

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

AMES, IOWA

JUNE 12, 2007

The regular meeting of the Ames City Council was called to order by Mayor Ann Campbell at 7:00 p.m. on June 12, 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 Luttrell was also present.

PROCLAMATION FOR NATIONAL HOMEOWNERSHIP MONTH: Mayor Campbell proclaimed the month of June 2007 as National Homeownership Month. City Housing Coordinator Vanessa Baker-Latimer; Krista Bowersox, Field Specialist with the Department of Housing and Urban Development; and Jenny Schneider, a first-time homeowner, accepted the Proclamation.

CONSENT AGENDA: Mayor Campbell announced that Items No. 7, designation of City representative to the North American Energy Reliability Council, and 13, the Cooperative Agreement with the Iowa Department of Transportation for the Grand Avenue Extension, had been pulled by City staff.

Council Member Doll asked that Item No.14, the Human Services Contracts for FY 2007/08, be pulled from the Consent Agenda for separate discussion.

Moved by Goodman, seconded by Rice, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving minutes of special meeting of May 5, 2007 (postponed from May 22, 2007), regular meeting of May 22, 2007, and special meeting of June 7, 2007
3. Motion approving certification of civil service applicants
4. Motion approving renewal of the following beer permits and liquor licenses:
 - a. Class C Liquor - Boheme, 2900 West Street
 - b. Class C Liquor - Es Tas, 120 Welch Avenue
 - c. Class B Beer - King Buffet, 1311 Buckeye Avenue, Suite B
5. Motion approving request from Iowa Motor Truck Association for permit to display fireworks from the Iowa State Center parking lot at approximately 9:45 p.m. on June 22, 2007, pending approval of Iowa State University
6. RESOLUTION NO. 07-254 approving Bid Awards and Purchases, \$25,000-\$50,000, for the period May 16-31, 2007
7. RESOLUTION NO. 07-255 approving appointment of Council Members Ryan Doll and Jim Popken to Ames Economic Development Commission Board of Directors
8. RESOLUTION NO. 07-256 approving appointment of Brooke Dummermuth to Student Affairs Commission
9. RESOLUTION NO. 07-257 extending authorized date for temporary Assistant Director of Water and Pollution Control
10. RESOLUTION NO. 07-258 approving 2007/08 Ames International Partner Cities Association (AIPCA) Funding Agreement
11. RESOLUTION NO. 07-261 approving annual Commission On The Arts (COTA) Contracts for FY 2007/08
12. Requests for 4th of July Festivities:
 - a. Motion approving permit to shoot fireworks from Stuart Smith Park on July 4, 2007, at approximately 9:30 p.m., with rain dates of July 5 or 6, pending approval of Iowa State University
 - b. Motion approving blanket Temporary Obstruction Permit and blanket Vending Permit for the CBD from 8:00 a.m. to 6:00 p.m.
 - c. RESOLUTION NO. 07-262 approving closure of Clark Avenue between Fifth Street and Sixth Street from 6:00 p.m. on July 3 to approximately 12:30 p.m. on July 4 for the City Council Community Pancake Breakfast

- d. RESOLUTION NO. 07-263 approving closure of portions of Northwestern Avenue, Main Street, Douglas Avenue, Fifth Street, Burnett Avenue, Kellogg Avenue, Clark Avenue, Allan Drive, and Pearle Avenue from 8:00 a.m. to approximately 1:00 p.m. for the parade
 - e. RESOLUTION NO. 07-264 approving closure of Main Street between Clark Avenue and Kellogg Avenue and Burnett Avenue between Main Street and Fifth Street from 8:00 a.m. to 6:00 p.m. for inflatable games, live music, booths, Talent Show, and food vendors
 - f. RESOLUTION NO. 07-265 approving closure of Parking Lot MM and south half of Parking Lot M for parade staging from 6:00 a.m. to 1:00 p.m.
 - g. RESOLUTION NO. 07-266 approving waiver of electrical fees for use of outlets in the MSCD and at City Hall, and waiver of Vending Permit fee
13. Requests for Shrine Bowl Parade on July 21, 2007:
- a. Motion approving blanket Temporary Obstruction Permit for sidewalks and blanket Vending Permit for the CBD from 8:00 a.m. to 6:00 p.m.
 - b. RESOLUTION NO. 07-267 approving closure of portions of Main Street, Douglas Avenue, Fifth Street, Burnett Avenue, and Kellogg Avenue, Pearle Avenue, and Clark Avenue from 8:00 a.m. to Noon
 - c. RESOLUTION NO. 07-268 approving closure of Parking Lots MM, N, and south half of M for parade staging between 8:00 a.m. and Noon
 - d. RESOLUTION NO. 07-269 approving waiver of electrical charges for use of outlets in Tom Evans Plaza
 - e. RESOLUTION NO. 07-270 approving waiver of blanket Vending Permit fee
 - f. RESOLUTION NO. 07-271 approving suspension of parking enforcement in the CBD from 8:00 a.m. to 6:00 p.m.
14. RESOLUTION NO. 07-272 approving contract for Pebble Lime Requirements for Water Treatment with Western Lime Corporation of West Bend, Wisconsin
15. RESOLUTION NO. 07-273 approving renewal of contract for Electric Utility Specialized Boiler Cleaning Services with W-S Industrial Services, Inc., of Council Bluffs, Iowa
16. RESOLUTION NO. 07-274 approving renewal of contract for Electric Utility Boiler Repair and Maintenance Services with Plibrico Co., LLC, of Omaha, Nebraska
17. RESOLUTION NO. 07-275 approving renewal of contract for Electric Utility Specialized Wet Dry Vacuum, Hydro Blast, and related Cleaning Services with Hydro-Klean, Inc., of Des Moines, Iowa
18. RESOLUTION NO. 07-276 approving renewal of contract for Electric Utility Valve Maintenance, Testing, Repair, Replacement, and Related Services with Ferguson Process Services of Cannon Falls, Minnesota
19. RESOLUTION NO. 07-277 approving Change Order No. 3 for Electric Services Power Plant Green Space Project
20. RESOLUTION NO. 07-278 approving contract and bond for 2007/08 Slurry Seal Program
21. RESOLUTION NO. 07-279 approving contract and bond for 2007/08 Water System Improvements Program

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

2007/08 HUMAN SERVICES CONTRACTS: Moved by Doll, seconded by Rice, to adopt RESOLUTION NO. 07-260A approving the annual Human Services Contracts for 2007/08 except those with the Red Cross and Community & Family Resources d/b/a Center for Addictions Recovery.

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 Popken, to adopt RESOLUTION NO. 07-260B approving the annual Human Services Contracts for FY 2007/08 with the Red Cross and Community & Family Resources d/b/a Center for Addictions Recovery.

Roll Call Vote: 5-0-1. Voting aye: Goodman, Larson, Mahayni, Popken, Rice. Voting nay: None. Abstaining: Doll. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these minutes.

PUBLIC FORUM: Erica Fuchs, 4014 Marigold Drive, Ames, urged the City Council not to demolish Carr Pool should the upcoming bond issue for a new outdoor aquatic center pass. Acknowledging the gift of Don and Ruth Furman, which is contingent on the bond issue passing, Ms. Fuchs believes that the City could use its own money to keep Carr Pool open. She gave three reasons to preserve Carr Pool: (1) It is a neighborhood pool that can be accessed by biking or walking a short distance. According to Ms. Fuchs, destroying Carr Pool appears to be in conflict with the City's Land Use Policy Plan, which states that Ames should seek to establish neighborhoods where amenities and facilities are provided to act as neighborhood centers; Carr Pool serves as an activity center for East Ames. (2) It is a fully functional and beautiful facility, and no capital improvements appear to be necessary to keep the Pool open through 2009. (3) A solid core group of swimmers might continue to want to use this facility even if an outdoor aquatic center is built. There are those who enjoy smaller outdoor pools with shorter lap lengths. Ms. Fuchs suggested that the City compensate for lower attendance by shortening Carr Pool's hours of operation, thus reducing costs. She asked that Carr Pool be kept open until it is known what effect an outdoor aquatic center has on its attendance.

Paul Reed, 217 Welch Avenue, Suite 101, Ames, announced that he was present on behalf of the ISU Republicans and Democrats, ISU Engineering Leadership Program, and ISU Collegiate Future Farmers of America. Mr. Reed personally invited the Mayor and City Council to attend the Iowa Youth Leadership Town Hall Meeting at Hilton Coliseum on June 21 from 5:30 to 7:30 p.m. The meeting's purpose is to raise awareness of domestic manufacturing and agricultural issues as well as keeping jobs in Iowa.

DESIGN ALTERNATIVE FOR U. S. 69 INTERSECTION IMPROVEMENTS (13TH/GRAND

AVENUE): Public Works Director John Joiner introduced staff in attendance from WHKS & Co., as follows: Fouad Daoud, President; Scott Sweet, Project Manager; and Brian Birkland from the Ames office. Background information on this project was provided by Mr. Joiner. The standard for intersection operation, per City Code and incorporated by reference in the Land Use Policy Plan and the Long-Range Transportation Plan, is measured in efficiency by the delay experienced by the users. The standard delay at a signalized intersection should operate at a Level of Service C; however the 13th and Grand Intersection currently operates at Level of Service F. There are great delays in efficiency at that location, which also translates into safety concerns. Director Joiner advised that this project was initially introduced in 1992, being a part of the 1992-97 Capital Improvements Plan (CIP). It continued to be a part of a CIP as a third-year project until 2000; other projects had higher priority. The Long-Range Transportation Plan was approved in 2000, and at that time, this project was acknowledged as being a "committed project," which means that project will be completed. When the modeling of the City-wide network was performed, 13th and Grand intersection improvements were in place. Due to the uncertainty of Iowa Department of Transportation (IDOT) funding in 2002, the project was put on hold. In 2005, the Traffic Engineering Analysis was performed and improvements at this intersection were identified as being a major need. In the 2007/08 CIP, the planning for this project is listed, and WHKS was retained.

Fouad Daoud stated that the City retained WHKS to devise concepts to improve the traffic flow and make the intersection of 13th and Grand safer. He advised that this project is in the planning stage, and reiterated that what will be presented tonight are only concepts. Mr. Daoud said that, as part of the scope of their work, WHKS also identified two potential funding sources, one of which has an application deadline of August 15, 2007. It was pointed out that time is of the essence if they are to adhere to the schedule for this project. According to Mr. Daoud, the City has a partner in this project, i.e., the Iowa DOT, so whatever concept is ultimately approved, concurrence from that agency will also be needed.

Scott Sweet gave a Power Point presentation explaining three concepts: (1) dedicated left-turn lanes at all four approaches with equal widening on Grand Avenue, costing approximately \$2,300,000; (2) dedicated left-turn lanes at all four approaches with widening to the east on Grand Avenue, costing approximately \$2,500,000; and, (3) construction of a dual-lane roundabout with north-to-east and west-to-north slip lanes on Grand Avenue, costing approximately \$4,300,000.

The project is to span three fiscal years: planning has been scheduled for 2007/08, land acquisition and engineering in 2008/09, and construction in 2009/10. Properties for possible acquisition were identified based on the distance of 20 feet from the back of the sidewalk to the front of the house. For Concept No. 1, 37 adjacent parcels would be affected. For Concept No. 2, 33 adjacent parcels would be affected. According to Mr. Sweet, any house that would be within 20 feet from the back of the sidewalk would be treated as a full acquisition; that is prescribed by the Ames Municipal Code. For Concept No. 3, up to 17 properties would need to be acquired. Due to the high traffic volumes, a dual-lane roundabout is not preferred for this location.

Mr. Sweet explained that the study area was comprised of 11th Street to 15th Street on Grand and from Marston to Wilson on 13th Street and is shown in the Long-Range Transportation Plan and 5-Year CIP. Mr. Sweet covered the existing conditions of the intersection: it is four-lane, signalized, with no left-turn lanes. Current traffic volumes range from approximately 10,000 to 18,000 vehicles per day. It is anticipated that there will be an increase of 5,000/day by the Year 2025. The present Level of Service is rated as F, which is the worst condition possible. With improvements, the future Level of Service would be C.

It was pointed out by Mr. Sweet that Public Works mailed notification letters to 84 properties in the project area and issued a press release requesting input for the selection of a conceptual design. Also, a public involvement meeting was held on May 29, 2007.

According to Mr. Sweet, the three concepts were evaluated and based on economics, impacts to adjacent properties, total property acquisitions, impacts to the traveling public, possible utility relocations, and public input. The consultants have recommended that Concept No. 1 be approved. He pointed out that if no improvements are made at the intersection in question, the signal, due to its age and condition, will still have to be replaced at some point in the near future.

Traffic Engineer Damion Pregitzer explained how the Level of Service was determined. Traffic counts were taken in 2006. Those counts generate the level of service. Level of Service F means the average delay is 80 seconds or higher. The 13th and Grand intersection current ranges between 200 and 250 seconds for the average delay. Counts were taken from 7 - 9 AM, 11 AM - 1 PM, and from 4 - 6 PM; it was not a continuous 24-hour count. The average delay is 30 seconds for a Level of Service C; the recommended concept (#1) would bring that intersection to a Level C. That intersection also sees a high number of accidents. The LOC is used as it is one of the best indicators of performance and safety.

Council Member Rice asked if any other intersections in Ames have received an "F" rating. Mr. Pregitzer said that Lincoln Way and Duff, at the PM peak, and 13th and Stange for the AM and PM peaks. City Manager Schanker advised that both of those intersections have improvements listed in the CIP. Lincoln Way and Duff will be handled by the extension of Grand Avenue, which will take approximately 25% of the traffic. The City must work with the University on the 13th and Stange project, because three out of the four legs are institutional roads.

Council Member Mahayni pointed out that safety was a concern; however, time wasted (while waiting to proceed through an intersection) is also a consideration.

Mr. Pregitzer stated that the intersection of 13th and Grand has consistently (for the past ten years) been in the upper five percent for accidents. One of the main reasons that Level of Service criteria are used as predictors is for performance and safety. Increased delays lead to drivers responding badly because they get frustrated, and they cut through residential areas. The quality of driving decreases as the delay increases.

Brian Vandewater, 1217 Grand Avenue, Ames, pointed out that Ames has only one straight-through artery: old Highway 30/Lincoln Way. He expressed his dismay at the poorly planned street grid and believes that homeowners adjacent to 13th and Grand should not lose their homes because the City has failed to take the correct actions. According to Mr. Vandewater, Ames City

Councils have approved areas to be developed, then tried to figure out how to handle the traffic increases. There are major obstacles that hinder an ideal grid: railroads, the University, and development, and several opportunities to change the traffic corridors have passed. He believes that the correct action to take now is to control traffic flow, rather than increase traffic. Mr. Vandewater asked that the City Council table this issue for further review. On behalf of residents of 13th and Grand, he offered the following alternative solutions to address both safety and traffic issues at a reasonable cost to City residents:

1. Install alternating traffic lights at all four entrances similar to those currently used for north and south Grand Avenue with the addition of left-lane turn arrows.
2. Install synchronized lighting on both Grand and 13th Street with sensors that minimize wait times and work effectively during peak times.
3. Remove the I-35 Business Loop designation.
4. Discourage using 13th and Grand as an access route to ISU sporting and special events.
5. Create a special bus route on Grand Avenue that would run every ten minutes during weekdays.

Erv Klaas, 1405 Grand Avenue, Ames, indicated that he was speaking for himself and approximately 30 other residents who live near the intersection of 13th and Grand. He pointed out that the assessed value of his home has risen from \$45,000 to \$153,400 since 1975. Mr. Klaas told the Council that, as policymakers, they need to have better land use planning, which will reduce the distances people have to drive and reduce the global warming pollution coming from tailpipes. The number of daily auto trips would be fewer, and destruction of neighborhoods would not be necessary. He asked if the City's Transportation Plan, updated only two years ago, took into consideration today's energy situation. Mr. Klaas advised that after the "peak oil" (when consumption will exceed production) is reached, approximately in 2005 - 2010, production is expected to drop off dramatically. The goals and objectives in the 2005 Long-Range Transportation Plan were also questioned by Mr. Klaas. He asked if the objectives were being monitored. It was stated by Mr. Klaas that the residents near the affected intersection do not feel that \$2.5 million is necessary "merely to help cars go faster through their neighborhood to save a minute or less in travel time." He and his neighbors do not feel that it is fair that they have to sacrifice tens of thousands of dollars in property value, the loss of large shade trees and other valuable landscaping, and have more noise and pollution, just to make it more convenient to drive across town. Mr. Klaas believes the situation is the result of an impatient public wanting to live forever in the fast lane.

Kim Burnett, 703-12th Street, Ames, advised that she also represented a group of 30 residents who live in the 13th and Grand neighborhood. Ms. Burnett said that the consultants and City officials present at the May 29 public meeting stated that there were too many accidents at the intersection and it was too congested; however, no accident-type data or traffic counts were given. According to Ms. Burnett, the main reason cited for the improvements was the traffic congestion during the "rush minutes" of morning, Noon, and evening. She believes that the property owners along 13th and Grand are being asked to sacrifice lifelong investment in their homes just so other citizens can travel through at a high speed. Ms. Burnett requested that the Council direct City staff to conduct a total impact study of the three concepts and address the following questions:

1. What data or traffic study is the City using to justify the expenditure of \$2.3 to \$4.5 million on the intersection at 13th Street and Grand Avenue?
2. What is the average accident rate at this intersection for the last ten years? How many accidents are personal-injury? How many accidents are fatalities? How many accidents are due

to snow, ice, and other weather conditions? How many accidents are due to driver error? How many accidents are due to the intersection design?

3. What is the average speed that cars travel on 13th Street and Grand Avenue? Is the City prepared to strictly enforce the speed limit?
4. Have ten-year traffic counts been done? If not, how frequently (daily, weekly, monthly)? At what times of the day have the counts been done?
5. What is the average wait at this intersection? Where are the data from the improvements done at 13th and Duff, Grand and Lincoln Way, and Lincoln Way and Duff? How do wait times compare for those intersections?
6. What traffic models have been used to study traffic at this intersection? Are traffic loads based on all hours of the day or just peak times? What are the busiest times of the day for traffic at this intersection? What data have been used to predict future traffic flow at this intersection?
7. Two of the alternative plans call for a raised median to be placed in the middle of Grand Avenue that will prevent left turns into resident driveways. How will emergency vehicles - fire trucks and ambulances - access a resident's property? Without alley access, how will residents access their properties?
8. Because on-street parking is prohibited on Grand Avenue and 13th Street, parking is restricted to the residents' driveways. How many parking spaces will be lost on each property? Does the City have a requirement for the number of parking spaces for residences like that required for rental properties?
9. Ames is a designated tree-friendly city. How many shade trees will be taken from each property? How will the City mitigate the loss of shade and increased energy costs for residences? How will the City make up the carbon deficit caused by the removal of lost trees?
10. The residents expect that resale values of their properties along 13th and Grand will decline because of the proposed alterations and resulting non-conforming properties. Will their property taxes be lowered accordingly?
11. Will property owners be compensated for any property acquired? If so, what is the basis for determining the value of the acquired property? Will fair market value be used? Will assessed value be used? Will replacement value be used?

Gail White, 1212 Grand Avenue, Ames, also representing 30 affected property owners, continued with an additional 11 questions, as follows:

12. If a property is non-conforming after the City acquires a portion, is the City prepared to go through condemnation procedures if requested by the homeowner?
13. It is evident that street lights will be moved closer to houses. Will utility poles be moved onto yards or placed in the "parking" area? With the loss of trees, there will be less screening of light into the residents' houses. What kind of street lighting will be used to mitigate excessive light pollution?
14. Grand Avenue and 13th Street are already very noisy. Little or no enforcement is done in this City on loud mufflers and loud motorcycles. With traffic lanes moved closer to houses, what steps will be taken to reduce traffic noise on the streets? Is the City prepared to construct a noise barrier similar to the one used in Des Moines along Interstate 235? Is the City prepared to provide sound-insulating windows similar to those used in Boston for homeowners near Logan Airport?

15. Vehicle exhaust produces large volumes of pollutants. With increased traffic volume, what effect will moving traffic lanes closer to the houses have on health?
16. If a resident whose property is to be taken wants to move their home further back on their lot or to another location in the City, is the City prepared to compensate the homeowner for moving the house? Will the City waive charges for moving overhead electric utility lines?
17. Walking, biking, and improved public transit (such as a CyRide bus on Grand every ten minutes) could reduce the volume of traffic on 13th and Grand. What has the City done to provide alternative means of transportation?
18. The affected residential neighborhood that borders this intersection has been here for 50 or more years. Many of the residents have spent most of their adult lives maintaining and improving their properties. There is little doubt that any of the proposed alternatives for this intersection will have a blighting effect on the neighborhood. Is the City prepared to deal with this blighted area? After the proposed changes are completed, does the City plan to let the area continue to deteriorate? In the future, does the City plan to rezone the entire traffic corridor along 13th and Grand to C1 - Commercial - and eliminate all residential property along these streets?
19. Will a three-dimensional model be constructed so all 13th and Grand residents and City taxpayers can view the proposed changes with trees gone, houses gone, light poles in place, etc?
20. Can a computer-generated simulation with all proposed changes be made available to 13th and Grand residents and City taxpayers so the proposed changes can be experienced before they are made?
21. Can a thorough breakdown of costs for each alternative proposed be prepared that includes actual construction bids, administration costs, total property acquisition costs, and loss of property taxes due to decreased property values?
22. Can the City guarantee when this is all "said and done" that no one will have to wait at 13th and Grand through a second red light?

Ms. White asked that the City reject all of the proposed intersection improvement concepts at this time and direct the staff to incorporate the Grand/13th intersection into the Annual Traffic Signal program in the CIP ensuring that at least the traffic signal will be upgraded. Ms. White told the Council that she and her husband purchased their home 22 years ago and are 14 months away from paying off their mortgage. She said that if they are forced to relocate, their financial future will be impacted for years to come, and she does not feel it is fair that residents must sacrifice their homes due to the City's lack of planning over the years.

Jim Grove, 1813-24th Street, Ames, said that he represented the vast majority of the 50,000+ people who live in Ames and go through the intersection in question many times per day. His main reasons to endorse improvements to this intersection are: safety and delays, which also impact safety. He said that he has personal connections to this intersections due to accidents that have occurred there. Mr. Grove said that he does not have a preference of a particular concept, except that he does not believe a roundabout would be a good solution for this particular intersection because it is too busy. He asked the City Council to support the intersection improvements to reduce the risk of injuries to Ames residents and others who travel it.

Marianne Todey, 1220 Harding Avenue, Ames, stated that she lives one block west of Grand Avenue. She has mixed feelings because safety is an issue, and she has experienced much frustration at the delays encountered; however, understands where her neighbors are coming from in not wanting to lose their homes. Ms. Todey asked the City not to rush into a decision. She

believes that there should be a lot of conversation. A question she has is if less land would need to be acquired if there were no medians. Ms. Today does not want a roundabout to be built as she believes it would create a nightmare for pedestrians trying to cross Grand.

Janet Klaas, 1405 Grand, Ames, said that she has a problem with this being labeled a safety issue and does not understand why putting in turn signals going east and west would not solve the problem.

Lynn Burnett, 703 - 12th Street, Ames, believes that putting medians in the area would increase the left-turning traffic at the intersection. He also questioned how a median would work for people trying to access their properties.

Suzanne Shonrock, 1330 Grand, Ames, said she, too, has mixed feelings, as something needs to be done, but she is not sure if property acquisition is needed. Ms. Shonrock pointed out that when there is a mall in a residential area on Grand Avenue, there are many semi trucks going up the street along with all the vehicles. She has a problem with the acquisition of properties. If 20' of land is the setback, it would mean that all their front-yard trees would be removed. They would have no protection from the sunlight, and her children would have no front yard to play in. Ms. Shonrock said that she has six children in a 4,000 square-foot home with seven bedrooms, which they just bought in August. Her home is not slated as one that will be acquired by the City, but she wondered what this would do to their property values. Ms. Shonrock also asked if the City will pay to move their home back on the lot or find them a comparable home in a different location.

Holly Fuchs, 806 Brookridge Avenue, Ames, said that she was not directly affected by this project, but encouraged the City Council to consider all alternatives proposed by the residents. Recalling experiences that she has had at the intersection at 6th and Grand, Ms. Fuchs does not believe that a turn lane without a turn arrow would help the safety issue.

Council Member Popken asked if the City would be facing the same issues in 20 years if the recommended improvements were made. Mr. Pregitzer advised that all improvements have been sized for future traffic 25 years out.

Mr. Popken also asked about the funding sources. Mr. Faoud advised that the City could apply for up to \$500,000 through the IDOT's Traffic Safety Improvement Fund. Another source would be the Iowa Clean Air Containment Program, which has the goal of reducing emissions and air pollution. A maximum of \$1,000,000 could be applied for, and that grant has an application deadline of October 1. Director Joiner advised that USTEP funds could also be applied for through the IDOT.

Council Member Larson questioned whether it was the best design to have a raised median on Grand. He noted that a painted median was being proposed for 13th Street. Mr. Pregitzer advised that it was a standard prescribed by the IDOT due to the amount of traffic. Mr. Daoud stated that additional engineering will be necessary to ascertain the best design for whatever concept is approved.

Council Member Larson pointed out that the 13th/Grand Intersection Improvements has been included in the Capital Improvements Plan since 1992, but wanted to know specifically what was being contemplated at that time. Mr. Pregitzer concurred that this project had been included in every Capital Improvements Plan since 1992. The project was entitled "13th and Grand Intersection Improvements." It simply stated that the intersection did not meet the performance criteria, and improvements were needed. It is possible that what was being proposed in the 1992 and 1997 CIPs was not of the magnitude that is shown in the current 2007-12 CIP because traffic continues to increase through the intersection.

Council Member Mahayni acknowledged that the City Council has dealt with some of the most

difficult issues during the past two years where both points of view have been valid. It is still unknown which comes first: land use or transportation. The fact, however, is that Grand Avenue has been considered a major arterial for decades. Mr. Mahayni pointed out that City staff does not invent the methodologies to be used.

Council Member Rice asked what would happen if the City chose to do nothing at the intersection. Director Joiner advised that the intersection will become more saturated, there may be an increase in accidents, there will be more residential cut-through, and vehicle speeds may increase. Mr. Rice asked to know what the result would be if minimal improvements were made. Mr. Pregitzer said that one proposal was for east and west to operate in the exact same manner that north and south does. He has analyzed that scenario with the aid of specialized software and found that the minimum delay during Noontime was just under 200, and the maximum was 350 seconds. Currently, the AM delay averages 133 seconds, Noon is at 93.5 seconds, and the PM delay averaged 199.7 seconds.

Council Member Goodman asked if citizens could request the City to purchase their properties if the properties were not on the planned acquisition list. Director Joiner advised that, because federal funds will be used on this project, very detailed federal guidelines must be followed. He said that an appraisal would be performed by an appraiser hired by the City. If the homeowner is not in agreement with the appraisal, they could hire an appraiser. It is unknown at this time if the federal process allows the City to purchase properties that were not affected in such a manner so as to require full acquisition.

Council Member Goodman asked if all other solutions had been exhausted prior to coming up with the three concepts. Mr. Joiner apprised that the goal is to provide the LOS C, which is the City's standard, and to arrive at that goal, reconstruction of some sort must be done. Mr. Pregitzer said that when the Long-Range Transportation Plan was created and subsequently reviewed, it looked at the entire city as a cohesive transportation network. He added that three concepts have been created to address the issues at 13th and Grand, and it is believed that those improvements are the most beneficial for the intersection and to the system-wide network. He said that the levels of traffic dictate the options.

Council Member Popken asked if there were improvements that could be made to remedy the issues while leaving the physical configuration the same. Mr. Joiner advised that all have been looked at, however, left-turn lanes were found to be the most effective.

Council Member Mahayni stated that the issue being dealt with is a question of capacity. He described the issue by using an analogy of trying to fit a gallon of milk into a half-gallon container. Mr. Mahayni also pointed out that when dealing with such an issue, it is not only a matter of what is good for the intersection in question, but also what is good for the entire transportation network.

Council Member Doll asked how property owners are compensated if their property must be acquired by the City. Director Joiner advised that they would be paid based on the property's appraised value. Council Member Larson asked what happens to the properties that are totally acquired by the City. According to Mr. Joiner, the City would decide on each property's use or disposal, under the federal guidelines.

Council Member Goodman, alluding to the current "soft" real estate market and appraisals relating to that market, asked if a larger window of time could be created to calculate the appraised value. He wanted to create that type of financial freedom for people who were forced to liquidate their home. Mr. Joiner stated that he is unsure if that can be done; however, he indicated that, if property owners find the appraisal insufficient, they can hire their own appraiser. He added that property acquisitions, if needed, would not begin until FY 2008/09.

Moved by Mahayni, seconded by Larson, to adopt RESOLUTION NO. 07-280 approving Concept #1, which is construction of dedicated left-turn lanes at all four approaches with equal widening on U. S. 69/Grand Avenue at 13th Street.

Council Member Rice said that he feels people are going to be driving less in the next 25 years, and he will not be able to support that motion.

Council Member Popken said that he is not comfortable making a decision on this issue at this time given the amount of information provided at this meeting. He indicated that if a vote were taken tonight, he would not be in favor of the motion. It would be his preference to postpone the decision until the next meeting to give the Council more time to think about the issue. Mr. Daoud advised that applications for one source of funding are due August 15, 2007. A survey on the chosen concept and preliminary design will need to be completed prior to the application being submitted; time is of the essence. Council Member Goodman asked Council Member Popken what he hoped to learn if the decision were postponed. He does not see a way around making serious improvements to the intersection in question and felt it best to inform the affected homeowners as soon as possible. Council Member Popken said it would give him a chance to analyze the information heard tonight; however, he will not be at the Council meeting of June 26.

Council Member Mahayni asked staff if public input would be accepted during the design phase of whatever concept would be chosen. Director Joiner indicated that more public meetings and specific homeowner meetings would be held before the construction phase.

Council Member Doll again pointed out that this project was included in the 1992 CIP; gas has nearly tripled in price in ten years, but people continue to drive, and capacity continues to increase; the longer the problem is allowed to continue, the worse the problem becomes.

Roll Call Vote: 4-2. Voting aye: Doll, Goodman, Larson, Mahayni. Voting nay: Popken, Rice. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these minutes.

The meeting recessed at 9:10 p.m. and reconvened at 9:17 p.m.

U.S. MAYORS' CLIMATE PROTECTION AGREEMENT: Mayor Campbell explained that the City Council added a new goal to make Ames a more environmentally sustainable community and directed that the City take the "Cool Cities Pledge" as a means to facilitate the implementation of that goal.

Moved by Mahayni, seconded by Rice, to adopt RESOLUTION NO. 07-281 approving the U. S. Mayors' Climate Protection Agreement.

Council Member Larson asked to know the costs that will be incurred by the City. City Manager Schainker said that passing the Resolution would be just the beginning. There are five steps: (1) endorsing the U. S. Mayors' Climate Protection Agreement, (2) identifying baseline carbon emission levels for City operations, (3) establishing carbon reduction goals for City operations, (4) developing a strategic plan to accomplish these long-range carbon reduction goals, and (5) monitoring the program. If this Resolution is adopted, the next step would be to identify the baseline carbon emission levels, and he does not believe that there will be much out-of-pocket expense. The International Council of Local Environmental Initiatives has already been contacted, and the City is relying on software provided by that agency. Data is entered and the quantity is calculated by the software program. Each Department will delegate one representative to help pull together all the data. The in-kind costs (time) could be 500 hours equating to \$15,000 to \$20,000; however, by identifying even one way to reduce carbon emissions, it will pay for itself. The City will benefit from not only the positive effects on the environment, but savings to the City budget. When the specific steps are determined, the Council will be asked to make a decision on expending funds.

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

PROPERTY AND BOILER AND MACHINERY INSURANCE COVERAGE: Moved by Goodman, seconded by Popken, to adopt RESOLUTION NO. 07-282 accepting the proposal from FM Global for renewal of property and boiler and machinery coverage in the amount of \$410,796.

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

GENERAL LIABILITY, AUTO/TRANSIT/PUBLIC OFFICIALS AND EXCESS INSURANCE COVERAGES: Moved by Goodman, seconded by Rice, to adopt RESOLUTION NO. 07-283 accepting the proposal from the Iowa Communities Assurance Pool in the amount of \$386,604.

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

AQUATIC CENTER NAMING: Moved by Mahayni, seconded by Larson, to adopt RESOLUTION NO. 07-284 naming the Aquatic Center and Park after Don and Ruth Furman.

The Mayor expressed the City's gratitude to Don and Ruth Furman, who have made a commitment to donate \$2 million to the City for the development of an outdoor aquatic center if residents pass a bond issue on July 24.

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

REALLOCATION OF FUNDING FOR MUNICIPAL POOL: City Manager Schainker explained that Fiscal Year 2007/08 calls for \$185,000 in funding to accomplish 29 projects at the Municipal Pool ranging in size from \$500 to \$20,000. Superintendent Beyea has requested that the funding percentage of 50/50 be modified for FYs 2007/08 and 2008/09; the School District would like to incur 100% of the capital costs in FY 2007/08. The City would roll its 50% of funding into FY 2008/09, which would reduce the District's 50% in that year to \$70,000 (instead of \$192,500). The net effect remains the same (the District's total payment would remain at 50%).

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 07-285 approving an amendment to the CIP to reallocate \$92,500 appropriated in 2007/08 to the 2008/09 fiscal year. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

FLOOR AREA RATIO (FAR) STANDARDS: Planning & Housing Director Steve Osguthorpe advised that FAR standards are common zoning tools that ensure new development is compatible with existing development in terms of scale and building coverage. Questions had recently been raised regarding the applicability of Floor Area Ratio (FAR) standards as they relate to adaptive reuse and other developments, prompting staff to review those standards as they pertain to all development in all zoning districts. Mr. Osguthorpe pointed out that maximum and minimum FAR standards have been adopted for several different zoning districts. Compliance with minimum FAR standards is reasonably easy to do on the smaller lots that characterize the Downtown and Campustown areas; however, compliance with minimum FAR standards on larger lots in the PRC and GI Districts is more difficult because it may require larger buildings than are feasible for a given use. The standards may also conflict with maximum building coverage standards and minimum parking standards of the Code. To overcome the conflicts, it might be necessary to subdivide the land, breaking it into small pieces to support smaller buildings. According to Mr. Osguthorpe, the issue of FARs in the GI District may be somewhat more complicated because the standard pertains only to office buildings.

In working with developers of North Grand Mall, staff learned that these types of standards limit

the ability to develop a viable regional commercial project. It was pointed out that the City Council waived the minimum FAR standards on that project. Staff is now suggesting that Council revisit the FAR standards in both the PRC and the GI zones.

Moved by Mahayni, seconded by Larson, to initiate a change in the development standards of the PRC zone to eliminate FAR standards from those districts.

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

Moved by Mahayni, seconded by Larson, to direct staff to explore amendments addressing FARs in the GI District.

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

REMOTE PARKING AGREEMENT FOR 1606, 1610, AND 1614 SOUTH KELLOGG

AVENUE: Planner Ray Anderson advised that the Minor Site Development Plan for a commercial property located at 1614 S. Kellogg was approved on October 30, 2006. The site currently complies with the minimum parking standard; however, the property owner is now contemplating a sit-down restaurant, which would require a minimum of nine parking spaces per 1,000 square feet. The adjacent properties, 1606 and 1610 S. Kellogg Avenue, are owned by the same company, and have 179 off-street parking spaces, which is 21 spaces over the minimum requirement for a restaurant and hotel uses. To allow the structure at 1614 S. Kellogg to be utilized as a restaurant, the property owner is requesting a Remote Parking Agreement to utilize the 21 spaces from 1606 and 1610 S. Kellogg Avenue.

Moved by Goodman, seconded by Rice, to adopt RESOLUTION NO. 07-286 approving the Remote Parking Easement Agreement for 1606, 1610, and 1614 South Kellogg Avenue.

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

DOWNTOWN FACADE IMPROVEMENT GRANT FOR 547 MAIN STREET:

Director Osguthorpe explained that the building at 547 Main Street was constructed in 1975 and became Aunt Maude's restaurant. The current owner of the establishment is renovating the building for continued use as a restaurant. The owner intends to add a front patio and renovate the facade and is requesting a \$15,000 Downtown Facade Grant for facade improvements expected to cost more than \$31,000 and \$1,000 towards the architectural fees for developing the proposed design.

Mr. Osguthorpe stated that staff worked extensively with the owner to bring in design characteristics that would be compatible with the type of buildings located Downtown. With so much to be done on existing older buildings, any use of funds for newer buildings should be held to a high standard in how it reinforces its character. According to Mr. Osguthorpe, this proposed facade renovation meets this high standard by incorporating many historical design characteristics. With so much to be done on existing older buildings, any use of funds for newer buildings should be held to a high standard in how it reinforces its character. This proposed facade renovation meets this high standard by incorporating many historical design characteristics, and it is hoped that this project will also serve as a catalyst to generate more activity on that end of Main Street. Mr. Osguthorpe pointed out that the structure of the building will not support the masonry materials above the windows that the guidelines recommend.

Moved by Mahayni, seconded by Popken, to adopt RESOLUTION NO. 07-287 approving the request for a Downtown Facade Improvement Grant in the amount of \$15,000 plus \$1,000 for architect's fees for facade improvements at 547 Main Street.

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

HEARING ON ADOPTION OF 2006 INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE:

Fire Chief Clint Petersen advised that the process of adoption of the International Codes and revisions and reorganization of the Ames Municipal

Code were undertaken simultaneously. Municipal Code Chapters 5, 7, 8, 21, and 32 were condensed into one comprehensive Chapter 5 Building Code. He pointed out that informational meetings on proposed Code revisions were held with the Plumbing and Mechanical Board, Electrical Board, the Building Board of Appeals, and the Ames Homebuilders, and an open meeting was held for the general public. The conclusion of these meetings was a recommendation from all groups to proceed with adoption of the 2006 version of the International Codes. The target implementation date of July 1, 2007, was discussed at the public and board meetings.

Chief Petersen recognized Board members present who assisted in the review and recommendation of the Codes.

It was noted that all permits, except major projects, expire one year after issuance. Owners will be charged a fee, following notice, for permit extensions beyond that date.

The public hearing was opened by the Mayor.

Holly Fuchs, 806 Brookridge, Ames, asked if this Code dictates the slope of ramps constructed by homeowners. Chief Petersen said that it did; it is 1:12.

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

Moved by Goodman, seconded by Popken, to pass on first reading the 2006 International Building Code and International Residential Code.

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

HEARING ON REZONING PROPERTY AT 1400 SOUTH BELL AVENUE: Planner Anderson noted that as a condition of approval of the Preliminary Plat, the portion of Lots 3 and 4 zoned Agricultural must be rezoned to General Industrial, and such rezoning must be approved at the time of approval of the Final Plat for Dayton Park, 5th Addition. Therefore, the applicant is requesting that rules be suspended and the ordinance rezoning this property adopted at this meeting. After that occurs, the Final Plat may be approved.

Mayor Campbell opened the public hearing and closed same after no one asked to address the Council.

Moved by Goodman, seconded by Rice, to pass on first reading an ordinance rezoning property at 1400 South Bell Avenue from Agricultural (A-1) to General Industrial (G-I).

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

Moved by Mahayni, seconded by Rice, to suspend the rules necessary for the adoption of an ordinance.

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

Moved by Mahayni, seconded by Goodman, to pass on second and third readings and adopt ORDINANCE NO. 3920 rezoning property at 1400 South Bell Avenue from Agricultural (A-1) to General Industrial (G-I).

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

MAJOR FINAL PLAT FOR DAYTON PARK SUBDIVISION, 5TH ADDITION: Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 07-288 approving the Major Final Plat for Dayton Park Subdivision, 5th Addition.

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

HEARING ON NUISANCE ASSESSMENTS: The public hearing was opened by Mayor Campbell, who closed same after no one came forward to speak.

Moved by Doll, seconded by Rice, to adopt RESOLUTION NO. 07-289 assessing costs of snow/ice removal and certifying assessments to Story County Treasurer.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

HEARING ON POWER PLANT COAL HANDLING FIRE PROTECTION SYSTEM: Mayor Campbell opened the hearing. After no one wished to speak, the Mayor closed the hearing.

Moved by Mahayni, seconded by Rice, to reject the bid and delay the project, directing staff to re-examine the possibilities of breaking the work into smaller bid packages.
Vote on Motion: 6-0. Motion declared carried unanimously.

HEARING ON WATER TREATMENT PLANT CLARIFIER PAINTING PROJECT: The hearing was opened by Mayor Campbell. No one wished to speak, and the hearing was closed.

Moved by Goodman, seconded by Popken, to adopt RESOLUTION NO. 07-290 approving final plans and specifications and awarding contract to L&P Painting of Cedar Rapids, Iowa, in the amount of \$114,549.00.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

HEARING ON WATER POLLUTION CONTROL FACILITY CLARIFIER PAINTING PROJECT: The Mayor opened the public hearing. There was no one who asked to speak, and the Mayor closed the hearing.

Moved by Larson, seconded by Goodman, to adopt RESOLUTION NO. 07-291 approving final plans and specifications and awarding contract to HEG Painting of Cherokee, Iowa, in the amount of \$170,000.00.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

2006/07 AND 2007/08 ASPHALT RESURFACING PROGRAM AND 2006/07 AND 2007/08 SEAL COAT REMOVAL/ASPHALT RECONSTRUCTION PROGRAM: The public hearing was opened by Mayor Campbell. She closed same after no one came forward to speak.

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 07-292 approving final plans and specifications and awarding contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$1,160,881.17.
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 NEIGHBORHOOD CURB REPLACEMENT PROGRAM: Mayor Campbell opened the hearing and closed it after no one wished to speak.

Moved by Popken, seconded by Goodman, to adopt RESOLUTION NO. 07-293 approving final plans and specifications and awarding contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$32,336.60.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

ORDINANCE SETTING PARKING REGULATIONS ON APPLE PLACE: Moved by Goodman, seconded by Rice, to pass on first reading an ordinance setting parking regulations on Apple Place.

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

ORDINANCE ADDING A COLLECTION FEE TO PARKING REGULATION VIOLATIONS: Moved by Goodman, seconded by Doll, to pass on first reading an ordinance adding a collection fee to parking regulation violations.

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

ORDINANCE CHANGING “PRESUMPTION” TO “INFERENCE” IN PARKING INFRACTIONS: Moved by Goodman, seconded by Rice, to pass on first reading an ordinance changing “presumption” to “inference” in parking infractions.

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

Moved by Goodman, seconded by Popken, to suspend the rules necessary for the adoption of an ordinance.

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

Moved by Mahayni, seconded by Doll, to pass on second and third readings and adopt ORDINANCE NO. 3921 changing “presumption” to “inference” in parking infractions.

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

ORDINANCE DELETING REQUIREMENT TO DECLARE A PUBLIC WATER SHORTAGE BEFORE ENACTING VOLUNTARY CONSERVATION: John Dunn, Director

of Water and Pollution Control (WPC), explained that, because the encouragement of voluntary water conservation is now planned as an ongoing, sustained promotion, the first stage of the current water rationing ordinance is no longer necessary, and staff is proposing that it be dropped. He said that Council approval will still be required before any mandatory conservation or rationing requirements are required.

Katelin Schwarck, WPC intern, gave a presentation on the new water conservation education program with the theme “Smart Water.” The program will be presented to local community groups and neighborhoods in the future. Ms. Schwarck described the current situation and outlined the Department’s strategic plan and tactics, including events, promotional items, and brochures.

Moved by Larson, seconded by Rice, to pass on first reading an ordinance deleting the requirement to declare a public water shortage before enacting voluntary conservation.

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

ORDINANCE MAKING A ZONING TEXT AMENDMENT TO ALLOW FUNERAL FACILITIES IN HIGHWAY-ORIENTED COMMERCIAL ZONE: Moved by Goodman,

seconded by Mahayni, to pass on second reading an ordinance making a zoning text amendment to allow funeral facilities in the Highway-Oriented Commercial zone.

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

Mayor Campbell noted that public input is normally allowed only on first reading of ordinances; however, Mr. Grandon had not addressed the Council at last meeting and wished to do so tonight.

Timothy Grandon, 2721 Kellogg Avenue, Ames, requested that the third reading be waived and the ordinance adopted at this meeting.

Moved by Mahayni, seconded by Goodman, to suspend the rules necessary for the adoption of an ordinance.

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

Moved by Mahayni, seconded by Doll, to pass on third reading and adopt ORDINANCE NO.

3922 making a zoning text amendment to allow funeral facilities in the Highway-Oriented Commercial zone.

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

ORDINANCE ESTABLISHING A SITE PLAN STORMWATER POLLUTION PREVENTION PLAN REVIEW FEE AND A STORMWATER LOT DEVELOPMENT PERMIT FEE:

Moved by Goodman, seconded by Larson, to pass on second reading an ordinance establishing a Site Plan Stormwater Pollution Prevention Plan Review fee and a Stormwater Lot Development Permit fee.

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

ORDINANCE INCREASING STORM SEWER UTILITY FEE WITH AN EFFECTIVE DATE OF JULY 1, 2007:

Moved by Mahayni, seconded by Larson, to pass on third reading and adopt ORDINANCE NO. 3917 increasing the storm sewer utility fee with an effective date of July 1, 2007.

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

ORDINANCE ESTABLISHING 3:00 TO 6:00 AM PARKING REGULATION FOR METERED STALLS IN DOWNTOWN BUSINESS DISTRICT:

Moved by Mahayni, seconded by Larson, to pass on third reading and adopt ORDINANCE NO. 3918 establishing 3:00 to 6:00 AM parking regulation for metered stalls in Downtown Business District.

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

ORDINANCE MAKING REVISIONS TO HIGH-STRENGTH SURCHARGE PROGRAM:

Moved by Doll, seconded by Popken, to pass on third reading and adopt ORDINANCE NO. 3919 making revisions to High-Strength Surcharge Program.

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

COMMENTS:

Moved by Rice, seconded by Mahayni, to refer to staff, for supplying background information to the City Council, the letter from Attorney Larry Curtis pertaining to the request of Clarence Martin to pave property on the east side of Sumner Avenue south of SE Second Street.

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

Moved by Rice, seconded by Mahayni, to refer to staff the request from David and Carlene Norris regarding the application process to be followed to request a revision to the Urban Fringe Plan Map.

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

Moved by Goodman, seconded by Popken, requesting a memo from the City Manager advising what the current policy is on graffiti.

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

Moved by Goodman, seconded by Mahayni, to request staff to ascertain how the largest window may be created for property acquisitions on the 13th and Grand Intersection Improvements.

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

Moved by Popken, seconded by Rice, to direct staff to respond to the list of 22 concerns presented tonight by the affected property owners adjacent to the 13th and Grand Intersection.

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

Moved by Doll, seconded by Goodman, to refer to staff to meet with Barry J. Sieh, who is

requesting that the City purchase his home at 510 Eighth Street because it is located in the Historic District and is of a non-conforming size.

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

Referencing the preliminary report from staff regarding the response rate to the on-line rental housing survey, Council Member Larson encouraged staff to work through the Homebuilders Association or the Rental Housing Association to get the response rate up.

ADJOURNMENT: Moved by Doll, seconded by Goodman, to adjourn the meeting at 10:45 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor