

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

APRIL 19, 2011

The Ames City Council met in special session at 7:00 p.m. on the 19th day of April, 2011, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding and the following Council Members present: Davis, Goodman, Larson, Mahayni, Orazem, and Wacha.

VACATING OF EASEMENTS ON GREEN HILLS COMMUNITY: Moved by Davis, and seconded by Mahayni to adopt RESOLUTION NO. 11-175 vacating the easements on property locally known as the Green Hills Community and setting the date of public hearing for April 26, 2011. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

COMMUNITY VISIONING: Public Relations Officer Susan Gwiasda introduced Christie Harper and Blair Phillips of Brand Endeavor to the Council. She told the Council that the City is about half way through the visioning process. Ms. Gwiasda recognized members of the Community Visioning Steering Committee that have been working on the project.

Ms. Harper said that a vision is a promise that must be delivered upon consistently with every interaction, and must be emotional, differentiating, and relevant. She described the project scope, of which the presentation to City Council completes the discovery phase and begins the analysis and vision development phase.

Ms. Phillips discussed the online survey results, stating that the survey was posted on the City website, supported by public relations efforts and email invitations. The survey was available March 14, 2011 through April 4, 2011 and a total of 5,982 individuals completed the survey.

Ms. Harper told the Council that the focus groups held in February fueled the specific questions for the survey. Ms. Phillips described the segments of the respondents, of which 65% were Ames residents, 11% were neighbors (including surrounding communities and rural Ames), and 24% were outsiders (living 45 minutes or more from Ames). She also said those who were active in city affairs were termed "actives" and those that were not were termed "passives" for the purposes of the survey. Ms. Phillips reviewed other details about the respondents.

Ms. Phillips described the data received for each question in the survey. She said the survey showed that the general city attributes most desired by respondents are employment opportunities, safety, and good schools.

Ms. Harper described competitive differentiation to the Council. She said it is not absolute, not obtained by being something only you can be, but rather, owning something credible that only you are claiming. Ms. Harper reviewed several comparable communities and their claims. She discussed the survey results, and said that of the four vision concepts tested, respondents favored the concept that Ames is a small town with big city opportunities. Ms. Harper said that after researching competitors, many communities are already making that claim, so to claim that concept would not be differentiating Ames from other communities.

Council member Goodman asked if the vision would be coming out of the four concepts, or if there were other options. Ms. Harper said responses were rooted in the four concepts that were tested, and

that Brand Endeavor would now be pushing out of those based on the uniqueness and distinctions of Ames.

Ms. Phillips reviewed more data received through the survey. Ms. Harper described Brand Endeavor's analysis of the 2007 Community Strengths, Weaknesses, Opportunities, and Threats (SWOT) Analysis. She said it is now updated to include items that are new to the conversation, and retains items from 2007 that are still relevant.

Discussion ensued on survey results.

Ms. Harper described next steps. She told the Council that clarifying any questions from the Council about the research would come first, then Brand Endeavor would develop a vision and strategic platform which focuses on points of uniqueness and distinction for Ames, without losing concept appeal. Council Member Wacha asked how the vision and strategic platform would be tested. Ms. Harper said Brand Endeavor will present the analysis of findings and proposed vision and strategic platform to the Steering Committee on May 12 and in workshops with citizens on May 24 and May 25. After the workshops, refinement will take place based on the citizen feedback, and Brand Endeavor will develop implementation recommendations. Ms. Harper said the final vision will be presented to the Steering Committee and City Council on June 13 and June 14. After the final presentations, minor refinements will be made, and delivery of the final document will take place the week of June 20, 2011.

Council Member Goodman asked if Brand Endeavor would be coming back with one vision and strategic platform to present, or if there would be alternatives. Ms. Harper said that most likely one vision would be presented, but it is possible there could be a couple.

Mayor Campbell asked what Brand Endeavor will do with the written commentary received from the survey. Ms. Harper said that this presentation constitutes raw data from the survey, and that much more of the "color commentary" will be shared in the next presentation.

Council Member Orazem asked Ms. Harper and Ms. Phillips if they were pleased with the feedback and survey results. Ms. Harper said that they were very pleased with the results, and that the response rate was phenomenal.

Mayor Campbell asked if they were surprised that agriculture came to the top. Ms. Harper said they weren't surprised, and that whenever the focus group members were asked "Ames is the ___ of Iowa," that if the response was anything other than "center" it was usually agriculture- or veterinary-based. The Council discussed the small town with large city opportunities idea, and Ms. Harper said that it is the dominant conversation about Ames, and the vision will help Ames to become a certain type of small town with a certain kind of opportunities. The goal is to find a medium between a vision that is specific enough, but not so specific that not everyone can feel themselves in it.

The meeting recessed at 8:46 p.m., and reconvened at 8:56 p.m.

DANGEROUS BUILDING ENFORCEMENT: City Manager Steve Schainker reminded the City Council of its goal to strengthen and protect neighborhoods. Mr. Schainker said that staff will be showing the City Council some photographs of some unacceptable situations occurring at properties in the community. Mr. Schainker said staff believes it has the tools to deal with the situations, but staff needs the support of the Council, since there will likely be much push-back from the community as staff seeks corrective action from property owners.

Fire Chief Clint Petersen said that the philosophy in the past has been volunteer compliance by property owners over a long period of time. He said staff needs the Council's support of a new approach for dealing with these problems.

Neighborhood Inspector Natalie Herrington said that in addition to the safety and health of the community, perception is extremely important. Ms. Herrington discussed single family dwellings that are causing concern. Photographs were shown to the Council of an abandoned residential property that is causing blight in the neighborhood. Council Member Orazem asked what abandoned means. Ms. Herrington said that for Inspections purposes, abandonment means that the person taking responsibility for the home has left, and no longer takes responsibility.

Ms. Herrington said that problems with abandoned residential properties begin on the exterior, and include broken glass, unstable stairs, unfit foundations, noxious weeds, and moisture which lead to further damage such as vermin and vandalism. Ms. Herrington also said these properties soon become dumping places, more openings to the outside occur, and stray pets and wildlife begin living in the structures.

Council Member Larson asked how long the City has known about the property in the photographs. Ms. Herrington said approximately six months, and at that time the owners were still living in the home. Council Member Orazem asked about the enforcement issues that began the relationship. Ms. Herrington said that a junk vehicle and a camper parked in the front yard were the issues that the City was first alerted to. Ms. Herrington showed another property that has been decomposing over time, and has become a dumping ground. The property is open, has unsafe appliances inside, and the foundation walls are collapsing.

Ms. Herrington discussed abandoned rental properties. Photographs were shown of a property that lost its Letter of Compliance (LOC) because of 50 deficiencies. Ms. Herrington told Council that no maintenance has occurred, and the property continues to deteriorate.

Building Supervisor David Brown discussed commercial building issues. He said that downtown buildings share structures, many which are wood that rest on either wall. With some buildings over 100 years old, Mr. Brown said some of them do not receive the necessary maintenance needed to preserve the structures. Mr. Brown told the Council that the symptoms seen that alert staff to problems include ponding on the rooftops due to sagging framing, structural movement, water damage, and unstable parapets. Mr. Brown showed photographs of particular properties with several issues that were compromising the structural integrity of the buildings. He showed the Council many effects of water penetration and moisture damage over a long period of time.

Ms. Herrington discussed hoarding. She said that, ideally, a home is functional, safe, and healthy. She said that unsafe living conditions can lead to chronic medical conditions, lack of structural integrity, fire hazards, and the creation of breeding grounds. Ms. Herrington said there has been an increase in calls from other departments, agencies, and citizens related to hoarding in the community. Photographs were shown of staircases stacked with books, many combustibles near furnaces, living rooms full of objects almost to the ceiling, and the inability to use appliances or windows. Council Member Larson asked how access was gained to the home. She said Inspections was initially involved because of exterior situations, and was then called separately regarding the interior. Mr. Schainker said that in this case a dangerous building may be deemed because of the amount of material on the interior, even though the property does not show aesthetic problems on the exterior. Ms. Herrington said that a proactive approach is working in dealing with individuals and hoarding. She also said that

working with residents toward voluntary compliance can be very tedious and time consuming. Ms. Herrington told the Council that the questions being posed are: Where do we want to stop this at?, and How much do we expect the neighborhood to go through before the City intervenes?.

Mr. Schainker said that the codes are in place for enforcement regarding abandoned and dangerous buildings. He said that the City will need to budget funds to demolish the buildings if the owners do not repair them, and then a lien would be placed against the property. Mr. Schainker said that 14 properties have been identified (single family and rental properties). He said that some of them do not have owners, and the ones that do must be contacted. Council Member Larson said he hopes a discussion will be had, so that Council can react to all that was shared.

Council Member Wacha asked if mental health agencies are being contacted when hoarding is taking place. Ms. Herrington said that the City is not privy to that information, but that the City was contacted by an agency about this instance.

Scott Griffen, 125 Main Street and 316 Main Street, Ames, said he would not advocate tearing anything down in the downtown area. He said the improvements he has made have helped his business, and that he would be willing to discuss that with other property owners. He said he is worried that a couple buildings will collapse if nothing is done. Mr. Griffen said there has to be a solution such as a special fund to assist property owners in correcting the problems.

Debbie Lee, 214 S. Maple Avenue, Ames said she is following up on the letter she sent to the City Council. She said she believes the City has a policy regarding residential properties that have been declared dangerous buildings. She said that there are cases that have been years in the making and property owners have had repeated opportunities to fix them. She asked that the Council follow through with the policy to the end and support the staff.

Richard Deyo, 505 8th Street #2, Ames, asked if the money available for demolishing buildings damaged in the flood could be used in these instances. Mr. Schainker said that these properties do not qualify for those funds.

Council Member Orazem asked what happens after a property has been declared a dangerous building. City Attorney Doug Marek said that, under the code the Council adopted in 2009, the Council enabled a process that could go either one of two ways. Previously, the City had to pursue through a municipal infraction, get the situation into court, and upon a finding of a violation of the ordinance there would be a court order to make the corrections to the property. If the corrections had not been made by the deadline, the City would have to file with the court again. Mr. Marek said that process was very tedious, and often the City did not get very far since the judge would have to enforce the order that was already in place. Mr. Marek said that as of March, 2009 the City has an alternate way to proceed. The investigation can be done by the Fire Inspector, Building Official, Sanitarian, or their staff members. Once the determination is made that the property meets the qualifications of a dangerous building under the code, it would be posted on the building, notice would be served by certified mail or personally to the owner and any occupants, who then have 15 days to respond. Mr. Marek said with the changes made in 2009, the Building Board of Appeals can hear the cases if the owner responds, and would determine if the property met the definition of dangerous building. If the owner does not respond, the code provides that the Building Official will inform the City Manager, City Council, and the Building Board of Appeals. The hearing would then be held without the owner, and the findings would be confirmed. Then, if there is no further appeal, the City is authorized to take action at the City's expense. Then the City would levy an assessment against the property that would be collected

similarly to property taxes. Mr. Marek said that, since this code has been changed, there have not been any cases that have gone through this process since staff is working toward voluntary compliance.

Mr. Schainker said that the point has been reached where surrounding neighbors are frustrated, and staff is not seeing improvements through cooperative efforts with the owners. Mr. Schainker said that staff is about to initiate the process as it is laid out in the code, and identify funding.

Council Member Larson said that Inspections took a good approach by showing the photograph of the old truck stop first. He said that our City is being represented poorly by that building, and action should be taken. Member Larson also said that action should be taken concerning the abandoned properties that were shown where the owners have taken no corrective action. Mayor Campbell said that the hoarding instances must also be looked at, as hoarding instances could lead to dangerous buildings. Member Larson said he believes what is inside someone's home is not the City's business.

Mr. Schainker said that staff would move forward with the 3 or 4 abandoned homes first, using neighborhood sustainability funds. He warned Council members that they could get phone calls from unhappy owners. Council Member Mahayni said that hoarding in the house is unsafe for the entire neighborhood, and he said he is surprised that no action has been taken on these things until now. Discussion ensued regarding hoarding and the effects of hoarding. Mr. Schainker said the real issue for Kevin Buck, a concerned neighbor, is that the City has allowed this to happen over time because staff is cooperating with the property owners.

Council Member Mahayni said his main concern is safety, and hopes the public at large can be informed about issues such as clutter in the basement, putting things next to the furnace, etc.

Council Member Goodman asked what the City's purview is for instructing property owners regarding issues such as stacked books to the ceiling in their homes.

Mr. Schainker said the purpose of the presentation is to inform the Council of some situations, to communicate how staff intends to handle the problems, and to make sure Council members are in agreement with the code enforcement. Mr. Schainker also said that hoarding is illegal, and can be deemed a dangerous building.

Moved by Mahayni, seconded by Wacha, for Steve to bring back a strategy for enforcing and resources needed to fulfill the ordinance for dangerous buildings as published in the code that was adopted in March 2009, as well as for the other two inspections issues.

Member Larson said he hopes the issues can be separated, so that they can be dealt with independently.

Council Member Goodman said a consistent policy that is more official would be helpful for staff.

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

COMMENTS: Moved by Wacha, seconded by Mahayni to refer a letter dated April 15, 2011 from Chuck Winkleblack regarding property on S. Duff Avenue.

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

Moved by Orazem, seconded by Wacha , to refer a letter from an individual regarding his own gasoline tanks at the airport.

Vote on Motion: 5-0-1. Voting Aye: Davis, Larson, Mahayni, Orazem, and Wacha. Voting Nay: None. Abstaining: Goodman.

Council Member Davis thanked City staff for a great job during VEISHEA.

ADJOURNMENT: The meeting adjourned at 10:32 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

Erin Thompson, Recording Secretary