

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

APRIL 12, 2011

The regular meeting of the Ames City Council was called to order by Mayor Campbell at 7:00 pm. on April 12, 2011, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Davis, Goodman, Larson, Mahayni, Orazem, and Wacha. *Ex officio* Member England was also present.

ANNEXATION OF PROPERTY LOCATED SOUTH OF 190TH STREET (ROSE PRAIRIE):

City Planner Charlie Kuester recalled that the City Council, on March 22, 2011, had referred to the Planning and Zoning Commission a Petition for Annexation from Story County Land, LC, for voluntary annexation of 173.47 acres of land lying in Franklin Township. The land in question lies south of 190th Street and west of Grand Avenue. Present from the Story County Board of Supervisors were Clinton, Sanders, and Toot. Franklin Township was represented by Frank Maly.

Mr. Kuester explained that Iowa Code Section 368.7.b. requires a consultation with the Board of Supervisors and the Township Trustees of the county and township in which the property to be annexed is located. The purpose of the consultation is to identify any issues that might be involved, and within seven business days following it, modifications to the proposed annexation may be recommended. Within 30 days, the Board of Supervisors may pass a resolution supporting the annexation, recommending denial, or taking no position. According to Mr. Kuester, the Resolution needs to be filed with the Ames City Clerk by May 12. The proposed time line for proceeding with the voluntary annexation was given by Planner Kuester.

Per Mr. Kuester, the subject annexation is 100% voluntary and creates no jurisdictional islands. The Ames Planning & Zoning Commission will discuss the annexation application at its meeting to be held on April 20 and forward its recommendation to the City Council. There are statutory requirements for publishing notice and sending written notification to all affected parties pertaining to the public hearing. The hearing will occur on May 24, 2011.

Wayne Clinton, Chairperson of the Story County Board of Supervisors, introduced Supervisor Rick Sanders. Mr. Sanders reported that the application for annexation had been reviewed by Story County Interagency Review Team, and the following comments had been made.

1. Maintenance of Grant Avenue from 190th south. There will be a quarter mile stretch of Grant Avenue left under County jurisdiction.
2. Name and Numbering. Changes will need to be made relative to the 9-1-1 system.
3. Inclusion of Sturges Property. The County would like the City to consider the Sturges property (the southeast corner), which is not part of the annexation request.
4. Paving of Grant Avenue. The County wants to be apprised as to whom will ultimately pave Grant Avenue from 190th south. Paving of Grant Avenue is not in any of the County's long-range plan. The County believes that traffic will warrant its paving.

Council Member Larson asked why the other two developers (Hunziker and Quarry Estates) and the Sturges property are not seeking annexation simultaneously with Story County Land, LC.

He specifically asked if there were any factors that were holding them back. Planner Kuester indicated that the City is not aware of why the other two developers and/or the Sturges Family are not requesting to be included; the only application filed has been by Story County Land, LC.

Mr. Larson noted staff's comments that an annexation of this size "will affect the City's fire response goal of providing service to at least 85 percent of the City's territory within five minutes...this impact will be at least partially mitigated by Story County Land LC's having included a covenant on all lots that will require all residential buildings to include an approved fire sprinkler system..." Mr. Larson said that he hoped that the requirement to provide such a covenant was not creating an impediment for the other two developers. He noted that at some point in time, the City Council will need to discuss the City's fire response to the area in question. Council Member Goodman concurred with that concern, pointing out that there are homes already existing to the west of the proposed development that did not have the fire sprinkler requirement; there would be minimal benefit from only some of the homes having sprinkler systems. He felt the goal initially was to put off the need for another fire station.

At the inquiry of Council Member Goodman, Assistant City Manager Bob Kindred related that the City had entered into a Pre-Annexation Agreement with the Story County Land, LC, developers of the land in question, on July 20, 2010; said Agreement described certain financial responsibilities for the developer. The Agreement had anticipated that if the other two major landowners (Hunziker and Quarry Estates, LLC) had signed Pre-Annexation Agreements and sought annexation, all three would have shared the expenses for improvements to Grant Avenue, and along with the City, participate in the prorated costs to defer the burden on the seven non-consenting landowners. At this time, only Story County Land, LC, is seeking annexation. Quarry Estates has signed a Pre-Annexation Agreement, however, the City Council declined to approve the Agreement since the third major land owner in this area (Hunziker) has not agreed to the same terms. According to Mr. Kindred, representatives of Hunziker Land Development have indicated that the fire sprinkler requirement is their main issue.

Council Member Goodman asked when the City will have discussions about fire sprinklering versus fire stations. Mr. Kindred said that the City Council can have that discussion at any time and open up the community-wide dialogue on fire protection. Mr. Goodman again stated that he didn't see the benefit of requiring one development to have fire sprinklers if the others were not or had not; that adds cost to one development that might not be added to others, but all would require the same fire protection commitment.

Moved by Goodman, seconded by Wacha, to direct staff to re-open discussions with Quarry Estates and Hunziker Land Development regarding voluntary annexation, exploring as to what degree the fire sprinkler requirement is causing an impediment for them; to request staff to prepare a report as to the value of the fire sprinkler requirement since previous developments in the area do not have that requirement; and, to review the City's current fire response time goal as the City expands.

Mr. Kindred noted that the City does not have the legal capacity to require fire sprinklering. The only reason it is included is because the developer agreed to do so to address the fire protection concern.

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

The consultation ended at 7:25 p.m.

Mayor Campbell announced that the Council would be working from an amended agenda. Item No. 41 (first passage of an ordinance adopting the Rental Housing Code) had been pulled. In addition, Item No. 21 (contract for Specialized Wet/Dry Vacuum, Hydro Blast, and Related Cleaning Services for the Power Plant) has been pulled by City staff. It is anticipated that both items will be placed on the April 26, 2011, Agenda. Also, at the request of staff, Mayor Campbell also pulled Item No. 29 (Plat of Survey for 712 South 16th Street) for separate discussion.

PROCLAMATION FOR ADMINISTRATIVE PROFESSIONALS WEEK: Mayor Campbell proclaimed April 24 - 30, 2011, as Administrative Professionals Week. Accepting the Proclamation were members of the Ames Chapter of the Iowa Administrative Professionals Association Beth McPhail, President; Janet Lovell, Seminar Co-Chair; and Karen Thompson, Public Relations Chairperson.

PROCLAMATION FOR FAIR HOUSING MONTH: April 2011 was proclaimed by Mayor Campbell as Fair Housing Month. Aaron Fultz, Chairman of the Ames Human Relations Commission; Gary Denner, representing the Ames rental property managers; and Chuck Winkleblack, representing the Central Iowa Board of Realtors, accepted the Proclamation.

CONSENT AGENDA: Moved by Mahayni, seconded by Goodman, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of Special Meetings of March 15, 2011, and March 31, 2011, and Regular Meeting of March 22, 2011
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for March 16-31, 2011
5. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class C Liquor – Dangerous Curves, 111 5th Street
 - b. Class C Liquor – WestCyde Wings, 3706 Lincoln Way
 - c. Class C Beer and B Native Wine – Ames British Foods, 819 Lincoln Way, Suite D
 - d. Class C Liquor w/Outdoor Service – Cyclone Experience Network, Hilton Coliseum
6. RESOLUTION NO. 11-138 approving appointment of member to Central Iowa Regional Housing Authority (CIRHA) Board of Commissioners
7. RESOLUTION NO. 11-139 approving Architectural and Engineering Services Agreement with Shive-Hattery for City Hall Space Re-Use Reconstruction Project
8. RESOLUTION NO. 11-140 approving reallocation of funds for ChildServe
9. RESOLUTION NO. 11-141 approving extension of high quality job creation program agreement between Iowa Department of Economic Development, NewLink Genetics Corporation, and City of Ames
10. Additional requests from MSCD for 4th of July Parade and Festival on Monday, July 4:
 - a. RESOLUTION NO. 11-142 approving usage of and waiver of fee for electricity and water in Tom Evans Plaza from 6:00 a.m. to approximately 3:00 p.m.
 - b. RESOLUTION NO. 11-143 approving closure of Parking Lot N from 6:00 a.m. to approximately 3:00 p.m
11. RESOLUTION NO. 11-144 approving closure of Chamberlain Lot Y from 1:00 p.m. to 10:00 p.m. on Friday, April 22, for Campustown Clean-Up
12. RESOLUTION NO. 11-145 approving parking prohibitions on a portion of Chamberlain Avenue during VEISHEA

13. RESOLUTION NO. 11-146 approving preliminary plans and specifications for 2010/11 Collector Street Pavement Improvements (Storm Street); setting May 4, 2011, as bid due date and May 10, 2011, as date of public hearing
 14. RESOLUTION NO. 11-147 approving preliminary plans and specifications for Water and Pollution Control Facility Supervisory Control and Data Acquisition System, Phase II; setting May 12, 2011, as bid due date and May 24, 2011, as date of public hearing
 15. RESOLUTION NO. 11-148 approving preliminary plans and specifications for 2010/11 CyRide Route Pavement Improvements (Ontario Street); setting May 4, 2011, as bid due date and May 10, 2011, as date of public hearing
 16. RESOLUTION NO. 11-149 awarding contract to Titan Machinery of Ankeny, Iowa, for one Case 721F wheel loader at a cost of \$147,625 with buy-back guarantee of \$92,000 after two years
 17. RESOLUTION NO. 11-150 approving renewal of contract with Allied Valve, Inc., of Bettendorf, Iowa, in the amount of \$55,000 for Valve Maintenance Services for Power Plant Boilers
 18. RESOLUTION NO. 11-152 approving renewal of contract with W-S Industrial Services, Inc., of Council Bluffs, Iowa, in the amount of \$205,000 for Specialized Cleaning Services, including Grit Blasting, Hydro Blasting, Detonation Blasting, and Vac Truck Services for Power Plant
 19. RESOLUTION NO. 11-153 approving renewal of contract with ChemTreat, Inc., of Glen Allen, Virginia, in the amount of \$206,000 for Power Plant Chemical Treatment Services and Supplies
 20. RESOLUTION NO. 11-154 approving renewal of contract with Plibrico Company, LLC, of Omaha, Nebraska, in the amount of \$490,000 for Power Plant Boilers Repair and Maintenance
 21. RESOLUTION NO. 11-155 approving renewal of contract with Asplundh Tree Expert Co. of Fairfax, Iowa, in the amount of \$285,000 for Electric Distribution Line Clearance Program for FY 2011/12
 22. RESOLUTION NO. 11-156 accepting partial completion and release of retained funds for Iowa State University Vet Med Substation Power Transformers
 23. RESOLUTION NO. 11-157 approving contract and bond for 2010/11 Arterial Street Pavement Improvements (6th Street from Northwestern Avenue to Grand Avenue)
 24. RESOLUTION NO. 11-158 approving Plat of Survey for 1800 East 13th Street
- Roll Call Vote: 6-0. Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

PLAT OF SURVEY FOR 712 SOUTH 16TH STREET: City Planner Jeff Benson stated that staff is now recommending approval without the condition that easements be provided. Mr. Benson advised that easements will be provided by the developer when more is known about the design of the development.

Moved by Goodman, seconded by Davis, to adopt RESOLUTION NO. 11-159 approving the Plat of Survey for 712 South 16th Street.

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

PUBLIC FORUM: Angela Moore, Director of the Main Street Cultural District, said she was speaking in regards to the new Downtown Farmers' Market that will begin on June 25. According to Ms. Moore, an important part of the Farmers' Market is the relationship between the customers and the vendors. One of the reasons for the Market to occur is to bring products grown locally to the local customers. At the Market, there will be food tasting and sampling. In that same respect, they would like to allow local wineries to offer samples of their product. Ms. Moore indicated that it is difficult to sell wine made locally without allowing people to taste it first. She requested that the City Council direct staff to change the ordinance to allow wine

tasting specifically at Ames Farmers' Markets, with the stipulation that all wine tasting events be done by a local wine/beer vendor who has a liquor license to see off-premises, the samples would be 1 ounce, the vendor would be responsible for identifying the age of the person receiving the sample, and the sample would have to be drunk in front of the vendor at their booth.

No one else came forward to speak, and the Mayor closed Public Forum.

5-DAY SPECIAL CLASS C LIQUOR LICENSES FOR OLDE MAIN BREWING COMPANY: Moved by Davis, seconded by Mahayni, to approve a 5-day Special Class C Liquor License (April 16 - 20) for Olde Main Brewing Company at ISU Alumni Center, 420 Beach Avenue.

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

Moved by Davis, seconded by Mahayni, to approve a 5-day Special Class C Liquor License (April 16 - 20) for Olde Main Brewing Company at Reiman Gardens, 1407 University Boulevard.

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

LANDSCAPING IMPROVEMENTS TO MEDIAN ON CHESTNUT: Public Works Director John Joiner advised that the City Council referred the request of an owner of a business on South Duff Avenue for approval of median landscaping work on Chestnut Street (located between Applebee's and Ames Community Bank). The work will be completely privately funded. According to Mr. Joiner, staff had reviewed the proposed planting plan since the plantings will be located within the public right-of-way maintained by the City and determined that the plan is appropriate for the location and will cause no increase in maintenance responsibilities.

Moved by Goodman, seconded by Wacha, to approve the proposed plan for landscaping work on the Chestnut Street median with completely private funding.

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

CAMPUSTOWN ACTION ASSOCIATION: Assistant City Manager Kindred said that there had been some concerns expressed over whether the requested allocation of \$3,000 would be used to hire a person or if it is actually to assist in accomplishing the goals of the CAA. Mr. Kindred advised that if the City Council members approve the funding, they should direct staff to prepare an agreement identifying the activities that are to be accomplished in return for the City funds. According to Mr. Kindred, the Campustown Action Association does not exist as an incorporated group. He said it was his understanding that the CAA has arranged with the Chamber of Commerce, of which it is an affiliate, to be a co-signer of any such agreement. According to Mr. Kindred, there are remaining funds in Council Contingency if the Council decides to provide the requested funding.

John Haila, President of the Campustown Action Association (CAA), briefed the Council on the status of the Campustown Action Association. On behalf of the Campustown Action Association, Mr. Haila requested \$3,000 to fund the summer internship. He feels that the intern position will help CAA work towards achieving the City Council's goal to rejuvenate Campustown.

Ann Taylor, 217 Welch Avenue, Ames, highlighted Campustown's Summer Fest, which is being planned for June 11, 2011. A second event to welcome the students back in the fall is also being planned.

Moved by Mahayni, seconded by Larson, to adopt RESOLUTION NO. 11-160 directing staff to prepare an agreement with the Chamber of Commerce outlining the scope of work on CAA programs that will be expected in exchange for the \$3,000.

Council Member Goodman indicated that he would be abstaining due to a conflict of interest.

Roll Call Vote: 5-0-1. Voting aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting nay: None. Abstaining: Goodman. Resolution declared adopted.

ONE COMMUNITY EVENT: City Manager Intern Brian Phillips reported that the City has joined with the Government of the Student Body (GSB) to co-sponsor an annual "One Community Event," to be held at Fire Station #2 on April 29 from 5 - 7 PM. There will be a small resource fair to be held on Chamberlain Street when information will be distributed and activities will be held by community organizations, City departments, and campus clubs.

Moved by Mahayni, seconded by Wacha, to adopt RESOLUTION NO. 11-161 approving the closure of Chamberlain Street, from Stanton Avenue to Welch Avenue, and Lot Y on April 29 from 5 - 8 PM.

Council Member Goodman requested that John Haila, CAA President, be notified when events are being planned for the Campustown area.

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

Moved by Mahayni, seconded by Wacha, to adopt RESOLUTION NO. 11-162 suspending parking at 31 meters in Lot Y and on Chamberlain and waiving parking meter fees and electrical outlet access fees.

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

BLOOMINGTON HEIGHTS TOWNHOMES REQUEST: Public Works Director John Joiner reported on the request of the Bloomington Heights West Townhomes property owners that the City assume jurisdiction for the streets within the townhome area. The City Council had referred that request to staff and asked for a report on the impacts of the City assuming maintenance of the private streets. Mr. Joiner advised that the basic concept of the development is that the homeowners collectively own the property surrounding the homes, including the streets. The streets were privately constructed and are to be privately maintained. Mr. Joiner summarized the issues regarding the City of Ames accepting ownership and maintenance of the streets.

According to Mr. Joiner, infrastructure within Planned Residential Developments (PRDs), such as the one in question, were originally constructed to standards lower than the City's subdivision standards in order to have more flexibility in design and to make the development more affordable. Since the infrastructure might not be as durable, the PRD owners' association, rather

than City taxpayers at large, assumes responsibility of maintenance and replacement. It was also noted that previous requests for the City to assume responsibility for private areas in other townhome neighborhoods have been rejected by the City Council.

Mike Clayton, 2310 Westwind, Ames, advised that Regency Homes had developed the area; however, has since gone out of business. Two-thirds of the development has been constructed; there are 20 lots remaining.

Council Member Mahayni noted that a forensic engineering study had not been done; however, if it is found that the existing infrastructure is in poor condition, it could cost a great deal of money to bring it up to the City's design standards.

Council Member Wacha said this situation has made him question the City's precedent of allowing such developments. He is very sympathetic to the plight of the existing homeowners; however, felt that it would be unfair to the rest of the Ames taxpayers for the City to assume the costs of the inadequate infrastructure.

Council Member Orazem stated his preference that a detailed forensic engineering report on the street pavement be performed. Council Member Mahayni pointed out if the property owners want such a report, he would only support having it done if the affected property owners agreed to pay for it.

Council Member Larson said that when persons enter into such planned-unit type developments, it is somewhat of a "buyer-beware" type of arrangement. He said the only remedy would be for the property owners to have good legal representation. Council Member Davis concurred, stating that he sympathizes with the residents of that area; however, the City cannot be expected to fix the problems.

Council Member Goodman pointed out that if the affected property owners are interested in making the investment to bring the infrastructure up to City standards, they could make a subsequent request to the City for maintenance after that is done.

Moved by Davis, seconded by Mahayni, to direct staff not to pursue accepting jurisdiction for the private streets in the Bloomington Heights West Townhomes development.

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

Council Member Orazem asked if the City had the expertise to do the forensic evaluation. Public Works Director Joiner stated that a testing lab would have to be hired to do that work.

FIRST UNITED METHODIST CHURCH LAND REQUEST: Traffic Engineer Damion Pregitzer gave a brief summary of the history behind the request of the First United Methodist Church (FUMC) at 516 Kellogg Avenue regarding a proposed expansion to the Church's main building. He stated that since October 2010, City staff has had multiple discussions with the FUMC representatives on basically site plan issues.

Mr. Pregitzer reported that the existing condition includes four parcels between 5th Street, 6th Street, Kellogg Avenue, and the public alley. The existing parking situation accommodates 39 public parking spaces within the two City lots. The proposed layout of the church expansion lot

will reduce the number of public parking spaces in Lot S to 34 spaces. That number will be further reduced to 28 when a drive-through garage for the Library's Bookmobile is built within the alley area. However, the Church's most recent preliminary site layout has shifted the addition west to create a setback similar to the original church building. The layout now includes eight parking spaces adjacent to the south side of the Church (including one handicapped space) and six spaces adjacent to the alley. In addition, according to Mr. Pregitzer, Public Works has completed the design and bidding for improvements to Kellogg Avenue between Main Street and the Street. City staff has been working with the Post Office in an attempt to improve the parking in that area. As a result, new angled parking at the Post Office will be installed. This will increase the on-street capacity from six spaces to nine spaces on the west side of the street and will include a dedicated handicapped parking stall. This construction will be completed during summer 2011. Also, if the FUMC's request is approved and Lot R is closed, two new on-street parking spaces will be created on the east side of Kellogg across from the Post Office. Mayor Campbell noted that the result would be a net loss of only one parking space.

Dale VanderSchaaf, 2602 Tyler Avenue, Ames, Chairman of the FUMC Project Steering Committee, showed a video outlining the proposed planned Church expansion and the reasons why it is needed. Expansion at the current site is important to allow the Church to continue serving at a location that best benefits those who are being served. Examples given were the *Food at First* program, which serves 1,400 meals/month at no charge to members of the community; the \$2,000 worth of food given away each month; and the free medical clinic, which is conducted every Thursday and serves approximately 80 people/week. Other community-service organizations also use the Church on a regular basis for their meetings.

Council Member Orazem asked if there had been any interest in making Kellogg Avenue a one-way street so as to provide even more parking. Mr. Pregitzer said that had not been discussed.

Council Member Goodman asked for clarification as to whether the arrangement had been worked out for the interim period to allow the Bookmobile access. Mr. Pregitzer said that when the Development Agreement is brought to the Council for approval, the details will include how the parking stalls along the alley will be addressed while the Church expansion is occurring and until the Library expansion with new Bookmobile garage is complete. There will be temporary regulations in the meantime.

At the request of Council Member Goodman, Mr. Pregitzer clarified the proposed parking configuration. Under the currently proposed plan, the Church would not provide any shared parking on its property.

Council Member Larson said that he thought it was a fantastic project. He stated that his only concern has to do with the parking, and he preferred the staff continue to work with the Church to yield no lost parking spaces. Mr. Larson noted that when a study was done on a possible parking ramp for the Downtown, each space was thought to cost approximately \$15,000. The Mayor reiterated that under the current plan, only one parking space would be lost.

Council Member Wacha expressed the importance of providing adequate room for Bookmobile turnaround. He wants to ensure that there is an agreement that there will be enough room for the garage when the Library expansion occurs.

Moved by Goodman, seconded by Davis, to direct staff to negotiate an agreement with the First United Methodist Church related to its expansion.

Roll Call Vote: 6-0. Motion declared carried unanimously.

120 FIFTH STREET: The City Council referred a letter from Chuck Winkleblack, who represents the owner of the property at 120 Fifth Street. The owner is seeking to determine if the City would

have any interest in acquiring the property for use as public parking. Apparently, the owner is asking \$96,000 for the property.

Traffic Engineer Damion Pregitzer advised that the lot in question is located behind the Pantorium. The condition of the lot from the visual inspection looks to be in good shape. There are virtually no surface cracking, potholes, etc. It appears there are approximately 16 stalls (18 in total if some bollards are removed). If acquired by the City, the Traffic Engineer suggests that the lot be set up for reserved stalls considering Fifth Street has a surplus of on-street parking meters. At the current rate of \$35/month for reserved stalls, the lot should earn \$6,000 dollars/year (assuming 80% of stalls are reserved). At this rate, the payback for the acquisition would be 16 years, without taking in account the operations and maintenance costs.

Mr. Pregitzer pointed out that acquisition of this lot will not result in any increase in parking spaces in the Downtown District since they are currently available for this use, and the payback will be quite long. He also said that the Parking Fund does not appear to be in a condition to sustain this type of unplanned capital expenditure, and the Library Board of Directors is seeking to purchase the property to the east of their facility to expand parking opportunities. According to Mr. Pregitzer, staff is not recommending that the City Council consider the purchase of the lot at 120 Fifth Street at this time.

Moved by Mahayni, seconded by Orazem, to decline the offer for the City to purchase the lot at 120 Fifth Street.

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

ABANDONED SHOPPING CARTS: City Manager Intern Phillips recalled that, on November 23, 2011, Council had directed staff to provide feedback on what could be done to reduce the abandonment of shopping carts on the property adjacent to the CyRide stop at South Fifth Street and South Duff Avenue. Mr. Phillips said that he had investigated areas around Ames and photographed locations where cart abandonment was prominent. After doing so, it became evident that this problem was not limited to the South Fifth Street and South Duff Avenue area; abandoned carts were noted in the areas surrounding the West and East Ames HyVee grocery stores. In addition, staff had learned that until the closure of the Cub Food store on North Grand Avenue, cart abandonment was an issue in that neighborhood as well.

According to Mr. Phillips, there are approximately 20-25 businesses in Ames that use shopping carts. Standard shopping carts can cost between \$90 and \$200 to replace. Abandoned carts in Ames are overwhelmingly from grocery stores. Carts tend to be abandoned on commercial property, on City property, or in residential common spaces such as apartment complexes. Cart abandonment was not observed on the lots of single-family homes during the survey of the issue in Ames. When carts are abandoned on City property, such as in Franklin Park or O'Neil Park, City staff time is used to remove them.

Mr. Phillips advised that, due to its location as a bus stop, the Ames Transit Board had discussed the issue of carts at South Fifth Street and South Duff Avenue. A change in the CyRide routes to add a stop closer to Walmart and Target would necessitate the addition of one bus to the fleet to maintain coordination with existing bus schedules. This would cost an additional \$352,900 per year. Because of the substantial cost, CyRide has no plans to change the existing route, although a permanent bus shelter will be installed at the South Fifth and South Duff stop this summer.

According to Mr. Phillips, staff met with Hy-Vee (Lincoln Center) and Walmart (South Duff Avenue) management to get their feedback. Hy-Vee sends a van to collect carts when they are notified that carts have left the premises. Customers are not frequently witnessed taking carts from the premises, and only store managers will confront customers in these instances. Hy-Vee stated that the cost of sending staff to retrieve the carts is minimal compared to the cost of the carts. Walmart has trained all store associates to approach customers who leave the premises with carts. Walmart now sends a van to the nearby bus stops and apartments at least three times per day to pick up carts. Before the closure of the Sprint store across Duff Avenue, Sprint employees would regularly notify Walmart and/or HyVee of abandoned carts at the bus stop.

Mr. Phillips briefed the Council on some strategies that are effective in reducing abandonment of shopping carts. He presented the alternatives available to the City of Ames. Mr. Phillips shared that he had found no evidence of ordinances within the State of Iowa that require store owners to retrieve their carts within a certain time frame after receiving notice that a cart has left their property.

Council Member Wacha said an obvious first step to him would be placement of signage, both at the stores and at places where the carts are being abandoned. Council Member Davis stated that it would be the store's decision; the City could not mandate a sign be placed on private property.

Council Member Mahayni noted that the resolution appeared to be a periodic reminder. Mr. Phillips agreed and said that whether penalties or fines would be effective remains questionable. Council Member Goodman stated that he liked the method used by Aldi Grocery Store - to charge a deposit on the cart. Mr. Mahayni said that it was up to the business. Council Member Wacha pointed out that there is an expectation for businesses to keep their shopping carts off of public property. The logical way to approach this problem is to deal with the person who is taking the cart off site. Council Member Larson said he would like to start with something simple. He suggested that the City start by encouraging businesses to monitor the cart abandonment.

GENERAL OBLIGATION REFUNDING BONDS: Tionna Pooler, Public Financial Management, noted that the City had received a AAA rating again on this refunding bond issue. She indicated that that is a rare distinction among most cities in Iowa. Present value interest costs saved by refunding the bonds at this time equated to over \$460,000, which is a little over 7% of the value of the bonds that were refunded. Ms. Pooler advised that six bids were received that came from 22 different firms that had an interest in buying them. The interest rate (1.99%) received was excellent.

Moved by Davis, seconded by Larson, to adopt RESOLUTION NO. 11-163 accepting bids and authorizing the sale and issuance of Essential Corporate Purpose General Obligation Refunding Bonds to Hutchinson, Shockey, Erley & Co., of Chicago, Illinois, in an amount not to exceed \$6,105,000.

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

RENTAL HOUSING INSPECTOR POSITION: Assistant City Manager Kindred advised that, as a part of the approved FY 2011-12 budget, an additional full-time rental housing inspector position was approved by the Council; that position was authorized to be filled effective July 1, 2011. Since the budget was approved, the Inspection Division has received an unanticipated resignation from the Rental Housing Inspections Supervisor, and a promotional recruitment to fill this position should be completed by June 1, 2011. According to Mr. Kindred, filling the new Rental Housing Inspector early will allow both the new employee and the new supervisor to be involved in implementation of and training in the updated code, as well as in learning the new record keeping program. These steps will lead to an improved level of service to all rental housing customers. Mr. Kindred shared that some of the Council members have concerns about filling a new staff position before the new Rental Housing Code is adopted. He said that the recruitment needs to begin now, no matter when it is filled, to be able for the Inspections Division to be as efficient as possible in maintaining the service level.

Council Member Larson noted that, during budget hearings, other ways to lower the cost of the fee increase that would have to be placed on landlords related to adding a staff person in Inspections were discussed. He noted that there had been feedback about what other cities are doing, and he would like to have further discussions on those possibilities before an early start date for a new inspector is approved. A decision on the frequency of inspection may impact the need for additional staff. Mayor Campbell said that it was her understanding that the City is way behind in its rental inspections. Mr. Kindred acknowledged that that was true. Council Member Mahayni recalled that the issue was the amount of backlog, and that was why the additional inspector was approved. Mr. Kindred indicated that it takes several months after the recruitment process has begun for the staff person to be hired.

Council Member Davis indicated that he would only support a start date that was concurrent with the effective date of the new Rental Housing Code; that was his understanding from the previous budget discussions. Council Member Mahayni again noted that the City is already way behind on its rental inspections. Council Member Davis said that he is not opposed to the City starting the recruitment process, but is opposed to the position starting on June 1, 2011. Council Member Wacha pointed out that if the City is supposed to be inspecting rental properties, it should not have a huge backlog of properties needing to be inspected. Council Member Davis agreed, but he recalled that the Council agreed to commence the position on July 1, 2011. He does not have a problem with the recruitment starting sooner, but the person should not start before July 1, 2011, because that was the date committed to. Council Member Mahayni said a connection should not be made between this position and the new Code; those are two different issues, and reasons have now emerged that necessitate the hiring of an inspector on June 1 and not waiting until July 1.

Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 11-164 authorizing starting the new full-time Rental Housing Inspector position on June 1, 2011.

Mayor Campbell asked for public input. Chuck Winkleblack, 105 S. 16th Street, Ames, said the majority of the Ames Rental Association Board did not come to the meeting since the Rental Housing Code had been pulled from the Agenda. He explained that the rental property owners are proposing a “tiered inspection schedule” (that a longer time period between inspections for those units that have had no or few violations). If that occurs, there might not be a need for an additional rental inspector. He also noted that the cost of the inspectors is borne solely by the rental housing owners. Mr. Winkleblack pointed out that the rental property owners pay a substantial amount of property taxes.

At the inquiry of Council Member Davis, Mr. Kindred advised that the cost to bring a staff person on early by one month would cost between \$4,000 and \$5,000. He stated that the General Fund would not be subsidizing the extra month. Mr. Kindred again pointed out that rental inspections are already way behind, in addition to the number of new units that continue to be added. Even if the tiered system is approved, it would be staff’s recommendation that the position in question be filled.

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

Moved by Larson, seconded by Goodman, to direct staff to give a report and recommendation to Council on the idea of extending the inspection times for rental housing.

Discussion on what time line was expected for the report. Council Member Goodman conveyed that he did not feel it was urgent. Council Member Larson said he preferred that it be done “sooner than later.” He thought that much of the research had been done as the Council was told at budget time that there were cities who had tiered inspection schedules. It is Mr. Larson’s desire that City staff work with rental housing owners on the schedule. Mr. Goodman said he did not want it to interfere with the passage of the revisions to the Rental Housing Code, which are planned to be on the Council’s April 26 Agenda. Council Members Mahayni and Wacha felt that it had already been discussed.

Vote on Motion: 4-2. Voting aye: Davis, Goodman, Larson, Orazem. Voting nay: Mahayni, Wacha. Motion declared carried.

KELLOGG AVENUE CORRIDOR: City Planner Jeff Benson recalled that, on March 1, 2011, the City Council had considered a proposal for rezoning all properties in the 100 and 200 blocks of Kellogg Avenue from Highway-Oriented Commercial (HOC) to Downtown Services Center (DSC). After a public hearing, the City Council directed staff to report on the background of the requirement in the DSC zoning district that all buildings be at least two stories in height and to reduce the area for the proposed rezoning by removing the property addressed as 203 Kellogg. Mr. Benson said that all of the background information was provided in the Council Action Form.

Council Member Davis stated his position that the Council should have discussed building heights first (before the rezoning and extending Downtown Facade Improvement Program).

Council Member Mahayni left the meeting at 9:00 p.m.

Moved by Wacha, seconded by Goodman, to pass on first reading an ordinance rezoning property within 100-200 Block of Kellogg Avenue Corridor from Highway-Oriented Commercial (HOC) to Downtown Service Center (DSC).

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

Moved by Goodman, seconded by Wacha, to adopt RESOLUTION NO. 11-165 setting a public hearing for June 14, 2011, for amendment to the Downtown Urban Revitalization Area.

Council Member Mahayni returned to the meeting at 9:06 p.m.

Roll Call Vote: 6-0. 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 amend the area for the Downtown Façade Improvement Program to include the 100 and 200 blocks of Kellogg Avenue.

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

BUILDING HEIGHTS IN THE DOWNTOWN SERVICE CENTER ZONE: Planner Benson advised that, on March 1, 2011, during discussion of rezoning the 100 and 200 blocks of Kellogg Avenue to the Downtown Service Center (DSC) zoning district, the City Council asked staff to report on the minimum building height requirement in the DSC zoning district. The minimum height of two stories was enacted with the current zoning ordinance in 2000. According to Mr. Benson, in a traditional downtown district, the standard recognizes that a mix of different, complementary uses is one of the defining characteristics of downtowns. The first floor contains the retail shops, services, restaurants, and entertainment uses while the upper floor contains professional offices, service clubs, organizations, and residences. The mix of a compact, walkable area creates a 24-hour district, generates less traffic and parking than a strictly commercial district, and provides another lifestyle option for a vibrant community. It also makes efficient use of infrastructure and provides a location for smaller, locally-owned businesses. It was pointed out by Mr. Benson that all of those uses and characteristics are present in downtown Ames.

According to Mr. Benson, the minimum height standard preserves an existing urban design characteristic that is important to a walkable, compact district – human scale. The term “human scale” describes a three dimensional space defined by boundaries within which many people feel comfortable when out of their cars. In the core of a traditional downtown district, those boundaries are the building walls on both sides of the street. The ratio of the height of those buildings and the distance across the street between buildings establishes the scale of the space. Mr. Benson pointed out that those characteristics are not uniform throughout the Ames downtown, nor are they confined in Ames to the downtown; there are many buildings with only one story downtown.. All of the one-story buildings were built before 2000 when the two-story minimum was enacted. In fact, no new buildings have been built in this district since 2000, except for a few replacement buildings. Planner Benson reported that, although buildings with two or more stories are distributed throughout the DSC zoning district, they are concentrated on Main Street east of Clark Avenue and in the northeast part of the district east of Kellogg.

Mr. Benson advised that, even after suffering damages of up to 70% percent of its value, a one-story building can be rebuilt; however, a building with two or more stories would be required if

the structure is damaged to more than 70% of its assessed value. According to Mr. Benson, there are two different standards for the Zoning Board of Adjustment to approve an exception to this requirement. One standard is that the “restoration will be made to fullest extent possible in conformance with the applicable zoning standards.” The other standard is that the lot “size and shape is not conducive to a multi-story structure . . . and . . . there is a direct benefit to the community to have a one-story structure at the proposed location.” Per Mr. Benson, these may be difficult standards to fulfill if the only reason that a one-story building is proposed is cost or preference of the owner.

Council Member Goodman said that he did not see any problems existing concerning building heights. Council Member Orazem said that if a building were destroyed, he would rather a one-story building replace it rather than nothing at all. He would not want the regulations to thwart replacement of the building.

After being asked, Mr. Benson replied that the Campustown Service Center and the Village Residential zoning districts also include minimum height standards: 25 feet in Campustown and 16 feet in the Village Commercial Center for street-facing facades. He also noted that all of the two- and three-story buildings in the downtown were built in the past 100 years without any minimum standard for building height. Owners made the decisions to build more than one story because it met their needs and made economic sense. However, needs and the economic context have changed and upper stories may no longer make sense in all cases. If there is no need for the residential or office space on the upper floors in the downtown, then a mandate may discourage the construction of new buildings in DSC zoning district. This perspective supports removing the minimum building height requirement from the DSC regulations.

Planner Benson explained other approaches that could be approved by the City Council.

Moved by Larson, seconded by Davis, to refer the report to the Planning and Zoning Commission for review and recommendation.

Citing that it was a matter of a wise use of resources, Council Member Goodman said he would not be supporting the motion.

Vote on Motion: 4-2. Voting aye: Davis, Larson, Orazem, Wacha. Voting nay: Goodman, Mahayni. Motion declared carried.

SCORING CRITERIA FOR FACADE GRANT PROGRAM: On March 1, 2011, City Council directed staff to develop concepts for a competitive grant process for the Downtown Façade Improvement Program. According to Planner Benson, this was necessary because the interest in grants appears to have exceeded the funding available in one fiscal year. Mr. Benson noted that competitive grants based on a scoring system would provide a fair and objective method for the City Council to award the available funds to the projects that best meet the objectives of the Downtown Façade Improvement Program.

According to Planner Benson, staff is suggesting five categories for review that would each earn a yet-to-be-determined maximum score. Scores would be based on a list of criteria reflected for each category that the Council would consider when reviewing proposals. The questions being suggested were based on the Downtown Design Guidelines with some added elements from the

criteria that the Main Street Iowa Program uses for its Challenge Grants. After receiving direction from the Council, staff will bring an evaluation proposal back for approval at a future meeting. The proposed questions were detailed by Planner Benson.

Discussion ensued on whether improvements to more than one 25-foot-wide bay in one building should be encouraged, given more points, or given multiple grants. Council Member Larson said that that criteria interests him the most, i.e., should improvements to more than one 25-foot-wide bay in one building be given more points or given multiple grants. He pointed out that the City is being asked to look at more and more situations where either there are a number of doors entering the building or it's been subdivided, and if so, if that is enough to support receiving more than one \$15,000 grant. Council Member Wacha said a compromise might be to give more points if there are more bays; that would lead to the multiple-bay stores receiving a grant rather than a single-bay store. He felt it should be limited to one grant per store, however.

Assistant City Manager Kindred noted that one of the suggestions is that there be a set annual deadline for making application. The grants then can be compared to each other and weighed against the criteria.

Council Member Orazem said that another factor that should come into play is how much money will be leveraged from the private sector. He feels strongly that that needs to be part of the equation since the purpose is to incentivize additional investment in the Downtown area.

Council Member Goodman asked about prioritization of projects. Council Member Larson said that the second and third bullet points under "Financial Impact" address that; those are very important. Council Member Orazem concurred, stating that if someone is willing to invest money on the most-problematic buildings, that should carry more weight.

Council Member Goodman would like the Council to select the one which makes the most impact because sometimes the improvements are visually negligible. If a person makes an investment in multiple adjacent properties and they take out a wall, it would not be a bad thing to fund two projects if there are two store front scales.

Chuck Winkleblack pointed out that the Downtown Facade Grant Program is working; it is helping to make great improvements to and having a positive impact in the Downtown. He asked the Council not to over-analyze it and make it so complicated so that people do not use it. Council Member Wacha said he wanted whatever the Council does to make it just as easy as it is now for owners to apply.

Council Member Goodman suggested that the criteria to be used by the Council should include the following: (1) structural integrity and public safety, (2) visual significance in the context of the building, (3) economic impact, and (4) no backs to buildings should be funded. Council Member Orazem felt that the application for historic area and potentially other sources of funding that come from that should be considered at some point. Mr. Goodman said he was assuming that the same historic piece that is currently in the Program would remain.

Mr. Goodman said the one clarification he was hoping would be made was about the bays. Council Member Larson said he agreed with Council Member Wacha that an application should

be given more points if it was a larger project. Planner Benson said the staff will come back with suggested wording.

BUS SHELTERS FOR CYRIDE: Transit Director Sheri Kyras gave the staff's evaluation of the bids received.

Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 11-166 approving award of contract to Columbia Equipment Company of Jamaica, NY, for the purchase of up to 30 bus shelters over a five-year contract term in an amount not to exceed \$300,000, subject to approval by Transit Agency Board of Trustees and Office of Public Transit.

Council Member Davis asked if the bus shelters being recommended were capable of handling the new electronic operating system (Next Bus technology). Ms. Kyras said that the shelters being considered are solar-powered. She said that staff would review the bid and report back to staff whether the solar panel component could power that.

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

RECONSTRUCTION OF CYRIDE'S OFFICE BUILDING: Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 11-167 approving final payment of retainage to HPC Construction for reconstruction of CyRide's office building and deduct contract change order. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

The meeting recessed at 9:44 p.m. and reconvened at 9:53 p.m.

NPDES PERMIT APPEAL: Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 11-168 authorizing continuation of outside consulting services with Hall & Associates in an additional amount not to exceed \$50,000 without prior authorization pertaining to NPDES Permit appeal. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN: Moved by Larson, seconded by Davis, to adopt RESOLUTION NO. 11-169 approving the Americans with Disabilities Act (ADA) Transition Plan Update. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

NORTH GRAND MALL REDEVELOPMENT: Assistant City Manager Kindred recalled that on January 11, 2011, the City Council approved a request from GK Development to extend, for an additional six months to July 18, 2011, the deadline for reconfiguring the parking on Lot 2 at the North Grand Mall. At the same time, Council members expressed concern with the ongoing time extensions citing the public's desire to have a viable mall. Towards this end, the City Council also directed the City Manager to work with the owner of North Grand Mall to offer an incentive to induce two nationally recognized retail tenants to sign leases by April 11, 2011. In February, the City Manager met with Greg Kveton, representing GK Development, to discuss

the Council directive. The City Manager suggested making available to the two major tenants the five-year partial tax abatement program that the City has used in its other Urban Revitalization Areas, with the stipulation that the major anchors be identified as a condition of granting the tax abatement. In this way the City would be assured of the quality of the tenants before granting this incentive.

According to Mr. Kindred, on April 7, 2011, Mr. Kveton informed the City Manager that he had been working diligently to attract two anchor tenants to the North Grand Mall. While no leases had been signed yet, he indicated one major tenant was beginning the design work for 24,000 square feet of the 36,000 square foot "Sears building." According to Mr. Kveton, this was a good sign, and a logical step before signing a lease. Mr. Kveton also stated in the letter that he was having more difficulty securing the second major tenant since the company probably was focusing on their 2011 store construction plan and not yet looking ahead to the 2012 stores. He further shared with the City Manager that the availability of the tax abatement incentive, or at least to the extent that it was being proposed, was not enough to accelerate a retailer's commitment to Ames. He believes that the City should consider a longer abatement period and focus it on the total lot (Lot 1) rather than on the two new buildings, so that the owner will be able to spread the benefit to the two major anchors.

According to Mr. Kindred, since the three-month period established by the Council to offer an incentive for lease signing has expired, Mr. Kveton is now requesting the City Council consider the following proposal: That a ten-year partial tax abatement, an incentive similar to the one reflected in our Urban Revitalization Program, be offered if GK Development is able to produce signed leases from two nationally known anchor tenants prior to July 18, 2011. If the Council approves, the incentive would extend the eligibility period an additional three months and coincide with the date that the parking reconfiguration is required.

Council Member Larson emphatically expressed his disappointment at how this had gone. He personally would like the City Council to walk away from the deal. Mr. Larson does not believe that GK Development is any closer than it was in January to landing any large tenants for the Mall. Council Member Davis also indicated his disappointment. If an abatement is to be offered, Mr. Davis wants to see the names of the stores made public.

Council Member Wacha said he was led to believe, in January, that a deal would be made within a short period of time. He does not believe that GK Development is close to making any deals. Mr. Wacha asked the City Attorney what could be done with the funds that were placed in security for the striping of the parking lot. Assistant City Attorney Judy Parks said that she would review the arrangement and report back to the Council.

Council Member Orazem indicated that he too was disappointed; however, feels strongly that something needed to be done with that property.

Moved by Wacha, seconded by Goodman, to deny the proposal to extend the period of time to provide an incentive.

Council Member Mahayni noted that GK Development has not fulfilled any of its promises for redevelopment.

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

Council Member Orazem asked what was next for this property. Council Member Davis expressed his opinion that the onus is on GK Development to come forward. Council Member Goodman said that the City has done what it can, and GK Development has not. Council Member Wacha conveyed that he has heard from many members of the community who are very frustrated over nothing being improved.

HEARING ON 2010/11 DOWNTOWN PAVEMENT IMPROVEMENTS PROJECT (KELLOGG AVENUE FROM MAIN STREET TO 7TH STREET AND MAIN STREET FROM ALLAN DRIVE TO CLARK AVENUE): Mayor Campbell opened the public hearing. No one asked to speak, and the hearing was closed.

Moved by Mahayni, seconded by Davis, to adopt RESOLUTION NO. 11-171 approving final plans and specifications and awarding a contract to Con-struct, Inc., of Ames, Iowa, in the amount of \$1,444,369.

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

HEARING ON 2010/11 WATER SYSTEM IMPROVEMENTS (WATER MAIN REPLACEMENT): The Mayor opened the hearing and closed same after no one came forward to speak.

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 11-172 approving final plans and specifications and awarding contract to MPS Engineers of Des Moines, Iowa, in the amount of \$223,499.60.

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

HEARING ON 2010/11 WATER SYSTEM IMPROVEMENTS (WATER SERVICE TRANSFERS): The public hearing was opened by Mayor Campbell. She closed the hearing after no one requested to speak.

Moved by Davis, seconded by Larson, to adopt RESOLUTION NO. 11-173 approving final plans and specifications and awarding a contract to MPS Engineers of Des Moines, Iowa in the amount of \$187,301.70.

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

HEARING ON 2011/12 WATER SYSTEM IMPROVEMENTS (WATER SERVICE TRANSFERS): Mayor Campbell opened the hearing. No one asked to speak, and the hearing was closed.

Moved by Wacha, seconded by Davis, to adopt RESOLUTION NO. 11-174 approving final plans and specifications and awarding a contract to Synergy Contracting LLC of Bondurant, Iowa, in the amount of \$352,062.60.

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

ORDINANCE TO INCREASE WATER AND SEWER RATES: Moved by Goodman, seconded by Mahayni, to pass on first reading an ordinance to increase water rates by 8% and sewer rates by 10%, effective June 1, 2011.
Roll Call Vote: 6-0. Motion declared carried unanimously.

ORDINANCE TO PERMIT PLACEMENT OF SIDEWALK SANDWICH BOARDS: Moved by Mahayni, seconded by Wacha, to pass on first reading an ordinance to permit placement of sidewalk sandwich board signs in the Downtown Service Center zone.

Council Member Goodman asked if the City “passing zone” requirement would then move to five feet. Assistant City Attorney Parks said that the proposed Ordinance requires five feet of clearance; however, the City Council does have the prerogative of requiring four feet. Council

Member Goodman said that he preferred to keep the requirement at four feet since that is already sometimes hard to achieve.

Moved by Goodman, seconded by Wacha, to amend the motion to change the ordinance to require a four-foot “passing zone.”

Vote on Motion: 6-0. Motion declared

Roll Call Vote on Motion, as amended: 6-0. Motion declared carried unanimously.

ORDINANCE PERTAINING TO F-PRD ZONE: Moved by Goodman, seconded by Davis, to pass on second reading an ordinance adding F-PRD Zone to list of zones where remote parking is allowed, reduce 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: 6-0. Motion declared carried unanimously.

ORDINANCE AMENDING SUBDIVISION REGULATIONS: Moved by Goodman, seconded by Davis, to pass on second reading an ordinance amending subdivision regulations related to Plats of Survey.

Roll Call Vote: 6-0. Motion declared carried unanimously.

COUNCIL COMMENTS: Moved by Larson, seconded by Mahayni, to refer to staff the request of the Main Street Cultural District to allow wine tasting at the Farmers’ Market.

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

Moved by Wacha, seconded by Mahayni, to refer to staff the letter from Shive-Hattery requesting a text amendment regarding building heights in the Hospital-Medical Zoning District.

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

Moved by Orazem, seconded by Mahayni, to refer to staff the letter from Steven Koger, Chief Executive Officer of McFarland Clinic, dated April 6, 2011, seeking an expansion of the medical designation.

Vote on Motion: 5-1. Voting aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting nay: Goodman. Motion declared carried.

Moved by Orazem, seconded by Wacha, to refer to staff the request of ISU Press/Blackwell Publishers seeking water service from the City of Ames..

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

ADJOURNMENT: Moved by Davis to adjourn the meeting at 10:27 p.m.

Diane Voss, City Clerk

Ann H. Campbell, Mayor