Daniel Brown to Human Relations Commission – Investigative & Conciliation Officers
7. RESOLUTION NO. 10-092 approving 2010/11 Neighborhood Improvement Program grants
8. RESOLUTION NO. 10-093 approving Intergovernmental Agreement for Household Hazardous Materials Collection
9. RESOLUTION NO. 10-095 approving preliminary plans and specifications for 2009/10 CyRide Route Pavement Improvements (Knapp Street and Ash Avenue); setting April 21, 2010, as bid due date and April 27, 2010, as date of public hearing
10. RESOLUTION NO. 10-096 approving preliminary plans and specifications for Shared-Use Path System Expansion (Christopher Gartner Park to Ames Middle School); setting April 21, 2010, as bid due date and April 27, 2010, as date of public hearing
11. RESOLUTION NO. 10-097 approving preliminary plans and specifications for 2010/11 WPC Clarifier Painting Project; setting April 15, 2010, as bid due date and April 27, 2010, as date of public hearing
12. RESOLUTION NO. 10-098 approving contract and bond for 2009/10 Water System Improvements (Water Service Transfers)
13. RESOLUTION NO. 10-099 approving contract and bond for 2009/10 Water System Improvements (Duff Avenue Water Main Replacement)
14. RESOLUTION NO. 10-100 approving renewal of contract with RESCO of Ankeny, Iowa, for Electric Distribution Transformers from April 1, 2010, to March 31, 2011
15. RESOLUTION NO. 10-101 approving Change Order to Professional Legal Services Agreement with BrownWinick for 161-kV Tie Line
16. RESOLUTION NO. 10-102 approving Change Orders 1, 2, and 3 for Federal Stimulus Program Project: Lincoln Way (Hickory Drive to 475 feet east of Marshall Avenue)
17. RESOLUTION NO. 10-103 approving reduction in retention amount for 2009 Downtown Pavement Improvements (Kellogg Avenue)
18. RESOLUTION NO. 10-104 accepting completion of City Hall Doors Replacement Project
19. RESOLUTION NO. 10-105 accepting final completion of S. Dayton Avenue Improvements – Divisions I & II
20. RESOLUTION NO. 10-106 accepting final completion of Federal Stimulus Program Project: Skunk River Trail (South River Valley Park to Carr Pool)
21. RESOLUTION NO. 10-107 accepting final completion of Resource Recovery Plant Conveyor Belt Replacement
22. RESOLUTION NO. 10-108 accepting completion of 2008/09 Lime Sludge Disposal Operation

23. RESOLUTION NO. 10-109 approving Plat of Survey for property located at 520 Grand Avenue
24. RESOLUTION NO. 10-110 approving Major Final Plat for Somerset Subdivision, 24th Addition
Roll Call Vote: 5-0. Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

POWER PLANT PRECIPITATOR WIRE REPLACEMENT PROJECT: Council Member Orazem asked for details on why staff was now requesting that all bids be rejected. Electric Services Director Donald Kom explained that, as part of the City's Purchasing Policies, the contractor is required to provide a Performance Bond. The contractor, Environmental Maintenance Services (EMS) of Johnston City, Tennessee, requested three delays in providing that Bond, which were granted. The City gave EMS until February 10, 2010, to provide the Bond, which it has not done.

According to Mr. Kom, the second low proposal of \$99,344 is very close to the \$100,000 formal bid threshold. City Attorney Doug Marek explained that, per *Iowa Code*, any public improvement bid with an overall project cost of \$100,000 or more must be bid as a formal sealed bid. Any change order affecting the amount of the second low proposal could risk the overall project cost exceeding that threshold. Mr. Kom said that staff is not confident that this project could avoid any change orders, and as a result, is recommending that all bids be rejected so that a formal process of sealed bids may be undertaken.

City Attorney Marek further explained that a Performance and Payment Bond is required of any contractor who is awarded a contract above \$25,000. A Bid Bond is also required that guarantees that the contractor will accept the contract and be able to provide a Performance Bond. The Bid Bond must be at least 5% of the contract amount. For this project, the City offered the contract to EMS, but they declined it because they could not provide a Performance Bond. The City does have the authority to force them to forfeit their Bid Bond if the Council so directs. Mr. Marek said that the reason for the Bid Bond is so that time and resources are not spent evaluating the bid only to have it withdrawn.

Moved by Mahayni, seconded by Orazem, to reject bids for the Power Plant Precipitator Wire Replacement Project.

Vote on Motion: 5-0. Motion declared carried unanimously.

SUPPLEMENT NO. 2010-2 TO THE MUNICIPAL CODE: Council Member Wacha asked for an explanation of what was included in the Supplement. Attorney Marek explained that the City has chosen to update its *Municipal Code* quarterly. In the Supplement, all ordinances that have passed during that time are incorporated into the *Code*. The Supplement in question includes Ordinances 4020 through 4025.

Moved by Wacha, seconded by Davis, to adopt RESOLUTION NO. 10-089 adopting Supplement No. 2010-2 to the *Municipal Code*.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

INTERMODAL FACILITY CONCEPTUAL DESIGN CONCEPT: Noting that federal funding received for the transit hub was \$8.4 million instead of the requested \$39 million, Council Member Orazem asked for assurance that parking would be included in the concept. Transit Director Kyras said the concept is vague because the process is just beginning; the first step is to hire an architect. After that, meetings involving, Iowa State University, the City, and

CyRide will occur in an attempt to determine how to go from a \$39 million project to one costing \$8.4 million. Ms. Kyras noted that the discussions to date have indicated that parking is the No. 1 priority. She pointed out that this is a Transit project, and as such, must include some transit component. According to Ms. Kyras, it is hoped that there will be a second phase with a financing package that will allow the larger facility to be built.

Moved by Orazem, seconded by Davis, to adopt RESOLUTION NO. 10-094 approving the Intermodal Facility Conceptual Design Contract with Neumann Monson in an amount not to exceed \$68,500.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

PUBLIC FORUM: Richard Deyoe, 505 Eighth Street, #2, Ames, suggested that the Mayor appoint other people as “Mayor for a Day” in an attempt to get people registered for the Census. He shared what he would do if he were to be appointed “Mayor for a Day.”

PRESENTATION BY AMES FOUNDATION ON PLANS TO BEAUTIFY DOWNTOWN:

Ames Foundation President Joyce Vegge explained that the Ames Foundation is comprised of 18 volunteers, who serve three-year terms. It is the mission of the Foundation to be a catalyst for connecting community dollars that have been gifted to community projects that enhance Ames. According to Ms. Vegge, the Foundation has assisted with fund-raising for many projects, including the welcome signs on East 13th Street and University Avenue, the *Crescendo* artwork installed on the north side of City Hall, the Dog Park, the Veterans’ Memorial, the greenspace in front of the Power Plant, and the restoration of Bandshell Park.

Ms. Vegge explained that the Foundation’s next venture is a City-wide beautification project. She said that this project was not only about streetscaping, but also about igniting community pride, making Ames more economically-vibrant, and making the community more inviting to visitors. According to Ms. Vegge, to make it happen, the financial generosity of Ames citizenry will be needed. The support of City staff to water the landscaping will also be necessary.

It was explained by Ms. Vegge that this project would be multi-faceted, involving several different areas of Ames; however, the Foundation would like to start in the Main Street Cultural District. Attention was directed to a brochure that had been provided to the Council showing concepts prepared by Country Landscapes. It was noted by Ms. Vegge that the signs shown in the brochure are very expensive and not part of Phase I. The Foundation plans to kick-off its fund-raising for this project on March 24. Ms. Vegge asked for the Council’s “blessing.”

Council Member Wacha asked for more information on what looked to be walkways in the brochure. Jim Mason, representing Country Landscapes, explained that the pictures contained in the brochure were concepts only; however, the paver pattern shown is similar to the pattern used at Kellogg and Main. He explained that the trees on the east side (at the former location of Munn Lumber) are planned to soften the view of the Power Plant.

Moved by Orazem, seconded by Goodman, to endorse this Project.

Vote on Motion: 5-0. Motion declared carried unanimously.

Council Member Mahayni recommended that Mayor Campbell write a letter to the Ames Foundation expressing the Council’s appreciation and solid support for the effort.

SPECIAL CLASS C LIQUOR LICENSE FOR LUCULLAN'S ITALIAN GRILL: Moved by Davis, seconded by Goodman, to approve a new Special Class C Liquor License for Lucullan's Italian Grill, 400 Main Street.
Vote on Motion: 5-0. Motion declared carried unanimously.

CLASS C LIQUOR LICENSE FOR EL AZTECA: Moved by Mahayni, seconded by Davis, to approve a new Class C Liquor License for El Azteca, 2727 Stange Road.
Vote on Motion: 5-0. Motion declared carried unanimously.

CLASS C LIQUOR LICENSE FOR LEGEND'S AMERICAN GRILLE: Moved by Davis, seconded by Goodman, to approve a new Class C Liquor License for Legend's American Grille, 119 Stanton Avenue, Suite 701.
Vote on Motion: 5-0. Motion declared carried unanimously.

5-DAY CLASS C LIQUOR LICENSE FOR GATEWAY HOTEL & CONFERENCE CENTER AT THE ISU ALUMNI CENTER: Moved by Goodman, seconded by Mahayni, to approve a new 5-Day Class C Liquor License for Gateway Hotel & Conference Center at the ISU Alumni Center.
Vote on Motion: 5-0. Motion declared carried unanimously.

GREEK WEEK 2010: Jordan Utoff, 311 Ash Avenue, Ames, made several requests on behalf of the Greek Week Central Committee. Kevin Peyton, 311 Ash Avenue, Ames, and Alex Ryan, 201 Gray Avenue, Ames, were also present. Mr. Peyton advised that notification would be made to the residents of the South Campus Neighborhood to make them aware of the events and street closures.

Moved by Goodman, seconded by Davis, to adopt RESOLUTION NO. 10-111 approving closure of portions of Sunset Drive, Ash Avenue, Gray Avenue, Greeley Street, and Lynn Avenue on April 10, 2010, from 7:00 a.m. to 7:00 p.m.
Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Goodman, seconded by Davis, to adopt RESOLUTION NO. 10-112 approving suspension of parking regulations for portions of Gray Avenue, Greeley Street, Pearson Avenue, Lynn Avenue, and Sunset Drive on April 10, 2010, from 7:00 a.m. to 7:00 p.m.
Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

MARY GREELEY MEDICAL CENTER HOPE RUN: Andrea Hammes-Dodge, representing Mary Greeley Medical Center and Coordinator of the Hope Run, explained that this was the tenth annual run. After receiving feedback from past participants, they were changing routes this year in an effort to be more attractive to runners; thus, raising more money for the Hospice House. According to Ms. Hammes-Dodge, Mary Greeley Fest is held at Bandshell Park, and the Run is held in conjunction with that festival; they wanted to keep the Downtown as the focus.

Noting that there had been opposition to the closure of Northwestern Avenue by Wheatsfield's, Ms. Hammes-Dodge advised that they had changed the time of the Run to impact Wheatsfield's business hours by only one hour. Assistant City Manager Sheila Lundt said that the details had been worked out for this Run to address Wheatsfield's concerns; however, discussions will

continue on other special events, e.g., 4th of July Parade and Midnight Madness, that have necessitated the closure of Northwestern Avenue in the past..

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 10-119 approving closure of portions of Fifth Street, Pearle Avenue, Sixth Street, University Boulevard, and Haber Road for road race, on June 19, 2010, from 5:30 to 10:30 a.m.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 10-120 approving closure of parking spaces on portions of Fifth Street and Pearle Avenue on June 19, 2010, from 5:30 to 10:30 a.m.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 10-121 approving closure of portions of Main Street and Northwestern Avenue on June 19, 2010, from 8:00 a.m. to approximately 9:30 a.m.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 10-122 approving closure of East Fifth Street for Mary Greeley Fest, from 5:30 a.m. to 1:00 p.m.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 10-123 approving waiver of fee for Road Race Permit.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

“MAYORS OF AMES” PROJECT: Council Member Mahayni gave the history behind the request to honor the past Mayors of Ames.

Peggy Baer, 1810 Waterbury Circle, Ames, representing the Ames Historical Society, explained the progress made on this project to date. She asked for direction from the Council as to its specific expectation. Council Member Mahayni suggested that pictures of past Mayors be placed in City Hall, perhaps in the Council Chambers. He also would like to see biographies of each Mayor placed in a book. Ms. Baer explained that they do not have pictures of all the past Mayors and may have difficulty getting them. Council Member Davis suggested that a request be made of Ames residents for pictures of past mayors.

Ms. Baer said it was her understanding, after this discussion, that the Council desired that a picture of each past mayor with a short biographical sketch be mounted in City Hall, and if enough information is found, it could be placed in a book. She said that volunteers from the Ames Historical Society will get started on the research necessary to complete this project. Ms. Baer reminded that Ames’ sesquicentennial is coming up in 2014; this project might be a part of that celebration.

UPDATE ON WINTER SNOW AND ICE REMOVAL COSTS: Public Works Director

Joiner advised that as of March 1, 2010, Ames had had 55" of snow; after last Friday, it is close to 60." This winter, the City recorded 17 snow/ice events, which is fairly normal; however, the length of those events was out of the norm. Five of those events necessitated crews to be on the streets for more than 24 hours straight. One of those events was for 64 hours straight, and the longest event had crews on the roads for 84 hours straight.

From a budget standpoint, as of March 1, 2010, the Department was approximately \$200,000 over-budget for snow/ice control. Projecting from March 1 to the end of the fiscal year (June 30), it is estimated that it will be \$400,000 over-budget for snow/ice control. That would include repairs to the fleet and equipment, an additional salt purchase, and the cold-patch material used to repair potholes. In May, final amendments will be presented to the City Council. To offset the additional costs, other operational programs (street maintenance, street cleaning) will be reviewed to see if some cuts can be made. If additional cuts are needed, capital improvement plan projects will be looked at to see if some can be deferred.

Mr. Joiner said staff is recommending that the City purchase an additional 700,000 tons of salt, which would replenish the salt dome for next year. It is beneficial to purchase the salt at this time because this year's contract price would still be valid; it is anticipated that the price will increase \$5 to \$10/ton next year.

Dave Cole, Operations Manager, noted that the City was guaranteed that its current coal purchase price would remain until April 1, 2010.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 10-113 approving the purchase of additional salt.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

PURCHASE OF WHEEL LOADERS: Fleet Services Director Paul Hinderaker described three options available to the Council for the purchase of two wheel loaders. The options take into account not only the cost of the machine, but also the carbon footprint. The first option was to purchase the low-net evaluated cost, which is the lowest cost and includes the cost of fuel. The second option is to consider the carbon footprint produced by the loaders. To get the machines that have the lowest carbon footprint would not be the machines costing the least. The third option is a combination: buy one machine that is more fuel-efficient and the other machine would be the one costing the lowest price.

Council Member Wacha asked what progress was being made towards the Council's goal of reducing the City's carbon footprint by 15% by 2014. Mr. Hinderaker said that information was not available at this time. Council Member Orazem said it was important for the City to determine where it was most cost-effective to lower its carbon footprint; in this case, the difference in the cost in machines would be \$40,000.

Mr. Hinderaker pointed out that the bids are valid for 30 days. Council Member Goodman said that it would be beneficial to know which vehicles can decrease the carbon emissions the most for the City's investment.

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 10-114 awarding a contract to Murphy Tractor & Equipment, Des Moines, Iowa, for two wheel loaders as follows: One John Deere 624K Wheel Loader, as specified for Resource Recovery Plant, in the amount

of \$132,500 with a guaranteed buy-back of \$89,000 after two years; and one John Deere 624K wheel loader, as specified for the Coal Yard Operation, in the amount of \$128,000 with a guaranteed buy-back of \$89,000 after four years.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Goodman, seconded by Wacha, to direct staff to look at future fleet purchases to give the Council an indication of the best vehicles to buy that yield the lowest carbon footprint.

Vote on Motion: 5-0. Motion declared carried unanimously.

HEARING ON REZONING OF PROPERTY AT 615, 725, AND 729 EAST LINCOLN WAY:

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

Planning and Housing Director Steve Osguthorpe summarized the rezoning proposal. He noted that the Council had recently amended the Land Use Policy Plan to facilitate this rezone.

Moved by Goodman, seconded by Davis, to pass on first reading an ordinance rezoning property at 615 and 725 East Lincoln Way from General Industrial (GI) to Highway-Oriented Commercial (HOC) and property at 725 and 729 East Lincoln Way from Highway-Oriented Commercial (HOC) to General Industrial (GI).

Roll Call Vote: 5-0. Motion declared carried unanimously.

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 10-115 approving the Minor Final Plat for Friedrich's Commercial Subdivision, 2nd Addition, with the following stipulations:

1. That the Final Plat be approved only in conjunction with approval of the rezoning of properties at 615, 725, and 729 East Lincoln Way and that the zoning boundaries follow the platted lot lines between Lot 1 and Lot 3 and between Lot 2 and Lot 3.
2. That, prior to recording the Final Plat with Story County, a section of sidewalk (approximately 20 feet in length) be constructed by the property owner at the end of the existing sidewalk, which will be oriented to the north for access to the building at 615 E. Lincoln Way. If the property owner chooses not to construct the sidewalk at this time, financial security in an amount sufficient to cover the cost of installation shall be provided to the City prior to recording the Final Plat.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

HEARING ON ZONING ORDINANCE TEXT AMENDMENT PERTAINING TO GARAGE PARKING MAXIMUMS FOR SINGLE- AND TWO-FAMILY DWELLINGS: The public hearing was opened by the Mayor and closed after no one came forward to speak.

The proposed zoning text amendment was explained by Director Osguthorpe.

Moved by Mahayni, seconded by Davis, to pass on first reading an ordinance making a zoning text amendment pertaining to garage parking maximums for single- and two-family dwellings.

Roll Call Vote: 5-0. Motion declared carried unanimously.

HEARING ON ZONING ORDINANCE TEXT AMENDMENT TO DEFINE BEDROOM AND LIVING ROOM FOR PURPOSES OF CALCULATING PARKING REQUIREMENTS:

The public hearing was opened by Mayor Campbell. She closed same after no one asked to speak.

According to Director Osguthorpe, parking requirements are based upon the number of bedrooms in a unit. However, the *Zoning Code* contains no definition of what constitutes a bedroom; an administrative interpretation has had to be made in the past. Additionally, because the proposed definition of a bedroom references living rooms, a definition of living room is also proposed. According to Mr. Osguthorpe, living rooms are referenced in the definition of bedrooms to ensure that they are not misconstrued as bedrooms when calculating parking requirements.

Mr. Osguthorpe advised that the Planning & Zoning Commission, by a vote of 5-2, recommended approval of the proposed language adding the definitions of bedroom and living room to Section 29.201 of the *Municipal Code*.

Council Member Orazem asked whether parking should be based on occupancy. City Attorney Marek noted that occupancy is linked to the number of bedrooms. City Manager Schainker advised that the proposed ordinance is actually a clarification of an existing requirement.

Moved by Wacha, seconded by Goodman, to pass on first reading an ordinance making a zoning ordinance text amendment to define bedroom and living room for the purposes of calculating parking requirements.

Roll Call Vote: 5-0. Motion declared carried unanimously.

HEARING ON 2008/09 DOWNTOWN STREET PAVEMENT IMPROVEMENTS (BURNETT AVENUE): Mayor Campbell opened the public hearing. The hearing was closed as no one came forward to provide input.

Moved by Mahayni, seconded by Davis, to adopt RESOLUTION NO. 10-116 approving final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$620,646.08.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

HEARING ON UNIT NO. 8 WATERWALL INSTALLATION FOR POWER PLANT: The public hearing was opened by the Mayor. She closed it after no one came forward to speak.

Council Member Orazem asked if the Morehead bid was considered compliant. Electric Services Director Kom said that staff is still analyzing the bids and is not at the point to make a recommendation. It is not necessarily clear that the second-lowest bidder is completely compliant.

Moved by Mahayni, seconded by Davis, to accept the report of bids and delay award of contract. Vote on Motion: 5-0. Motion declared carried unanimously.

ORDINANCE CREATING NEW CONVENIENCE GENERAL SERVICE (CGS) DISTRICT:

Moved by Goodman, seconded by Davis, to pass on second reading an ordinance creating a new

Convenience General Service (CGS) District.

Roll Call Vote: 4-1. Voting aye: Davis, Goodman, Orazem, Wacha. Voting nay: Mahayni..
Motion declared carried.

ORDINANCE ADDING CGS TO LANDSCAPING AND SCREENING SECTION: Moved by Goodman, seconded by Davis, to pass on second reading an ordinance adding CGS to landscaping and screening section.

Roll Call Vote: 4-1. Voting aye: Davis, Goodman, Orazem, Wacha. Voting nay: Mahayni..
Motion declared carried.

ORDINANCE ADDING CGS TO OFF-STREET PARKING SECTION: Moved by Goodman, seconded by Wacha, to pass on second reading an ordinance adding CGS to the Off-Street Parking section.

Roll Call Vote: 4-1. Voting aye: Davis, Goodman, Orazem, Wacha. Voting nay: Mahayni..
Motion declared carried.

ORDINANCE ADDING CGS TO BASE ZONE LISTING: Moved by Goodman, seconded by Davis, to pass on second reading an ordinance adding CGS to the Base Zone listing.

Roll Call Vote: 4-1. Voting aye: Davis, Goodman, Orazem, Wacha. Voting nay: Mahayni..
Motion declared carried.

ORDINANCE ADDING CGS TO COMMERCIAL BASE ZONES: Moved by Goodman, seconded by Davis, to pass on second reading an ordinance adding CGS to the Commercial Base Zones.

Roll Call Vote: 4-1. Voting aye: Davis, Goodman, Orazem, Wacha. Voting nay: Mahayni..
Motion declared carried.

TURNAROUNDS FOR FIRE TRUCKS IN SUBDIVISIONS: Moved by Mahayni, seconded by Davis, to pass on third reading and adopt ORDINANCE NO. 4027 related to turnarounds for fire trucks in subdivisions.

Roll Call Vote: 5-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

UPDATE ON WATER TREATMENT PLANT PROJECT: Water and Pollution Control Director Dunn provided the history behind the City's intent to commence the Water Treatment Plant project.

Steve Duvall, Assistant Director of Water and Pollution Control, showed a Planning Form that listed specific actions needed to be taken to acquire land for the new Water Treatment Plant. He highlighted the steps needed to be taken by the City Council. It is hoped that there will be a voluntary swap of property.

COMMENTS: Moved by Orazem, seconded by Wacha, to refer to staff the letter dated March 12, 2010, from Attorney Franklin Feilmeyer regarding Fieldstone development.

Vote on Motion: 5-0. Motion declared carried unanimously.

Moved by Goodman, seconded by Mahayni, to direct the City Manager to apply for the EPA Smart Growth Grant.

City Manager Schainker noted that the EPA had identified its priorities for proposed projects. He believes that last year's suggestion (that the City request experts be brought in to review the LUPP, Zoning Ordinance, and Subdivision Ordinance) might not fall into those priorities. It was concurred that Mr. Schainker would submit a Letter of Interest to EPA for that project.

Vote on Motion: 5-0. Motion declared carried unanimously.

Moved by Wacha, seconded by Davis, to refer to staff the letter dated March 9, 2010, from Bill Peard, Mediacom.

Vote on Motion: 5-0. Motion declared carried unanimously.

Moved by Wacha, seconded by Goodman, to refer to staff the letter from Heartland Senior Services.

Vote on Motion: 5-0. Motion declared carried unanimously.

CLOSED SESSION: Moved by Mahayni, seconded by Davis, to hold closed sessions as provided by Section 21.5(1)c and Section 21.5(j), *Code of Iowa*, to discuss strategy with counsel in matters presently in litigation and concerning real estate transactions for Water and Electric facilities, respectively.

Roll Call Vote: 5-0. Motion declared carried unanimously.

The City Council meeting reconvened in Regular Session.

Moved by Goodman, seconded by Davis, to adopt RESOLUTION NO. 10-117 approving a settlement agreement and release in *City of Ames vs. Cotter Turbine Services, et al.*

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Goodman, seconded by Davis, to adopt RESOLUTION NO. 10-118 setting the date of public hearing for May 11, 2010, for land acquisition related to new Water Treatment Plant.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

ADJOURNMENT: Moved by Davis to adjourn the meeting at 10:00 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor