

**MINUTES OF THE REGULAR MEETING OF THE AMES CONFERENCE BOARD
AND REGULAR MEETING OF THE AMES CITY COUNCIL**

AMES, IOWA

FEBRUARY 27, 2007

REGULAR MEETING OF THE AMES CONFERENCE BOARD

The regular meeting of the Ames Conference Board was called to order by Chairperson Ann Campbell at 6:30 p.m. on February 27, 2007. Present from the Ames City Council were Doll, Goodman, Larson, Mahayni, Popken, and Rice. Story County Board of Supervisors present were Clinton, Halliburton, and Strohm. Representing the Ames School Board were Brown and Today. Gilbert and United School Districts were not represented.

MINUTES OF THE JANUARY 23, 2007, REGULAR MEETING: Moved by Halliburton, seconded by Mahayni, to approve the minutes of the regular meeting of January 23, 2007.
Vote on Motion: 3-0. Motion declared carried.

PUBLIC HEARING ON PROPOSED FY 2007/08 BUDGET FOR AMES CITY ASSESSOR'S OFFICE: Chairperson Campbell declared the hearing open. There being no one wishing to testify, the hearing was closed.

Moved by Goodman, seconded by Today, to adopt the FY 2007/08 Budget for the Ames City Assessor's Office.
Vote on Motion: 3-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Goodman, seconded by Brown, to adjourn the meeting at 6:34 p.m.

REGULAR MEETING OF THE AMES CITY COUNCIL

The regular meeting of the Ames City Council was called to order by Mayor Ann Campbell at 6:57 p.m. on February 27, 2007, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Doll, Goodman, Larson, Mahayni, Popken, and Rice. *Ex officio* Member Buske was also present.

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 the regular meeting of February 13, 2007, and special meeting of February 20, 2007
3. Motion approving certification of civil service applicants
4. Motion approving renewal of the following beer permits/liquor licenses:
 - a. Class C Beer & Class B Wine - Gateway Expresse, 2400 Elwood Drive
 - b. Special Class C Liquor & Outdoor Service Privilege - Stomping Grounds, 303 Welch Ave.
5. RESOLUTION NO. 07-083 approving Bid Awards and Purchases, \$25,000-\$50,000, for the period February 1-15, 2007
6. RESOLUTION NO. 07-084 adding Bank of the West to the list of approved depositories
7. RESOLUTION NO. 07-085 approving reallocation of Parks & Recreation Department Capital Improvement funds
8. RESOLUTION NO. 07-086 approving amendment to Deferred Compensation Plan
9. FACES Celebration to be held on March 24, 2007:
 - a. Motion approving Blanket Vending Permit
 - b. Motion approving Blanket Temporary Obstruction Permit
 - c. RESOLUTION NO. 07-087 approving waiver of the fee to allow for food vendors
 - d. RESOLUTION NO. 07-088 approving suspension of parking enforcement in the West City Hall Parking Lot from 8:00 a.m. until 6:00 p.m.
 - e. RESOLUTION NO. 07-089 approving closure of portions of 5th Street

- f. RESOLUTION NO. 07-090 approving suspension of parking enforcement in the Central Business District
 10. RESOLUTION NO. 07-091 approving preliminary plans and specifications for Water and Pollution Control Department Clarifier Painting Project; setting March 28, 2007, as bid due date and April 10, 2007, as date of public hearing
 11. RESOLUTION NO. 07-092 awarding contract to Energy Technologies International, LLC, of Lawrenceville, GA, in the amount of \$145,280.90 for Digital Control Units
 12. RESOLUTION NO. 07-093 accepting completion of the 5th Street Building Demolition project for the Public Library
- Roll Call Vote: 6-0. Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

PUBLIC FORUM: No one spoke during this time.

ORDINANCE ALLOWING GOLF CARTS TO BE OPERATED ON CITY STREETS: City Manager Steve Schainker advised that the Police Department and Mary Greeley Medical Center (MGMC) emergency personnel currently use golf carts during special events in the City. By doing so, emergency responders are able to get around large crowds, equipment, and congested streets to address problems quickly. Mr. Schainker said that the Police Department is requesting that the current local ordinance pertaining to golf cart operation within the City limits be amended to allow emergency providers to operate golf carts on City streets during emergency situations. It was pointed out by Mr. Schainker that some restrictions are being placed in the proposed ordinance as a result of Iowa Code provisions. If the Council concurs with the requested changes, the City Attorney would draft an ordinance, and it would be brought back to the City Council for approval.

Council Member Rice asked if there were alternative names for “golf” carts, e.g., “people-movers,” as he believes that there should be another name for them if they are to be used as emergency vehicles. City Attorney Doug Marek advised that the Iowa Code refers to the vehicles as “golf carts,” however; it gives local jurisdictions authority to restrict them.

Council Member Doll asked if permits are granted to organizations to operate golf carts on City streets for certain events. Mr. Schainker advised that the Municipal Code currently allows golf carts to be operated on City streets when done pursuant to a plan approved by the City Manager. Those events must be well-planned and permission received in advance.

Moved by Popken, seconded by Rice, to direct the City Attorney to draft an amended ordinance allowing members of a law enforcement agency, fire department, and emergency medical personnel when working in an on-duty status to operate a golf cart upon a city street.
Vote on Motion: 6-0. Motion declared carried unanimously.

HEARING ON SALE OF 1508 CARROLL AVENUE: Mayor Campbell opened the public hearing.

James Black, 3416 Valley View Road, Ames, President of the Board of Directors for Habitat for Humanity, thanked the City Council for their past support of affordable housing. He advised that the last four lots that Habitat had purchased in Ames had cost approximately \$29,000/each. According to Mr. Black, 15 months prior to those purchases, the highest price that Habitat had paid was \$22,000/each; land prices for them had increased 33% in only 15 months. Mr. Black said that the CDBG Program is the best way for Habitat for Humanity to keep their homes affordable for their partner families.

No one else wished to speak, and the hearing was closed.

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 07-094 approving the sale of City-owned property located at 1508 Carroll Avenue to Habitat for Humanity in

connection with the Community Development Block Grant Neighborhood Sustainability Program. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

HEARING ON INSTALLATION OF MOTOR CONTROL CENTER FOR GAS TURBINE

1: The public hearing was opened by the Mayor and closed after no one wished to speak.

Moved by Goodman, seconded by Popken, to accept the report of bids.
Vote on Motion: 6-0. Motion declared carried unanimously.

HEARING ON 161-kV TRANSMISSION LINE CONSTRUCTION - PHASE 1, FOUNDATION AND POLE INSTALLATION: The Mayor opened the public hearing and closed same after no one asked to speak.

Moved by Mahayni, seconded by Goodman, to accept the report of no bids.
Vote on Motion: 6-0. Motion declared carried unanimously.

HEARING ON CONSTRUCTION OF STATE AND MORTENSEN ELEVATED WATER STORAGE TANK: Mayor Campbell opened the public hearing. No one requested to speak, and the Mayor closed the hearing.

Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 07-095 reallocating \$300,000 from Lime Sludge Disposal Improvement Project.
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 Mahayni, to adopt RESOLUTION NO. 07-096 approving final plans and specifications and awarding a contract to Pittsburg Tank & Tower of Sebree, Kentucky, in the amount of \$1,694,000.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

HEARING ON 2007/08 COLLECTOR STREET REHABILITATION PROGRAM (BEACH AVENUE): The public hearing was opened by Mayor Campbell. When no one requested to speak, the Mayor closed the hearing.

Moved by Goodman, seconded by Popken, to adopt RESOLUTION NO. 07-097 approving final plans and specifications and awarding a contract to Allied Construction Co., Inc., of Charles City, Iowa, in the amount of \$1,745,317.12, subject to receipt of IDOT concurrence.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

HEARING ON S.E. 16TH STREET PAVING AND BRIDGE REPLACEMENT PROJECT: The Mayor opened the hearing and closed same after no one wished to speak.

Moved by Doll, seconded by Goodman, to adopt FINAL RESOLUTION OF NECESSITY NO. 07-042.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Doll, seconded by Goodman, to adopt RESOLUTION NO. 07-098 approving final plans and specifications and awarding a contract to Peterson Contractors, Inc., of Reinbeck, Iowa, in the amount of \$3,599,280.20.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

HEARING ON VACATING EASEMENT IN ESTATES OF NATURE’S CROSSING:

Mayor Campbell opened the public hearing. There was no one asking to speak, and the hearing was closed.

Moved by Goodman, seconded by Popken, to adopt RESOLUTION NO. 07-099 approving vacating a sanitary sewer easement on Lots 14, 15, and 16.

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

ORDINANCE MAKING REVISIONS TO CROSS CONNECTION CONTROL PROGRAM REQUIREMENTS IN CHAPTER 21, PLUMBING:

Moved by Mahayni, seconded by Goodman, to pass on second reading an ordinance making revisions to Cross Connection Control Program requirements in Chapter 21, Plumbing.

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

ORDINANCE ESTABLISHING PARKING REGULATIONS ON COCHRANE PARKWAY:

Moved by Goodman, seconded by Popken, to pass on second reading an ordinance establishing parking regulations on Cochrane Parkway.

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

ORDINANCE REMOVING THE “PRESERVING FLOODPLAIN AREAS” REQUIREMENT FROM CHAPTER 23, SUBDIVISIONS OF THE MUNICIPAL CODE:

Moved by Goodman, seconded by Mahayni, to pass ORDINANCE NO. 3903 removing the “Preserving Floodplain Areas” requirement from Chapter 23, Subdivisions, of the Municipal Code.

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

COMMENTS: Council Member Goodman brought up the City’s unenforceable ordinance pertaining to a smoking ban in the City and advised that, currently, the state legislators are moving through a process that might make the ordinance enforceable. If that does not come to fruition, he suggested that the Council might want to remove the unenforceable ordinance from the books. Council Member Rice asked, if the state does move forward, would the City’s ordinance be valid or would the City Council have to make changes to it. City Attorney Marek advised that it depends on exactly what the General Assembly passes and what authority would be given to cities.

The City Manager thanked employees of the Public Works Department and Electric Utility for all the work done during the past weekend during the ice/snow storm. He noted that, due to the layer of ice that accumulated on the streets prior to the snow, it has been very difficult to clean the streets down to the pavement. According to Mr. Schainker, there were over 1,400 calls for service that came in to Electric Services. Mr. Schainker also thanked the Ames citizens for their patience and cooperation.

Mayor Campbell advised that March 20, 2007, will not work for a workshop with the Ames Community School District, as the School Board has a previous commitment. The Mayor will continue to work with that entity to arrive at a mutually acceptable date for the workshop. She pointed out that the workshop schedule had originally indicated that the Council would meet with the Historic Preservation Commission and the Ames Economic Development Commission (AEDC) on March 20, and asked the Council Members if they wished to move ahead with those plans. Council Member Larson indicated that he will not be able to attend on that date, and since he was one who had requested to meet with the Ames Economic Development Commission, he requested that that workshop be held on a different date, if possible. City Manager Schainker suggested that the Planning Department report their priorities on March 20. Council concurred to move that item up to March 20 and hold the workshop with the AEDC on a future date.

Moved by Larson, seconded by Goodman, to refer to staff the letter dated February 20, 2007, from the Attorney for the Developers Council of the Home Builders Association of Greater Des Moines regarding post-construction stormwater management.

Public Works Director John Joiner stated that staff is currently working on the Post-Construction Ordinance, so there is still time for input. He also advised that there will be public sessions held in the future with the Stormwater Committee.

It was clarified that the Council was not asking for a report; the letter is just being forwarded to staff to be considered in the preparation of the Post-Construction Ordinance.

Vote on Motion: 5-1. Voting aye: Doll, Goodman, Larson, Mahayni, Popken. Voting nay: Rice. Motion declared carried.

Moved by Larson, seconded by Goodman, to refer to staff the request of Bioforce Nanosciences dated February 27, 2007, for a modification to their Revolving Loan Fund and Community Investment Fund relative to job creation.

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

ADJOURNMENT: Moved by Doll, seconded by Goodman, to adjourn the meeting at 7:27 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor