

**MINUTES OF THE MEETING OF THE
AMES AREA METROPOLITAN PLANNING ORGANIZATION (AAMPO)
TRANSPORTATION POLICY COMMITTEE, SPECIAL MEETING OF THE
AMES HOUSING GOVERNING BOARD, AND
REGULAR MEETING OF THE AMES CITY COUNCIL**

AMES, IOWA

MARCH 22, 2011

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

The Ames Area Metropolitan Planning Organization Transportation Policy Committee met at 6:30 p.m. on the 22nd day of March, 2011, 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, Wacha, and Choi. Also present was Craig O'Riley representing the Iowa Department of Transportation; AAMPO Administrator John Joiner, and Rudy Koester, City of Ames Transportation Planner. Voting Members Clinton, Larson, and O'Brien were absent.

DRAFT FY 2012 TRANSPORTATION PLANNING WORK PROGRAM (TPWP): Moved by Mahayni, seconded by Wacha, to approve the draft 2012 TPWP and set May 24, 2011, as the date of public hearing.

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

FINAL FY 2012 PASSENGER TRANSPORTATION PLAN (PTP) UPDATE: Transit Director Kyras advised that the PTP is an annual document that the AAMPO is required to approve. Every five years, a complete Plan is required, and updates are required annually by the Iowa Department of Transportation (Iowa DOT). The Plan is a needs analysis; it is not a fiscally constrained document. Therefore, it lists every need whether being funded or not.

Transit Planner Shari Atwood stated that the Plan Update is due to the Iowa DOT by May 1, 2011. She stated that the federal government mandated an annual coordinated planning effort between human service agencies and transportation providers in order to increase transportation efficiencies while improving transit for the disabled, low-income, and elderly populations. Ms. Atwood said that the Iowa DOT requires that any project where state or federal funding is being requested be contained within the PTP prior to placing those projects in any other document approved by the AAMPO. According to Ms. Atwood, she worked directly with the Story County Human Services Council and the United Way's Transportation Collaboration Committee in putting the document together. The four different sections of the PTP were described by Ms. Atwood.

Moved by Davis, seconded by Mahayni, to approve the Final FY 2012 Passenger Transportation Plan Update for submission to the Iowa Department of Transportation and Federal Transit Administration.

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

APPOINTMENT TO SUDAS BOARD OF DIRECTORS: Moved by Goodman, seconded by Davis, to approve the appointment of John Joiner to the SUDAS Board of Directors.

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

AAMPO ANNUAL SELF-CERTIFICATION: Moved by Mahayni, seconded by Davis, to certify

that the AAMPO transportation planning process is being conducted in accordance with all applicable requirements.

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

AMENDMENT TO FY 2011-2014 TRANSPORTATION IMPROVEMENT PROGRAM

(TIP): AAMPO Administrator Joiner advised that the Grand Avenue Extension project is an illustrative project that encompasses the extension of Grand Avenue from Squaw Creek Drive to South 16th Street. That project has been funded primarily by congressionally directed funds. The City was recently informed that there is a little over \$500,000 remaining of the earmarked funds for the Grand Avenue Extension project. The City may use those funds anywhere along the Grand Avenue Extension corridor. According to Mr. Joiner, ground is being broken this spring on a second apartment complex east of the Ames Christian School, and extension of the southerly portion of Grand Avenue is needed to serve that complex. The project would need extension of Grand Avenue from South 16th Street north past the entrance to the Cold Water Golf Links club house. This would serve as the sole street access to the new apartment complex west of the clubhouse. Mr. Joiner stated that the funding that is available from the earlier federal earmark can be matched with General Obligation Bonds issued by the City to pay for the project. This project will include sidewalk on the east and a bike path on the west.

At the inquiry of Council Member Orazem, Mr. Joiner advised that this project would only extend Grand Avenue approximately 500 feet. The point from the club house north across the river, which would include the bridge, still needs to be completed.

Moved by Mahayni, seconded by Davis, to approve the amendment to the FY 2011-2014 Transportation Improvement Program to include the above-mentioned Grand Avenue project on the FY 2011 project list.

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

ADJOURNMENT: Moved by Davis, seconded by Wacha, to adjourn the meeting at 6:42 p.m.

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

SPECIAL MEETING OF THE AMES HOUSING GOVERNING BOARD

The special meeting of the Ames Housing Governing Board was called to order by Chairperson Campbell at 6:47 p.m. on March 22, 2011, with the following members present: Campbell, Davis, Goodman, Horness, Mahayni, Orazem, and Wacha. Board Member Larson was absent. *Ex officio* Member England was also present.

ADMINISTRATION OF THE SECTION 8 HOUSING VOUCHER PROGRAM: Vanessa Baker-Latimer, Housing Coordinator, recalled that the Governing Board had, on March 1, 2011, authorized staff to negotiate the transfer of the City's Section 8 Housing Choice Voucher Program to the Central Iowa Regional Housing Authority (CIRHA). Ms. Baker-Latimer reviewed the factors that led to CIRHA being recommended.

According to Ms. Baker-Latimer, the first step in the transfer process is for the Governing Board to approve the 28-E Intergovernmental Agreement, which will allow CIRHA to become the Housing Authority in the Ames jurisdiction. This is required to allow an entity outside of the Ames jurisdiction to operate a program within the corporate limits of Ames.

Ms. Baker-Latimer advised that there were additional provisions that City of Ames staff wanted included in the Agreement. She reviewed the Agreement in detail. According to Ms. Baker-Latimer, there are also other major transfer considerations that staff will be negotiating with CIRHA; those will be included in a Memorandum of Understanding to be approved by the Directors of the Ames Housing Authority, the City's Housing Coordinator, and the Central Iowa Regional Housing Authority Director.

Per Ms. Baker-Latimer, the second step in the transfer process is for the Governing Board to approve a resolution agreeing to transfer 229 housing vouchers to CIRHA. Once all documents are approved and signed, staff must provide the Department of Housing and Urban Development with a 90-day notice (on or before April 1) requesting the transfer of the program to CIRHA effective July 1, 2011.

Moved by Mahayni, seconded by Davis, to approve RESOLUTION NO. 11-092 approving the Intergovernmental Agreement with Central Iowa Regional Housing Authority to transfer the administration of the Section 8 Housing Voucher Program.

Council Member Goodman pointed out that this is a federal program; however, the federal funding does not cover the City's administrative costs, and those costs will likely increase. He is concerned that a concerted effort has not been made to determine the level of service decrease that might occur if the Program is transferred to CIRHA. Mr. Goodman feels that the City has not gone out to the Program's customers for their perspectives, which the City Council members have made clear is very important to them.

Council Member Wacha said that it is not known if there will be a decrease in the level of service. He does not believe that it would be beneficial to poll the participants at this point because they have not experienced service by the new provider. Ms. Baker-Latimer stated that City staff had notified all of the Program participants about this meeting and about the meet-and-greet meeting with the new housing authority staff.

Roll Call Vote: 6-1. Voting aye: Campbell, Davis, Horness, Mahayni, Orazem, Wacha. Voting nay: Goodman. Resolution declared adopted, signed by the Administrator, and hereby made a portion of these minutes.

ADJOURNMENT: Moved by Davis, seconded by Mahayni, to adjourn the Ames Housing Governing Board at 6:55 p.m.

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

REGULAR MEETING OF THE AMES CITY COUNCIL

The regular meeting of the Ames City Council was called to order by Mayor Campbell at 7:02 p.m. on March 22, 2011, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Davis, Goodman, Mahayni, Orazem, and Wacha. Council Member Larson was absent.

Mayor Campbell announced that the Council would be working from an Amended Agenda. Added were: (1) Under Electric: Resolution authorization emergency repairs for the 161-kV Transmission Line support west of the Stange Substation where it crosses Squaw Creek, and (2) under Planning

and Housing: Resolution approving a new Purchase Agreement between the City and Habitat for Humanity of Central Iowa for the property located at 3803 Minnetonka.

PROCLAMATION FOR GOOD NEIGHBOR ASSISTANCE MONTH: Mayor Campbell proclaimed the month of April as Good Neighbor Assistance Month. Accepting the Proclamation were Good Neighbor Emergency Assistance Director Mike Fritz and Board Members Kathy Hanson and Megan Schroder.

PRESENTATION OF NEIGHBORHOOD IMPROVEMENT PROGRAM (NIP) PROJECTS: Sharon Wirth, Peter Hallock, and Nick Howe, representing the Leadership Team of the Historic Old Town Neighborhood Association, gave a presentation on Phases 1 and 2 of the Old Town Park Renovation Project. Both projects received NIP funding.

Mr. Hallock stated that the 2009 project replaced a deteriorated 30-year-old triangular planting bed with a curvilinear limestone planting bed and established a shrub border. It also incorporated a piece of public artwork. Neighborhood volunteers removed the old plants (many of which were salvaged), planted new ones, and provided maintenance to the new area. Three hundred and seventy-six hours of volunteer labor were provided.

Mr. Howe described the Master Plan that had been created for the Park renovation. That Plan was the first step in the project and was done to ensure a cohesive design since the renovation was being done in phases.

Ms. Wirth described the 2010 project, which was to place limestone edging around a planting bed perimeter underneath a large shade tree. Thirty-eight stepping stones were created and placed to create paths within the bed, and perennials were planted. A summary of labor and cash contributions was given. There were 434.5 hours donated. The City's Parks & Recreation Department assisted with labor, mulch, and benches. The NIP grant was \$2,888, which was matched with \$1,859.41 cash and \$4,341 worth of volunteer labor.

According to Ms. Wirth, future phases will include replacement of an outdated seating area and another deteriorated planting bed.

CONSENT AGENDA: Items requested to be pulled from the Consent Agenda for separate discussion were: Item No. 12 (revisions to Purchasing Policies) and Item No. 14 (a Neighborhood Improvement Program Grant for renovation of DZ Triangle) by Council Member Orazem and *Ex Officio* Member England, respectively.

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

1. Motion approving payment of claims
2. Motion approving minutes of Special Meeting of March 8, 2011, and Regular Meeting of March 1, 2011
3. Motion approving Report of Contract Change Orders for February 16-28 and March 1-15, 2011
4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class C Liquor – Legends American Grille, 119 Stanton Avenue, Suite 701
 - b. Special Class C Liquor – Lucullan's Italian Grill, 400 Main Street
 - c. Class C Beer & B Wine – Kum & Go #227, 2108 Isaac Newton Drive
 - d. Class C Liquor – Café Northwest, 114 Des Moines Avenue
 - e. Class C Beer and B Wine – Kum & Go #200, 4510 Mortensen Road

- f. Class C Liquor – Ge’Angelo’s, 823 Wheeler Street, #9
 - g. Class E Liquor, C Beer, and B Wine – Wal-Mart Store #749, 3015 Grand Avenue
 - h. Special Class C Liquor – India Palace, 120 Hayward Avenue
 - i. Class C Liquor - Headliner’s, 2430 Lincoln Way
5. Motion referring to Planning & Zoning Commission an application for voluntary annexation filed by Story County Land, L.C., for property located west of Grant Avenue and south of W. 190th Street in Franklin Township, Story County
 6. Motion approving submission of grant application for participation in Governor’s Traffic Safety Bureau Program
 7. RESOLUTION NO. 11-093 approving Memorandum of Understanding for disbursement of funds from 2010 Department Bureau Justice Edward Byrne Memorial Justice Assistance Grant (JAG) Program
 8. RESOLUTION NO. 11-094 approving and adopting Supplement No. 2011-2 *Municipal Code*
 9. RESOLUTION NO. 11-095 approving appointment of Jim Miller to fill vacancy on Public Art Commission
 10. RESOLUTION NO. 11-097 approving Intergovernmental Agreement with Central Iowa Regional Housing Authority to transfer administration of Section 8 Housing Voucher Program
 11. RESOLUTION NO. 11-099 approving preliminary plans and specifications for 2010/11 Water System Improvements (Water Main Replacement); setting April 6, 2011, as bid due date and April 12, 2011, as date of public hearing
 12. RESOLUTION NO. 11-100 approving preliminary plans and specifications for 2010/11 Water System Improvements (Water Service Transfers); setting April 6, 2011, as bid due date and April 12, 2011, as date of public hearing
 13. RESOLUTION NO. 11-101 approving preliminary plans and specifications for 2011/12 Water System Improvements (Water Service Transfers); setting April 6, 2011, as bid due date and April 12, 2011, as date of public hearing
 14. RESOLUTION NO. 11-102 approving contract and bond for City Hall Heat Pump Replacement Project
 15. RESOLUTION NO. 11-103 accepting completion of Furman Aquatic Center Construction Project
 16. RESOLUTION NO. 11-104 approving Minor Final Plat for Hach Subdivision, 3rd Addition
 17. RESOLUTION NO. 11-105 approving Minor Final Plat for Safly Subdivision
- Roll Call Vote: 5-0. Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

REVISIONS TO PURCHASING POLICIES: Council Member Orazem noted that a new sub-section had been added entitled, “Notification and Advertising.” It consolidates the requirements previously shown for each type of bid, quotation, or proposal and prepares for conversion to the City’s new website where vendors will register and be electronically notified of bids, quotations, and proposals.

Moved by Orazem, seconded by Goodman, to adopt RESOLUTION NO. 11-096 approving revisions to Purchasing Policies.

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

NEIGHBORHOOD IMPROVEMENT PROGRAM GRANT FOR RENOVATING DZ TRIANGLE: *Ex officio* Member England explained the DZ Triangle project. He noted that

renovation of the Triangle has been tried in the past, and failed; however, this project has a much larger scope than the previous projects at this site. Mr. England advised that the Student Affairs Commission is heading up this project and has partnered with the Government of the Student Body (GSB), leaders in the Greek neighborhood (fraternities/sororities), and the Iowa State Student Society of Landscape Architects. Mr. England reviewed the budget and funding commitments. The GSB has committed \$10,000; Iowa State, \$2,000 (contingent on the Greek Community raising an additional \$3,000); and City of Ames NIP Grant, \$5,000. He showed the plan design; the project will be done in three phases. It is hoped that work can begin on April 30 when crushed aggregate pathways will be installed. The pathways will be curved to resemble the streets in the South Campus Neighborhood. According to Mr. England, it is planned (in Phase 3 of the project) that engraving rights on the bricks will be sold to Greek Alumni. New landscaping materials will also be installed. Mr. England acknowledged that they have worked closely with the City's Parks and Recreation Department, City Manager's Office, Police Department, and Planning and Housing Department on this proposed project. Phase 2 is planned to begin in Fall 2011; however, if additional sources of funding are located, Phases 1 and 2 would be done this spring.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 11-098 approving a Neighborhood Improvement Program grant for the Renovation of DZ Triangle, which is located at intersection of Sunset Drive and Pearson Avenue.

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

PUBLIC FORUM: Richard Deyo, 505-8th Street, #2, Ames, expressed his dismay at not being allowed to speak in the past under the "Council Comments" section of the Agenda.

Brian Smith, 4315 Frederiksen Court, Ames, stated that he is a junior at Iowa State University and a Board Member of the Society of Professional Journalists. He informed the Council that Iowa State's 9th Annual *First Amendment Day* will occur on April 7. It will kick off with a Freedom March beginning at City Hall at 9 AM and proceed to the steps of Beardshear Hall. All the planned events are listed on the website (FAD.jlmc.iastate.edu) Greenlee School of Journalism Professor David Bulla, 803 Northwestern Avenue, Ames, highlighted a number of activities that will occur in observance of *First Amendment Day*.

5-DAY CLASS C LIQUOR LICENSES FOR OLDE MAIN BREWING COMPANY FOR ISU ALUMNI CENTER: Moved by Mahayni, seconded by Goodman, to approve a 5-Day (March 26 - 30) Special Class C Liquor License for Olde Main Brewing Company at ISU Alumni Center, 420 Beach Avenue.

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

Moved by Mahayni, seconded by Goodman, to approve a 5-Day (April 9 - 13) Special Class C Liquor License for Olde Main Brewing Company at ISU Alumni Center, 420 Beach Avenue.

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

5-DAY SPECIAL CLASS C LIQUOR LICENSE FOR COMFORT FOOD & BBQ CATERING: Moved by Mahayni, seconded by Goodman, to approve a 5-Day (March 25 - 29) Special Class C Liquor License for Comfort Food & BBQ Catering at the Ag Leader Training Center Building, 2202 S. Riverside Drive.

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

PUBLIC ART COMMISSION: Steve Kawaler, member of the Art Around the Corner Committee of the Public Art Commission, stated that 27 entries from ten artists were received for consideration for the Art Around the Corner exhibition. The entries were evaluated by jurors. Mr. Kawaler named the 2011 jurors. Four selections were recommended, as follows:

1. *Just Between Thieves* by Jaak Kindberg of Greenwood, AR
2. *Dire Enticement* by Beth Nybeck of Kansas City, MO
3. *Wild Flower* by Michael Sneller of Cedar Rapids, Iowa
4. *Peace Like a River* by V. Skip Willets of Camanche, IA

Three alternates, (to be used if any of the top four is unavailable) were named:

1. *Tall Tulip* by Michael Sneller of Cedar Rapids, IA
2. *Two Hearts* by Jerry Cowger of Waterloo, IA
3. *Convivial Correspondence* by Paul Bobrowitz of Colgate, WI

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 11-106 approving the 2010/11 Art Around the Corner selections.

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

VEISHEA 2011: Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 11-107 approving requested turn lane and street closures to facilitate parade staging and events on Central Campus and near Memorial Union.

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. 11-108 approving closure of City Lot Y from 4:00 p.m. on Friday, April 15, until 6:00 a.m. on Saturday, April 16, and again from 4:00 p.m. Saturday until 6:00 a.m. Sunday, April 17.

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

REQUESTS FROM MAIN STREET CULTURAL DISTRICT (MSCD) FOR DOWNTOWN FARMERS' MARKET ON SATURDAYS FROM JUNE 25 TO SEPTEMBER 24, 2011:

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 11-109 approving the use of Tom Evans Plaza every Saturday from 6 AM to 2 PM from June 25 to September 24, 2011, including usage and waiver of fee for electricity with the stipulation that any Market vendor using outlets in the triangular planter wall would still reimburse the City for the cost of electricity used.

Council Member Goodman referenced staff's comments contained in the Council Action Form that pertained to the need for MSCD staff to meet with representatives of the Shrine Bowl Parade and the All American Weekend to plan alternative routes for their events. He specifically asked what the MSCD staff had done to communicate with organizers of those two events. Tom Drenthe, Events Coordinator for the MSCD, advised that they would be working with the representatives for those events to ensure that everything runs smoothly. According to Mr. Drenthe, the MSCD Director had been in contact with the organizers of those events. Council

Member Wacha expressed concern about the Council approving any requests pertaining to the Downtown Farmers' Market at this time, without the details being worked out for the Shrine Bowl and All American Weekend. He noted that the City has had a great working relationship with Iowa State University on the Shrine Bowl event, and All American Weekend brings a lot of visitors to Ames, and specifically, to Main Street, both of which could be lost to another community. Mr. Wacha said that he did not think it was fair to those two groups for a decision to be made on an event encompassing those weekends without having consulting them. It was acknowledged that those two groups had been holding their events in Ames for a number of years.

Moved by Wacha, seconded by Goodman, to amend the motion to approve all Saturdays from June 2 to September 24, 2011, except for those when the Shrine Bowl Parade and All American Weekend events are occurring.

Mr. Wacha further stated that the MSCD could come back to the City Council after getting the details worked out with the organizers of the Shrine Bowl Parade and All American weekend for those two dates.

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

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

Moved by Mahayni, seconded by Goodman, to approve a Blanket Temporary Obstruction Permit for the Central Business District (CBD) from 8:00 a.m. to 6:00 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 Mahayni, seconded by Goodman, to approve a Blanket Vending Permit for CBD from 8:00 a.m. to 6:00 p.m.

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

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 11-110 approving waiver of the fee for a Blanket Vending Permit.

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

REQUESTS FROM MSCD FOR "TUNE IN TO MAIN STREET" ACTIVITIES ON THURSDAY EVENINGS FROM MAY 26 TO JULY 28, 2011:

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 11-111 approving a waiver of parking meter fees and enforcement in CBD from 3:00 p.m. to 6:00 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 Orazem, to adopt RESOLUTION NO. 11-112 approving usage of and waiver of fee for electricity in and near Tom Evans Plaza.

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 Orazem, to adopt RESOLUTION NO. 11-113 approving usage of and waiver of fee for water in Tom Evans Plaza.

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 Orazem, to approve a Blanket Temporary Obstruction Permit for CBD sidewalks from 8:00 a.m. to 8:00 p.m.

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

Moved by Goodman, seconded by Orazem, to approve a Blanket Vending Permit from 8:00 a.m. to 8:00 p.m. for entire CBD.

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

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 11-114 approving waiver of the fee for a Blanket Vending Permit.

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 Orazem, to adopt RESOLUTION NO. 11-115 approving closure of 24 parking spaces in CBD Lot X.

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

REQUESTS FROM MSCD FOR ART WALK ON JUNE 3, 2011: Moved by Goodman, seconded by Wacha, to adopt RESOLUTION NO. 11-116 approving waiver of parking meter fees and enforcement for MSCD from 3:00 p.m. to 8:00 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 Wacha, to approve a Blanket Temporary Obstruction Permit for MSCD sidewalks from 8:00 a.m. to 8:00 p.m.

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

Moved by Goodman, seconded by Wacha, to adopt RESOLUTION NO. 11-117 closing two parking spaces near intersection of Main Street and Kellogg Avenue for food vendors.

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 adopt RESOLUTION NO. 11-118 approving usage of and waiver of fee for electricity in and near Tom Evans Plaza.

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 approve a Blanket Vending Permit for MSCD from 8:00 a.m. to 8:00 p.m.

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

Moved by Goodman, seconded by Wacha, to adopt RESOLUTION NO. 11-119 approving waiver of the fee for a Blanket Vending Permit.

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

REQUESTS FOR FOURTH OF JULY FESTIVITIES: Moved by Goodman, seconded by Davis, to adopt RESOLUTION NO. 11-120 approving closure of Clark Avenue between 5th Street and 6th Street from 6:00 p.m. on Sunday, July 3, until conclusion of parade on July 4 for City Council Community Pancake Breakfast.

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. 11-121 approving closure and suspension of parking for portions of Main Street, Northwestern Avenue, Fifth Street, Douglas Avenue, Burnett Avenue, Kellogg Avenue, Clark Avenue, Allan Drive, and Pearle Avenue from 6:00 a.m. to approximately 3:00 p.m. for parade.

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. 11-122 approving closure of Parking Lot MM and south half of Parking Lot M for parade staging from 6:00 a.m. to 3:00 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. 11-123 approving closure of Parking Lot Q from 6:00 a.m. to 3:00 p.m. on July 4 for use as volunteer parking.

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 approve a Blanket Temporary Obstruction Permit and Blanket Vending Permit for MSCD from 8:00 a.m. to 6:00 p.m.

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

Moved by Goodman, seconded by Davis, to adopt RESOLUTION NO. 11-124 approving waiver of electrical fees for use of outlets in MSCD and at City Hall and waiver of Vending Permit fee.

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

REQUESTS FROM THE MSCD FOR JULY SIDEWALK SALES: Moved by Goodman, seconded by Wacha, to adopt RESOLUTION NO. 11-125 approving suspension of parking regulations in CBD from 8:00 a.m. to 8:00 p.m., July 28 - 30.

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 approve a Blanket Temporary Obstruction Permit.

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

Moved by Goodman, seconded by Wacha, to approve a Blanket Vending License.

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

Moved by Goodman, seconded by Wacha, to adopt RESOLUTION NO. 11-126 approving waiver of the fee for a Blanket Vending License.

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

HEARING ON 2010/11 ARTERIAL STREET PAVEMENT IMPROVEMENTS (6TH STREET - GRAND AVENUE TO NORTHWESTERN AVENUE): Mayor Campbell opened the public hearing. There being no one wishing to speak, the hearing was closed.

Moved by Mahayni, seconded by Wacha, to adopt RESOLUTION NO. 11-127 approving final plans and specifications and awarding contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$396,314.60.

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

HEARING ON REFUNDING LOAN AGREEMENT ON GENERAL OBLIGATION CORPORATE PURPOSE BONDS IN PRINCIPAL AMOUNT NOT TO EXCEED \$6,150,000: The Mayor opened the public hearing. She closed same after no one came forward to speak.

Moved by Davis, seconded by Goodman, to adopt RESOLUTION NO. 11-128 approving the Official Statement and setting the date of sale for April 12, 2011.

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

HEARING ON ZONING TEXT AMENDMENT TO ADD F-PRD ZONE TO LIST OF ZONES WHERE REMOTE PARKING IS ALLOWED, REDUCE THE MINIMUM PARKING REQUIREMENTS FOR NURSING HOMES AND ASSISTED-LIVING FACILITIES, AND ADD GROUP LIVING AND ASSISTED-LIVING FACILITIES AS PERMITTED USES IN THE F-PRD ZONE: Planning and Housing Director Steve Osguthorpe stated that, prior to 2000, the Zoning Code allowed general discretion by the City Council to permit uses in residential Planned Residential Developments (PRDs) that were for the service and convenience of the residents. In 2000, the Code was revised to a more narrowly defined listing of specific uses. Green Hills is planning an expansion to its facilities; however, the *Code* revisions made in 2000 resulted in creating a nonconforming use of “nursing home” at Green Hills. The administrators of Green Hills are requesting that its specific uses be added to the narrowly defined list so that its proposed expansion may proceed. Staff believed that the addition of the broader category of “Group Living,” which includes nursing homes as well as other uses such as fraternities and sororities, would be too broad because it would allow group living in all PRDs in the City. After discussion with the applicants, language is being proposed that would allow group living in PRDs only if it already exists. This would be accomplished by adding “Group Living, if pre-existing” to the list of permitted uses in a PRD.

According to Mr. Osguthorpe, the applicant is also requesting approval to establish an assisted living facility to serve the PRD. “Assisted Living” is listed under the broader “Group Living” use category, but there is no such facility currently in the Green Hills PRD. The proposed text amendments include adding “Assisted Living” to the list of permitted accessory uses in the PRD zone. Green Hills is sensitive to the original intent of the PRD to be primarily residential with

some limited supporting uses, and as a way to ensure that Assisted Living in PRDs would only be for the residents and not for the general public, the proposed text would read, “Assisted living for the residents of the PRD.”

Additionally, the applicant is requesting a reduction in the parking requirement to one space for every five beds. Current parking requirements for nursing and assisted living uses are one space for each two beds plus one space for every two staff members on the largest shift. Staff is supportive of this request because one space for every five beds is consistent with the *Iowa Administrative Code*. This would reduce parking requirements for nursing homes and assisted living facilities city-wide. Observations by the applicant and City staff of nursing homes and assisted-living facilities are that parking lots for these uses are largely underutilized with only a few visitors at any given time. There is never one visitor for every other occupant, and typically, the occupants do not store cars at the facility because they either do not drive or they keep their cars off-site.

Lastly, the applicant has proposed adding F-PRD to the list of zones that allow remote parking. Mr. Osguthorpe stated that it is unusual for F-PRDs to have more than one lot. In the case of Green Hills, the PRD is very large and there are two entities that exist: the homeowners and the health center, and there are lot lines between uses. The reduction of the parking requirement and the addition of the PRD zone to the remote parking list would facilitate adequate parking provisions without creating excessive additional parking that is unnecessary for the use.

Mr. Osguthorpe advised that staff finds the proposed amendments to be consistent with the Land Use Policy Plan, the stated intent of the current Zoning Code, and State standards pertaining to parking facilities for nursing homes and assisting-living facilities. They would also eliminate the existing non-conforming status of the Green Hills nursing home that resulted from the initial adoption of the PRD standards.

Mr. Osguthorpe stated that the Planning and Zoning Commission had recommended, at its meeting of March 16, 2011, with a vote of 4-0-1, that the City Council approve the text amendments as proposed.

The hearing was opened by Mayor Campbell.

Vicki Feilmeyer, Nyemaster Law Firm, 1416 Buckeye Avenue, Ames, stated that she was representing Green Hills in this matter. Ms. Feilmeyer advised that there are some timing issues. A site plan has been submitted to City staff; however, staff cannot find it in compliance until the zoning amendment ordinance is adopted. Without that ordinance amendment, the project cannot move forward. Ms. Feilmeyer asked that the Council suspend the rules pertaining to the adoption of an ordinance. If that does not occur, she asked that the Council direct staff to review the site plan in anticipation of the adoption of the ordinance.

Rod Copple, Executive Director of Green Hills, 4938 Hemingway Drive, Ames, said that the timing is extremely important from the point of the construction schedule. Also, there is a group of over 200 residents who are very excited about this project. It is important for Green Hills to be able to address the needs of its senior citizens, and this project would expand the services that can be offered to those persons. Mr. Copple advised that Green Hills is providing skilled nursing services to the community. Approximately half of those who live in the health care center are not Green Hills residents, but are members of the community. The assisted-living component of

this project is a new service, and Green Hills is in dire need to provide that service.

No one else came forward to testify, and the Mayor closed the public hearing.

Council Member Wacha asked if it was the policy of the Planning and Housing Department that prevents staff from reviewing the Master Plan until after the ordinance has passed on third reading. Mr. Osguthorpe advised that site plans must be reviewed under the codes that are in place at the time of submittal. In order for the project to be vested under the new *Code*, the *Code* needs to be effective at the time of plan submittal; otherwise, it cannot be deemed in compliance with the *Code*.

City Attorney Marek stated that the Council could direct the staff to review the site plan in anticipation of the adoption of the ordinance. The other option available to the Council would be to pass the ordinance on all readings, which would require the vote of Council to suspend the rules.

Moved by Wacha, seconded by Mahayni, to pass on first reading an ordinance adding F-PRD to the list of zones where remote parking is allowed, reduce the minimum parking requirements for nursing homes and assisted-living facilities, and add group living and assisted-living facilities as permitted uses in F-PRD Zone.

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

Moved by Mahayni, seconded by Davis, to suspend the rules pertaining to the adoption of an ordinance.

Council Member Wacha stated that he prefers not to waive the rules for the adoption of an ordinance unless an extreme hardship can be established. He prefers the second option, which is to direct staff to proceed with the review of the site plan based on the anticipated passage of the ordinance.

Roll Call Vote: 2-3. Voting aye: Mahayni, Orazem. Voting nay: Davis, Goodman, Wacha. Motion failed.

Moved by Goodman, seconded by Wacha, to direct staff to review the site plan in anticipation of the adoption of the ordinance.

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

CHANGE ORDER NO. 5 FOR POWER PLANT UNIT NO. 8 WATERWALL INSTALLATION: Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 11-129 approving Change Order No. 5 for Power Plant Unit No. 8 Waterwall Installation.

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

EMERGENCY REPAIRS FOR 161-KV TRANSMISSION LINE SUPPORT: Assistant Electric Director Brian Trower explained that it was recently discovered that a transmission structure located on the west bank of the Squaw Creek west of Moore Memorial Park was in need of immediate repair. The two-pole structure has one pole washed out below its original grade. Typically, the pole should have 12 to 13 feet buried in the ground; however, the creek bank has

washed away leaving one pole with only approximately two to three feet buried. The bank of the Creek has also encroached upon the second pole, but has not eroded the grade at this point. After being contacted by staff, Fox Engineering Company inspected and recommended immediate repair to ensure the integrity of the transmission line. If the transmission structure fails, it would result in a collapse of both the 161kV line with CIPCO and a portion of the 69kV line hook around the City. If that occurs and then either Unit No. 7 or 8 also fails, portions of the City would lose power. The preliminary cost estimate for repair of the Creek bank is \$51,420. Funding is available from the approved budget for transmission maintenance.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 11-135 instituting emergency proceedings and authorizing staff to obtain informal bids and enter into a contract for repair of the 161-kV Transmission Line Support west of the Stange Substation where it crosses Squaw Creek.

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

STAFF REPORT ON FOOD SERVICE LICENSE HOLDERS FORUM AND SURVEY: Fire

Chief Clint Petersen recalled that, during budget discussions, the Council had directed staff to conduct a survey of local restaurants to determine their support for continuation of a locally conducted food service provider inspections program. He noted that on February 22, 2011, Rodney Roberts, Director of the Department of Inspections and Appeals (DIA), had informed the Council of his decision to terminate the State's contract that allows Ames to conduct food service inspections within the City limits. Initially, the Council had directed staff to utilize the Chamber of Commerce for contact with the food service providers; however, after receiving the notice from the DIA, the Council directed staff to solicit customer input regarding this issue, utilizing both a survey and hosting customer forums. This was directed so that the City Council can decide whether to pursue special legislation or an administrative appeal of the DIA Director's decision.

Chief Petersen gave a summary of the public input results from the on-line survey. Assistant City Manager Bob Kindred reviewed the comments garnered from the public forum.

Mayor Campbell commented that, after receiving Council direction, contact had been made with all three of the state legislators to inform them of the issue. She advised that she had heard from Senator Quirnbach, who indicated that he was going to start the process with the Legislative Service Bureau, of putting together legislation that would enable the City to have the option of performing its own food service inspections. Mayor Campbell said that what needed to be decided at this meeting, given that there has been a time lapse, is whether the Council wanted to ask the Legislators to continue along that route.

In Council Member Goodman's opinion, the decision to continue down that route or stop should be based on the support of the restaurant owners for local inspections. He personally believes that it is good for the community to have a local sanitarian, and it appears that the food service industry views the service as valuable.

Council Member Orazem pointed out that the restaurant industry in Ames is asking the City, through the survey, to "fight for them." He felt that pointing out the survey results from the local community to the legislators should be persuasive.

It was asked by Council Member Davis how much time the Mayor had devoted to taking the lead on the communication for this issue and how much time would be spent in the future. Mayor Campbell said that she had been at the Capitol twice and had had some phone conversations and emails. It has not been real time-consuming, and she believed everything that was going to be done by the legislators had probably already been done. Mr. Davis said that he would like to see the process continue and see how it turns out. He prefers that the motion stand as made at the last meeting.

Council Member Wacha noted that the State has the power to take the program from the City, and it has decided to do that. He said that based on that, he personally doesn't think the question is whether there is local support, but rather does the City have a chance of succeeding in its efforts to prevent the State from taking the program. Mr. Wacha shared that he does not believe that any legislation would succeed.

Council Member Mahayni believes what is at stake is a very serious health issue. He pointed out that the City has conducted its food service inspections for the past 31 years and invested monies to ensure quality service and a healthy food environment. Mr. Mahayni urged the Council to pursue an appeal to the State's decision and encouraged endorsement of any legislative action that can be taken to allow the City's food service inspection program to continue. Mr. Wacha said he sees the level of service being a separate issue from the potential risk to the community and health issues. He does not believe that major health issues have resulted in other communities where the State is performing the inspections.

Council Member Goodman urged the other Council members to talk to Senator Quirnbach. As a restaurant owner, Mr. Goodman said he has had conversation with other restaurant owners, and those with whom he has spoken to or heard from see the City inspectors as partners.

Council Member Wacha expressed his concern about how this request would be prioritized with the list of items that the City will be asking or has asked its legislators to work on. He mentioned that some of the proposals that have been made by the Governor could potential have a large impact on the taxpayers of Ames. Mr. Wacha said that he was not saying that he did not agree that the City should retain its food inspections, but is being careful about what the City is asking its legislators. Mayor Campbell again said she did not sense that a great deal of time will be required of Senator Quirnbach. She believes that he has forwarded language for the amendment to the Iowa Legislative Bureau.

Mayor Campbell noted that the motion that was made on February 22, 2011, was to direct her to communicate with the Executive and Legislative Branches. That has been done. If the Council wants to change that direction, a new motion would be required; otherwise, "that ball is rolling."

STAFF REPORT ON FLOOD BUY-OUT PROGRAM: City Manager Schainker noted that Housing Coordinator Vanessa Baker-Latimer had been working with FEMA for funding to assist those who had extensive property damage after the August 2010 Flood. It appears that approximately \$30 million remains available in the Iowa Homeland Security & Emergency Management Division under its Hazard Mitigation Grant Program. It is a cost-share grant program, and the City would have to provide a 15% local match. Mr. Schainker noted that there had been some thought given to using the City using its annual Community Development Block

Grant (CDBG) monies as a local match if it revises the Program priorities; that totals approximately \$645,000.

Council Member Davis asked to know what the decrease in property taxes would be if the properties were “bought out” and removed. Mr. Schainker stated that the requested information would be provided to the Council.

Housing Coordinator Baker-Latimer explained in detail the four options available to the Council. City Manager Schainker said that the Council could come up with any combination of the four options.

In answer to Mr. Davis’ earlier question, Mr. Kindred stated that Finance Director Duane Pitcher had calculated the taxable value to be lost under Option 1 to be a little less than \$4 million, which would mean approximately \$43,000 of lost tax income to the City (after rollback). Mayor Campbell noted that this would also result in lost tax revenue for the School District and Story County.

Ms. Baker-Latimer reported that she has spoken with the Parks and Recreation Director Nancy Carroll about the possible establishment of a City park in the green space that would exist if the residential units were demolished on South 5th Street. Ms. Carroll said that the City would be very pleased to have a neighborhood park in that location.

Ms. Baker-Latimer reiterated that there are numerous other buy-out scenarios that could be developed for City Council consideration. FEMA’s priority guidelines are (1) to prevent loss of life and (2) to reduce property damage caused by flooding. According to Ms. Baker-Latimer, another option for some commercial properties would be to remove them from the potential buy-out list and add them to the Demolition Only Program.

The Demolition Only Program was described by Ms. Baker-Latimer. Under this Program, demolition funds would be made available through the Public Assistance Division of the Iowa Homeland & Emergency Management. There would be a local match requirement of 15%. In contrast to the Buy-Out Program, the property owner would maintain ownership of the property and be required to obtain flood insurance and elevate the property if a new structure is built on the site. According to City Manager Schainker, the City has the option of requiring any participating property owners to provide the 15% local match of the cost of demolition.

Assistant Manager Kindred emphasized that it was most important for the City Council to provide prioritization for the staff. He also noted that all property owners have applied knowing that they retain the right to back out. So, although the property owners appeared to be very interested, there is no guarantee that they will participate in the program.

Ms. Baker-Latimer outlined the next steps and time frame, as follows:

1. The City would submit the final list of potential buy-out properties to the State and begin work on the application (on or around March 25, 2011).
2. The State will review the application for completeness and eligibility. The State would then notify the City of the results of the Cost Benefit Analysis within two to three weeks.

3. FEMA would review the City's application and notify the State within approximately four to eight weeks.
4. The State will notify the City and set up a grant agreement meeting.
5. The City can then begin the process to acquire buy-out properties.

City Manager Schainker advised that if the City Council selects an option that requires a local match in excess of \$645,000 (the amount of the CDBG funds), additional funds will have to be identified by the City Council. He reminded the Council that some of the properties might be rejected by FEMA. Council Member Goodman said he preferred that all of the CDBG monies not be used; some of those funds need to be available for emergencies, low- to moderate-income recipients, and slum and blight. Mr. Schainker advised that a report on slum-and-blighted buildings that the City needs to have removed will be presented at the Council's workshop on April 19.

Council Member Orazem believes that the No. 1 priority should be the nursing home, followed by the rental units on South Fifth Street. After that, he would add the two residences on South Russell. He noted that this would be Option 3 in the Council Action Form.

Council Member Davis said his order of priority would be the nursing home followed by the two residential single-family properties on South Russell.

Council Member Goodman agreed No. 1 would be the nursing home. It is his preference that the two residential properties that received less than 50% damage should go below all the other single-family residential properties on the list. Mr. Goodman also voiced his concern about the single-family homes remaining on Freel Drive. Those properties, however, cannot just be demolished; if they are, the land must be kept in green space. City Manager Schainker stated that those lots are large and have value as a salvage yard.

Moved by Wacha, seconded by Mahayni, to direct staff to submit the list provided in Option 3.

Mr. Wacha said that Option includes the nursing home on South 4th, all of the apartment buildings on South 5th, and two residential properties on South Russell.

Ms. Baker-Latimer said that the City's local match for all of Option 3 would be \$716,000.

Council Member Goodman asked to know what the City's match would be for just the Sorenson's co-op property. Finance Director Pitcher advised that the City's match for the Sorenson's co-op property would be \$393,735; for the Upchurch property, it would be \$61,740.

Ms. Baker-Latimer noted that it was important for the City to submit its application by June 2011.

Mr. Goodman said he would prefer that the owners participate on the residential commercial investments. He would like the City's match to stay under the amount of CDBG funds and suggested that the City only pay 100% of the local match for the nursing home and two residential properties on Russell.

Mayor Campbell pointed out that after a response is received from FEMA, the properties that they approve for the buy-out can be prioritized.

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

City Manager Schainker noted that the Cyclone Truck Stop property had been submitted under the Demolition Only Program. He noted that it cannot be demolished until FEMA makes a decision on its eligibility; therefore, it will remain in its current state until FEMA's finding is known. Mr. Schainker said that the Council could declare it as a dangerous building and mandate its demolition; however, it then would not qualify for the Demolition Only Program. It was noted that City staff has no idea how long it will take to get a decision from FEMA. Council Member Goodman stated that he did not believe FEMA money should be used to do anything with the Cyclone Truck Stop or other commercial investments. He does not feel that they meet the FEMA guidelines, i.e., life safety.

The meeting recessed at 9:34 p.m. and reconvened at 9:40 p.m.

SUBDIVISION ORDINANCE TEXT AMENDMENT RELATED TO PLATS OF SURVEY:

Director Osguthorpe told the Council that three methods exist in the City of Ames for subdivision of land: [1] Major Plat (for three or more lots), [2] Minor Plat (for two or fewer lots), and [3] Plats of Survey. He advised that in June 2009, the City adopted regulations pertaining to Plats of Survey, specifically that Plats of Survey could be used for boundary line adjustments, replats to correct errors, Auditor's Plats, and conveyance divisions occurring prior to August 4, 2009. All other types of land divisions would have to be processed as either a Minor or a Major Plat. During a meeting of developers in April 2010 regarding streamlining the development process, it was stated that the City's subdivision process was overly burdensome and that Plats of Survey should be allowed for more types of divisions than what the Code now allows. At the direction of the City Council, staff reviewed its processes and identified the differences between divisions using Plats of Survey and those using the Minor Subdivision process and then determined where those different processes have particular value to the City.

In summary, Mr. Osguthorpe said that the recommended amendments would allow Plats of Survey in situations where the City has little to gain in requiring the more complex submittal of a Minor Plat application.

Moved by Orazem, seconded by Goodman, to pass on first reading an ordinance amending subdivision regulations to: [1] Allow Plats of Survey (rather than a Minor Plat) in the following additional instances: a) Minor subdivisions in areas of the Ames Urban Fringe designated as Agricultural & Farm Service or Rural Residential; b) Divisions of lots within existing single-family subdivision creating no more than one additional lot. c) Divisions of an aliquot part of a section, provided that the division is to separate an existing or former farmstead from the remainder of the aliquot part, and provided that the three covenants are provided in areas of potential annexation. [2] Add definition of pre-established conveyance parcel to account for conveyance parcels created by deed or contract and also surveyed prior to July 1, 1990.

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

NEW PURCHASE AGREEMENT WITH HABITAT FOR HUMANITY OF CENTRAL IOWA FOR PROPERTY LOCATED AT 3803 MINNETONKA: Housing Coordinator Baker-

Latimer gave the background of this item, stating that this property was initially purchased over a year ago and had negotiated to sell it to Habitat for Humanity of Central Iowa (Habitat). There have been issues pertaining to the title to the property, and the Purchase Agreement was extended to December 31, 2010. The issues remain, and a new agreement must now be entered into with Habitat. Advice has been received from HUD to give Habitat a Quit Claim Deed, which would allow that organization to take possession of the property while the Legal Department works on receiving clear title to it.

Ms. Baker-Latimer recalled that the property was purchased by the City for \$109,000. Under the first agreement, Habitat was to purchase the property for \$25,000. However, due to the delay causing Habitat financial issues, staff is now recommending that the price be reduced to \$15,000.

City Attorney Marek said that the sellers of the property to the City had a second mortgage. They have evidence that their debt has been satisfied; however, the second mortgage was sold several times, and the City has had difficulty identifying the holder of the second mortgage to get the Release. Mr. Marek advised that he anticipates litigation will be necessary to determine ownership of the lien. There is also a breach of contract issue from the sellers who issued a Warranty Deed indicating that they had clear title. It is further complicated by an out-of-state lien holder (California corporation), who had bought the mortgage. The action being recommended at this meeting would allow a Quit Claim Deed to be given to Habitat for Humanity. Upon clear title, a Warranty Deed would be issued..

Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 11-136 approving the Purchase Agreement between the City of Ames and Habitat for Humanity of Central Iowa for the property located at 3803 Minnetonka in the amount of \$ 15,000.

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

2008/09 STORM WATER FACILITY REHABILITATION (EASTGATE SUBDIVISION):

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 11-130 awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$61,800.

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

TRANSIT SERVICE AGREEMENT: Moved by Mahayni, seconded by Davis, to adopt RESOLUTION NO. 11-131 approving the Transit Service Agreement among the City of Ames, Iowa State University, and Government of the Student Body for period beginning July 1, 2011, through June 30, 2021.

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

BUS TRACKING TECHNOLOGY SYSTEM FOR CYRIDE: Transit Director Sheri Kyras said that a bus tracking system is one of the most requested enhancements in the transit industry. It formerly had been cost-prohibitive for CyRide; however, several factors had recently combined to allow the technology to be considered in Ames. Ms. Kyras reported that members of the GSB, Iowa State University, and CyRide worked together to determine the needs, cost, and funding. Through the process, the students put together a proposal for the tracking system where they would fund the initial cost of the system plus three years of the operating costs (out of the GSB

Trust Fund). Ms. Kyras said that the University of Iowa had just installed a bus tracking system and provided information to the City on how it was working and pertaining to their sole-source analysis that they had done at the time of purchase. CyRide felt comfortable at that time that the NEXTbus software was the best product for the purposes intended. Approximately one day prior to this meeting, the City learned that the information they had been given by the University of Iowa perhaps was not complete. Their system went into operation in December, and their analysis had been done some time last year. The U of I had done an analysis on five different bus tracking systems, and through that, there were two elements that the students felt must be included in CyRide's system: telephone and SMS (text messaging) elements. In the U of I analysis, those two elements were not available from Syncromatics. Ms. Kyras said the City has recently learned that that information was incorrect.

Max Choi, Senator on the GSB and member of Ames Transit Board, stated that the students are very excited about this project. He noted that they were just informed that perhaps they had been given misinformation and that a different company might be able to provide the product at a better price. However, that has not been confirmed because no other bids or presentations have been given. Mr. Choi noted that the project is a high priority, but the students believe that other vendors should be given a fair opportunity to submit a proposal. He recommended that an RFP be issued so that this project can be done in the right way.

Matt England agreed with Mr. Choi. He said students want the tracking system in place, but the means on how it is accomplished is not the main motivation for the them. NEXTbus seemed to meet the requirements because the University of Iowa had already implemented it. He said the students are open to exploring what other companies have to offer. Timing is not a huge issue; the system does not have to be in place by August 2011. Director Kyras said that the RFP and related processes would take approximately nine months.

Josh Bigelow, Syncromatics, 5455 Wilshire Boulevard, Suite #702; Los Angeles, California, said that he is representing a competing company. He believes that the determination to go with NEXTbus was based on misinformation from the University of Iowa. He said that his firm as well as the other firms listed were never directly contacted during that procurement; that led to misinformation. Mr. Bigelow said that the statement that Syncromatics lacked telephone and SMS capabilities is not, nor has it ever been, true. He believes that it would be in the best interest of CyRide and Iowa State University to entertain proposals from competing firms or issue a Request for Proposals.

Moved by Goodman, seconded by Mahayni, to not waive the City's Purchasing Policies and direct staff to solicit proposals for a bus tracking technology system.

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

WATER METER TEST STAND: Moved by Davis, seconded by Goodman, to adopt RESOLUTION NO. 11-133 awarding a contract to MARS Company of Ocala, Florida, in the amount of \$109,077.71 for purchase of water meter test stand for large meters and to upgrade small meter test stand.

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

WPC DISINFECTION: Moved by Davis, seconded by Mahayni, to adopt RESOLUTION NO.

11-134 to approve a Professional Services Agreement for Final Design of WPC Disinfection. Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

WATER AND POLLUTION CONTROL PLANT PUMP REPLACEMENT PROJECT: The Mayor noted that no Council action was required, and the report of bids was contained in the Council Action Form.

COMMENTS: *Ex officio* Member Matt England said that the target date for the DZ Triangle construction is April 30. He encouraged all residents of the neighborhood to join in the planting.

ADJOURNMENT: Moved by Davis to adjourn the meeting at 10:20 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor