

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

AMES, IOWA

AUGUST 28, 2012

The regular meeting of the Ames City Council was called to order by Mayor Ann Campbell at 7:00 p.m. on August 28, 2012, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Matthew Goodman, Jami Larson, Peter Orazem, Victoria Szopinski, and Tom Wacha. Council Member Jeremy Davis was absent. *Ex officio* Member Sawyer Baker was also present.

Mayor Campbell announced that the Council would be working from an Amended Agenda. The bid due date for Item #28, Rehabilitation of Methane Generator Number 2 at WPC, had changed to September 26, 2012.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of August 14, 2012
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for August 1 - 15, 2012
5. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
  - a. Class E Liquor, C Beer, & B Wine – Hy-Vee Drugstore, 500 Main Street
  - b. Class C Liquor & Outdoor Service – Indian Delights, 127 Dotson Drive
  - c. Class C Liquor – Mandarin Restaurant of Ames, 415 Lincoln Way
  - d. Special Class C Liquor & Outdoor Service – Noodles & Company, 414 South Duff Avenue
  - e. Class E Liquor, C Beer, & B Wine – Cyclone Liquors, 626 Lincoln Way
  - f. Class C Liquor – Corner Pocket/DG’s Taphouse, 125 Main Street
6. RESOLUTION NO. 12-448 approving revisions to Records Retention Schedule
7. RESOLUTION NO. 12-449 designating First National Bank of Ames, Iowa, as depository bank for City of Ames through September 30, 2015, with three-year renewal option
8. RESOLUTION NO. 12-450 approving preliminary plans and specifications for 2008/09 and 2009/10 Skunk River Trail Extension (Hunziker Youth Sports Complex to Southeast 16<sup>th</sup> Street); setting September 18, 2012, as bid due date and September 25, 2012, as date of public hearing
9. RESOLUTION NO. 12-451 Resolution awarding contract for CyRide Facility Boiler Replacement to Mechanical Comfort of Des Moines, Iowa, in the amount of \$89,345.00
10. RESOLUTION NO. 12-452 approving Change Order for Tree Trimming Contract with LawnPro, LLC, of Colo, Iowa, in an amount not to exceed \$12,000
11. RESOLUTION NO. 12-453 approving Change Order No. 55 for Intermodal Facility Fire Extinguisher Cabinets
12. RESOLUTION NO. 12-454 approving final completion of South 4<sup>th</sup> Street Water Main Repair Project
13. RESOLUTION NO. 12-455 approving Plat of Survey for 224 and 236 South Bell Avenue
14. RESOLUTION NO. 12-456 approving Minor Final Plat for Rasmussen Group Subdivision
15. RESOLUTION NO. 12-457 approving Minor Final Plat for Fountainview Subdivision, 2<sup>nd</sup> Addition
16. RESOLUTION NO. 12-458 approving Minor Final Plat for Fountainview Subdivision, 3<sup>rd</sup> Addition

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

**PUBLIC FORUM:** Kathy Svec, 603 Grand, Ames, spoke on behalf of the Ames Historical Society. She made the Council aware that Ames' Sesquicentennial was just over two years away (December 2014). She suggested that an ad hoc commission be appointed by the Mayor to plan the celebration of the Sesquicentennial. Ms. Svec also asked the Council to consider including funding in the next years' budgets for the event. Mayor Campbell recommended that Ms. Svec make these requests at Town Budget Meeting, which will be held on the first Tuesday of October.

Bill Malone, 229 Main Street, Ames, spoke as President of the Ames Main Street Cultural District. He introduced Carolyn Klaus, President of Ames Foundation, and Judy Gallagher, Chair of the Design Committee for the Main Street Cultural District. Ms. Klaus thanked the Ames City Council and City employees for watering the plants on Main Street over the past very dry and hot summer. On behalf of the Downtown business owners and the Ames Foundation, Mr. Malone presented a plaque to the City for "surviving the drought of 2012." Ms. Klaus distributed bookmarks to the Mayor and Council as a reminder of a fund-raiser of the Ames Foundation, to be held on November 2, with the proceeds being used to continue the beautification efforts.

Ed Tomka of Carroll County, Iowa, spoke representing ten members of the Carroll Area Wind Farm. Mr. Tomka gave an update as to the progress of their project. He requested that the City increase its procurement of local renewable wind energy. According to Mr. Tomka, a Council member had told him to request that an open-meeting energy workshop be scheduled to discuss how the City of Ames can increase its usage of local wind energy. He requested that the Mayor, City Council, and City Directors, including Don Kom, hold an open-meeting workshop with members of the Carroll Area Wind Farm.

**ENCROACHMENT PERMIT FOR 122 WELCH AVENUE:** Moved by Wacha, seconded by Goodman, to approve an Encroachment Permit for a sign for Portobello Road, 122 Welch Avenue.

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

**NEW CLASS C BEER PERMIT FOR TIENDA MEXICANA ROSITA:** Moved by Goodman, seconded by Larson, to approve a new Class C Beer Permit for Tienda Mexicana Rosita, 118 South Sherman Avenue, #102.

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

**5-DAY LIQUOR LICENSES FOR OLDE MAIN BREWING COMPANY:** Moved by Larson, seconded by Szopinski, to approve the following 5-day licenses for Olde Main Brewing Company at the ISU Alumni Center, 420 Beach Avenue:

- a. Special Class C Liquor for August 29 - September 3
- b. Class C Liquor for September 8 - 12

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

**CLUB ELEMENT/CHASERS/e:** Moved by Goodman, seconded by Orazem, to approve a new 12-month Class C Liquor License & Outdoor Service for Club Element/Chasers/e, 2401 Chamberlain Street.

Police Commander Geoff Huff presented the history of violations of the bar since it was denied

a 12-month renewal in October 2011. After appeal, a settlement was reached, and a six-month license with three conditions was issued in February 2012. According to Commander Huff, the three conditions had been met, as follows: (1) license would be suspended for seven consecutive days, (2) bar would maintain a level of compliance, and (3) bar owner, Scott Davis, would pay past parking tickets and keep current on those. Commander Huff noted the ongoing problem of the bar's owner not paying parking tickets until they are turned over to collections.

Council Member Orazem asked if payment of parking fines is normally tied to renewal of liquor licenses. Commander Huff explained that one of the criteria for the State's approval of a liquor license is that the applicant be in good financial standing. The applicant had owed past parking ticket fines totaling thousands of dollars.

Ryan Howell, General Manager of Chasers, which is the lower part of the bar (Element is the upstairs), advised that they have a plan in place to prevent violations and are executing it. The employees responsible for allowing minors to enter the premises have been fired.

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

**NEW 6-MONTH CLASS C LIQUOR LICENSE & OUTDOOR SERVICE FOR CY'S ROOST, 121 WELCH AVENUE:** Police Commander Huff reported that the Police Department is recommending a 6-Month Liquor License and Outdoor Service for Cy's Roost. He noted the main concern of the Police Department was the four incidents of over-occupancy.

Andrew White, 121 Welch Avenue, Ames, owner of Cy's Roost, introduced the new manager for Cy's Roost, John Weekly.

Council Member Orazem noted that one of the major issues was the on-premise fight. He believed that reflected badly, not only on Cy's Roost, but also on the entire area of Campustown. Mr. Orazem recalled that there was question last year as to whether the Liquor License should be renewed. He thought that the City Council had made it clear at that time to Mr. White how important it was for Cy's Roost to maintain good business practices. Mr. White explained the details of the fight.

Council Member Szopinski said she was very concerned about four over-occupancy violations. She asked if a plan to prevent over-occupancy had been turned in to the Police Department. Mr. White told the Council that he did not present a written plan; he had spoken with Commander Huff about a prevention plan. According to Mr. White, he was not personally aware of the first three violations. He received a letter in April about the fourth one, which he immediately addressed. Mr. White said that he now has a zero-tolerance for over-occupancy. The bar manager also now carries a counter, and every 20 to 30 minutes, takes a count and compares it with the front-door attendant.

Council Member Larson asked Mr. White if he preferred the Police Department to have a zero-tolerance approach to over-occupancy violations. Mr. White said he did and that it would make his life much easier. Mr. Larson noted that the four out of the last seven years, Cy's Roost had been on a 6-month license. He would support the idea of zero tolerance for Mr. White's establishments.

Mayor Campbell expressed her concern about Mr. White's relationship with his managers in that they are not notifying the owner of incidents in the establishment. She asked what Mr. White's expectations were of the establishment's managers. Mr. White indicated that, going forward, he wants better communication from his managers. He said that he believed his managers have a good relationship with the Police Department. Council Member Goodman offered that, in his experience of being a businessman in Campustown, oftentimes police officers need and want to get a problem resolved quickly. The message gets delivered respectfully, and oftentimes, it gives the sense that the goal is to inform the business person how to make something better. The owner remedies it at that time and the officer moves on. That positive interaction with the police officer may make the manager feel that it is no big deal.

Council Member Larson relayed that he appreciates the community policing approach taken by the Police Department. However, when an owner states that he wants the Police Department to be more firm in order to help them carry out their own plan, zero tolerance should be used.

Council Member Wachua noted that Cy's Roost was 100 people over-occupied on multiple occasions. That is a big concern to him because it is a public safety issue. Mr. Wachua pointed out that Mr. White is the owner and is responsible for the premises; he can delegate authority, but not responsibility. He believes the pattern of the Council denying the 12-month and then approving a 6-month license is a recurring issue and troubling to him. Council Member Wachua asked if Mr. White had a different plan in place that will work better than in the past. Mr. White said that the over-occupancy problem has been corrected, as has the minors-on-premises problems. He acknowledged that he does have a plan in place. Mr. White pointed out that he had been a bar owner in Ames since 1998 and owns five establishments; he does not believe that he is a chronic violator.

Commander Huff noted that he had given suggestions to Mr. White in reference to the occupancy issues. It was confirmed by Commander Huff that there are many ways to get in and out of the bar, so it is more difficult to keep an accurate count of how many people are in the establishment. The Council was informed by Commander Huff that when over-occupancy is suspected, the Police Department stops service until the bar is in compliance. He emphasized that Mr. White needed to make it clear to his managers that they must notify him of the goings-on in the bar so that they don't continue.

Moved by Larson, seconded by Orazem, approving a 6-month Class C Liquor License & Outdoor Service for Cy's Roost, 121 Welch Avenue.

Council Member Larson cautioned that if the Police Department issues an e-mail notifying of a date that they should appear, they should consider it the same as if it were coming from someone at the highest level of City government. He indicated his frustration that Mr. White had missed the last meeting because he didn't read the email from Commander Huff. Mr. White stated that he had always been notified by the City Clerk's Office that the renewal of Cy's Roost would be on the July 24, 2012, Agenda. The renewal did not go on that date, and Mr. White assumed that he would be notified by the City Clerk's Office when it was on an Agenda. He was not focused on the e-mail from Commander Huff, which notified him to be present on August 14, because he expected the email to come from the City Clerk's Office.

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

**AMES HIGH HOMECOMING PARADE ON SEPTEMBER 10, 2012:** Kaylee Hahn and Gabby Brewer were present representing the Ames High Homecoming Parade Committee. They informed the Council that the Parade will be held on September 10, 2012, commencing at 6:30 p.m.

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 12-459 approving closure of Parking Lot MM and south half of Parking Lot M and portions of Main Street, Douglas Avenue, Fifth Street, Burnett Avenue, Kellogg Avenue, Clark Avenue, and Pearl Avenue from 5:30 p.m. to approximately 7:30 p.m.; waiver of parking meter fees in the Main Street Cultural District from 5:30 to 6:00 p.m.; waiver of parking meter fees for Parking Lot N from 5:00 to 6:00 p.m.; and waiver of fee for Fireworks 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 approve a fireworks permit for display after football game (approximately 9:15 p.m.) on September 14, 2012.

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

**ASSET: Amendment to Policies and Procedures.** Management Analyst Brian Phillips explained that on July 1, 2012, the Story County Empowerment/Early Child Development Board merged with the Boone Empowerment/Early Childhood Development Board to form “BooSt Together for Children.” Since the ASSET Policies and Procedures outline the relationship between ASSET and Decat/Empowerment, the document must be amended to reflect the change. Addendum A, if approved, will state that “the Story County Decategorization Board and the BooSt Together for Children (Boone and Story Counties) Early Childhood Iowa (ECI) Area Board will provide ASSET with quarterly reports to update funders and community stakeholders.”

Moved by Goodman, seconded by Larson, to adopt RESOLUTION NO. 12-460 approving Addendum A to the ASSET Policies and Procedures.

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

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2012/13 Human Services Contract with Heartland Senior Services. Management Analyst Brian Phillips told the City Council that, during the 2012/13 ASSET allocation process, after a cost analysis of its programs, Heartland attempted to correct budget deficits by shifting funding. Due to the figures provided by Heartland for its 2012/13 ASSET budget not being consistent with the actual costs listed in its 2011/12 audit, the ASSET funders set aside funds for programs operated by Heartland until its true financial picture could be defined. Since then, ASSET staff has had several conversations with Heartland representatives about the future of its operations.

According to Mr. Phillips, Heartland has chosen to return its transportation program to Heart of Iowa Regional Transit Agency (HIRTA), which holds a 28E Intergovernmental Agreement with the Iowa Department of Transportation’s Region 11 to provide public transit services. This has allowed Heartland to focus on its core programs and reduced overhead costs to the Agency. Heartland then submitted new 2012/13 budget forms to ASSET. The Agency has indicated that the self-generated revenue goals will be achievable, and ASSET will be updated on the progress

at a mid-year review (in January). It was reported by Mr. Phillips that the Agency has enrolled in the Iowa Food Bank, closed poorly attended congregate meal sites, and received newer donated equipment to prepare meals.

Mr. Phillips noted that the 2012/13 ASSET funding contract with Heartland has been written to allow Heartland to request reimbursement for expenses incurred since the beginning of the current fiscal year. ASSET volunteers and Heartland staff are in agreement that the funding amounts contained in the 2012/13 Contract should be sufficient to conduct the Agency's programs.

Moved by Wacha, seconded by Szopinski, to adopt RESOLUTION NO. 12-461 approving the 2012/13 Human Services Contract with Heartland Senior Services in an amount not to exceed \$138,948.

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

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Application from Heart of Iowa Regional Transit Agency (HIRTA). Management Analysis Phillips explained that HIRTA is a seven-county organization that provides regional transportation coordination and service. Regional transportation coordination is required under *Iowa Code* and is overseen by the Iowa Department of Transportation. In the past, HIRTA had contracted with Heartland Senior Services to provide regional transit services in Story County, which included transportation in unincorporated Story County and in the City of Ames. In the past, Heartland Senior Services had received ASSET funds to assist in covering costs; however, on July 1, 2012, Heartland and HIRTA had mutually agreed to return the service to HIRTA's control. HIRTA has now expressed a desire to be considered for ASSET funding. ASSET volunteers had met on August 6, 2012, and recommended that HIRTA be approved as an ASSET agency.

According to Mr. Phillips, ASSET Policies and Procedures require that a participating agencies be a 501(c)(3) non-profit organization. HIRTA is incorporated under a 28E Intergovernmental Agreement, which makes it ineligible for participation in ASSET. In order to allow HIRTA to participate in ASSET, a majority of the ASSET funders must approve an exception. It was noted that Homeward, which is operated by Mary Greeley Medical Center, had previously been granted an exception by the ASSET funders to participate in the process.

Mr. Phillips emphasized that by approving HIRTA's request to participate in the ASSET process did not guarantee that the Agency will receive funding from ASSET.

Council Member Wacha advised that had HIRTA not been willing to provide regional transit services, it would have fallen on CyRide and resulted at great cost. He noted that CyRide is not set up to provide Dial-a-Ride services, and efficiencies are gained by having a third party provide those services.

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 12-462 approving the application from the Heart of Iowa Regional Transit Agency to participate in the ASSET process. Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

**BACK-BILLING ELECTRIC CHARGES:** Electric Services Director Donald Kom explained that during work related to its expansion project in late 2011, it was discovered that there was an unmetered electrical connection to the Green Hills Retirement Community medical facility. That situation had resulted in Green Hills receiving unmetered and unbilled electricity for a portion of its facility for at least 15 years. Staff installed a temporary meter on the feeder in an attempt to determine how much electricity was unaccounted for on a monthly basis. Using that analysis, staff calculated an appropriate billing adjustment for five years service. Mr. Kom presented two options for dealing with the underbilling.

At the inquiry of Council Member Orazem, Mr. Kom reported that there are a lot of wires running through the cabinet in question. Until each was traced, it was not known that one did not go through a metering. The cabinet is only accessed by Ames Electric or a contractor, and work had not been done in that area for approximately 15 years.

Matt Gibb, Manager of the Green Hills Retirement Community, told the Council that as soon as he was notified of the issue, he wanted to figure out a way to correct it. Green Hills has always been in good standing in the community, and they want that to remain.

Moved by Larson, seconded by Goodman, to adopt RESOLUTION NO. 12-463 approving an adjustment to the Green Hills Retirement Community bill by \$55,695.48 and directing staff to work with the customer on an acceptable payment plan not to exceed 12 months.

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

**GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2012:** Finance Director Duane Pitcher recalled that the 2012/13 Budget includes a number of capital improvement projects that are funded through General Obligation Bonds. The Plan was adjusted in July for extension of utilities to the east and north and part of the referendum issue for the Library.

Mr. Pitcher introduced City Treasurer Roger Wisecup, who managed the bid process. Jon Burmeister of the City's financial advisor, Public Financial Management, was introduced.

Mr. Burmeister explained that bids were solicited from underwriting firms for the purchase of the City's General Obligation Bonds. He brought the Council's attention to the Tabulation of Bids. A total of six bids were received, which represented 21 different underwriters. He recommended that the City award the bid to Robert W. Baird at a true interest rate of 2.219. Mr. Burmeister stated that, subsequent to the receipt of bids, which bid at premium, the aggregate par amount of the bonds was decreased to \$12,660,000.

Discussion ensued on how much this favorable interest rate would save the City. Finance Director Duane Pitcher stated that he had not run the numbers yet as the bids were just opened today. He noted that there are a lot of maturities coming up in the next couple years, so the extent that savings can be realized by this issuance and in the near future will help; this issuance was very positive for the City.

It was pointed out by Mr. Burmeister that Moody's Investors Service had confirmed the Aaa bond rating for the City of Ames. Mr. Pitcher relayed to the Council how important it was for

the City to maintain the Aaa bond rating and the benefits received therefrom.

It was clarified Mr. Burmeister that because it was a premium, the size of the bonds was decreased to compensate for the additional proceeds; that amount should be used in the motion.

Moved by Wacha, seconded by Szopinski, to adopt RESOLUTION NO. 12-464 approving the sale of General Obligation Corporate Purpose Bonds, Series 2012, in a principal amount not to exceed \$12,660,000.

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

**UNANTICIPATED REPAIRS AT WATER POLLUTION CONTROL FACILITY (WPC):**

Water & Pollution Control Director John Dunn explained that the Sewer Fund increased more than anticipated because of the dry summer and the fact that sewer bills are based on water consumption. Due to the additional revenue, staff is recommending that unanticipated repairs be made to the maintenance of the Facility. The high-priority repairs can be made without negatively impacting the Fund Balance in the Sewer Fund. There is one additional project that is a high priority that was not able to be covered. Staff is looking at possibly shifting priorities so that it also can be done.

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 12-465 authorizing funding for unanticipated repairs, as follows:

Raw Water Pumps	\$ 78,000
Methane Engine Generator No. 2	75,551
Pipe Supports and Check Valves	67,800
Diesel Fuel Storage Tank	85,000
Design of Blower Replacements	<u>65,000</u>
Total	\$371,351

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

**WPC DIESEL FUEL TANK REPLACEMENT:** Council Member Orazem noted that only one bid had been received, and it was approximately \$43,000 higher than the engineer's estimate. Director Dunn informed the Council that there was a second bidder; however, the person delivering the bid didn't fully read the instructions and waited in the bid room instead of filing the bid in the City Clerk's Office. Following that, staff met with the engineer who designed the improvements and with the one bidder. Nothing unusual was detected in the bid that contributed beyond what was expected; therefore, there was nothing that could be specifically altered in the specifications if it were to be rebid.

Moved by Szopinski, seconded by Wacha, to adopt RESOLUTION NO. 12-466 awarding a contract for WPC Diesel Fuel Tank Replacement to Acterra Group, Inc., of Marion, Iowa, in the amount of \$188,000.00.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby



made a portion of these minutes.

**REHABILITATION OF METHANE GENERATOR NO. 2 AT WPC:** Mr. Dunn explained the reason for delaying the bid opening by one day. *Iowa Code* requires that bids be reported at the next Council meeting. If bids were received on September 25, staff would have had to analyze them and had a recommendation ready for Council that same day.

Moved by Goodman, seconded by Wacha, to adopt RESOLUTION NO. 12-467 approving the preliminary plans and specifications for Rehabilitation of Methane Generator Number 2 at WPC; setting September 25, 2012, as bid due date and October 9, 2012, as date of public hearing. Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

**ENGINEERING SERVICES AGREEMENT FOR FINAL DESIGN, BIDDING SERVICES, AND CONSTRUCTION SERVICES FOR NEW WATER TREATMENT PLANT:** John Dunn reported that the Council Workshop on this topic was initially held in September 2008; it had taken four years to get to this point. Mr. Dunn recalled that at the project outset, a competitive selection process was conducted to identify a consultant with whom to partner. Staff's preference is that the City stay with the same design team to the conclusion of the project (final design, bidding phase, construction administration, and post-construction phase), which is a collaboration of three firms: Fox Engineering of Ames, HDR of Omaha, and Barr Engineering of the Twin Cities. To date, the City has had an outstanding relationship with and received outstanding quality from that collaboration.

Mr. Dunn pointed out to the Council that this phase did not go through the same process again; that competitive process had occurred four and one-half years ago. He explained how staff did due diligence to ensure that the dollar amount was reasonable. Mr. Dunn reviewed the negotiations staff has had with FOX Engineering since last February. The project will be bid in three separate contracts: (1) Treatment Plant, (2) Improvements to the Lime Ponds, and (3) Interconnecting Pipe that will run from the old plant site to the new plant site.

Dale Watson, FOX Engineering, 1601 Golden Aspen Drive, Ames, expressed appreciation on behalf of the three firms comprising the consulting team.

Council Member Orazem asked when the Plant would be completed. Mr. Dunn stated that the design phase would take 18 - 24 months and construction would take approximately two and one-half years. Completion is estimated to occur in late 2016 or early 2017.

Moved by Orazem, seconded by Larson, to adopt RESOLUTION NO. 12-468 approving the Engineering Services Agreement with FOX Engineering for final design, bidding services, and construction services for new Water Treatment Plant in lump sum amount of \$7,044,500.00, plus services billed on an hourly basis, plus expenses in an estimated amount not to exceed \$1,195,500.00.

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

**HEARING ON STATE REVOLVING FUND (SRF) SEWER REVENUE LOAN AND DISBURSEMENT AGREEMENT:** Water and Pollution Control Director Dunn shared that

execution of the Agreement would be delayed until after October 1, 2012, because the state is lowering its interest rates. Originally, the interest rate was planned to be 3%; however, it is being reduced to 1.75%. According to Mr. Dunn, for this project, it will result in debt service savings of \$24,000/year. Over the 20-year life of the loan, approximately \$500,000 savings to the Sewer Fund will result.

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

Moved by Szopinski, seconded by Orazem, to adopt RESOLUTION NO. 12-469 approving entering into SRF Sewer Revenue Loan and Disbursement Agreement.

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

**HEARING ON 2011/12 ASPHALT PAVEMENT IMPROVEMENTS PROGRAM AND 2011/12 LOW-POINT DRAINAGE IMPROVEMENTS (SOUTH OAK AVENUE FROM SOUTH 4<sup>TH</sup> STREET TO LINCOLN WAY):** The public hearing was opened by the Mayor. She closed same after no one came forward to speak.

Moved by Goodman, seconded by Larson, to adopt RESOLUTION NO. 12-470 approving final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$511,021.70.

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

**HEARING ON 2012/13 CDBG PUBLIC FACILITIES NEIGHBORHOOD INFRASTRUCTURE IMPROVEMENTS PROGRAM (BEEBLE DRIVE AND APLIN ROAD):** The Mayor opened the public hearing. No one requested to speak, and the hearing was closed.

Moved by Wacha, seconded by Larson, to adopt RESOLUTION NO. 12-471 approving final plans and specifications and awarding a contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$338,818.93.

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

**HEARING ON 2011/12 DOWNTOWN PAVEMENT IMPROVEMENTS (DOUGLAS AVENUE):** The hearing was opened by Mayor Campbell. It was closed after there was no one who wished to speak.

Moved by Goodman, seconded by Wacha, to adopt RESOLUTION NO. 12-472 approving final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$1,215,016.00.

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

**HEARING FOR SQUAW CREEK PEDESTRIAN BRIDGE PROJECT:** The Mayor opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Goodman, seconded by Szopinski, to adopt RESOLUTION NO. 12-473 approving final plans and specifications and awarding a contract to Iowa Bridge & Culvert, LC, of Washington, Iowa, in the amount of \$279,335.60.  
Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

**HEARING ON WATER POLLUTION CONTROL FACILITY RAW WASTEWATER PUMPING STATION PIPE SUPPORTS AND CHECK VALVE REPLACEMENT PROJECT:** The hearing was opened by Mayor Campbell and closed after no one wished to speak.

Moved by Larson, seconded by Goodman, to adopt RESOLUTION NO. 12-474 approving final plans and specifications and awarding a contract to Story Construction Company of Ames, Iowa, in the amount of \$135,300.  
Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

**ORDINANCE PERTAINING TO REQUIREMENTS FOR MASTER PLANS:** Moved by Goodman, seconded by Szopinski, to pass on third reading and adopt ORDINANCE NO. 4121 pertaining to requirements for Master Plans.  
Roll Call Vote: 5-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**COUNCIL COMMENTS:** Council Member Szopinski reported that the City Council will be meeting in joint session with the Ames Community School Board on September 17, 2012, at 7:00 p.m. in the Multi-Purpose Room at the Ames High School.

Moved by Szopinski, seconded by Larson, directing that the agenda items include a discussion of proposals/plans for school properties that will be sold and that staff provide the zoning history on the former Roosevelt School and former Middle School properties prior to September 17.

City Manager Schainker advised that the properties have always been zoned as Government; however, the City Council does have on record a Government Lands Policy pertaining to what would happen if the properties were sold.

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

Moved by Orazem, seconded by Wacha, to request a report back from staff on the proposal of the Carroll Area Wind Farm, (e.g. would it fit with the City's current wind portfolio).  
Vote on Motion: 5-0. Motion declared carried unanimously.

Council Member Goodman referenced the serious injuries sustained by an individual who fell from the fifth-floor balcony of Legacy Apartments. He questioned whether the urban revitalization area criteria recently adopted for that area increased the safety standards. Assistant City Manager Bob Kindred reported that the urban revitalization area criteria for that area did not specifically address safety criteria; however, as the site planning issues have been worked through with owners of Campustown properties, they have agreed to install screens over all the balconies on the south side of 119 Stanton. City Manager Schainker advised that, because the City approved tax abatement for that building, it allowed the City to negotiate higher standards; however, generically, there is no policy referring to construction of balconies.

**ADJOURNMENT:** Moved by Wacha to adjourn the meeting at 8:28 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor