

**MINUTES OF THE MEETING OF THE AMES AREA  
METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE  
AND REGULAR MEETING OF THE AMES CITY COUNCIL**

AMES, IOWA

MARCH 3, 2009

**AMES AREA METROPOLITAN PLANNING ORGANIZATION (AAMPO)  
TRANSPORTATION POLICY COMMITTEE MEETING**

The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee met at 6:30 p.m. on the 3<sup>rd</sup> day of March, 2009, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Ann Campbell as Administrator. Voting members present were Campbell, Doll, Goodman, Larson, Mahayni, Popken, and Rice, representing the City of Ames; Jane Halliburton, Story County Board of Supervisors; and Robert Anders of the Ames Transit Agency. Mike O'Brien, Boone County Supervisor, was absent. Mike Clayton, Iowa Department of Transportation, was also in attendance.

**AMENDMENTS TO FISCAL YEAR (FY) 2009 TRANSPORTATION PLANNING WORK PROGRAM (TPWP):** Transit Director Sheri Kyras advised that, since approval of the 2009 TPWP, which included highway and transit planning projects, the Central Iowa Region began discussions regarding public transportation service between Ames and Des Moines. CyRide staff and Transit Board members, in conjunction with the two other transit agencies in that corridor (Des Moines Area Regional Transit Authority and Heart of Iowa Regional Transit Agency), have been asked to apply for state funding to determine the feasibility of service options for the public. CyRide staff has prepared the grant application and is requesting that the 2009 TPWP be amended to include the Ames-to-Des Moines project so that the grant application may be submitted to the Iowa Department of Transportation. This project was approved by the Ames Transit Board on February 26, 2008. Ms. Kyras noted that it would be wholly funded with state dollars.

Moved by Mahayni, seconded by Rice, to approve the amendment to the 2009 TPWP to add the Ames-to-Des Moines project.  
Vote on Motion: 9-0. Motion declared carried unanimously.

**AMENDMENTS TO FISCAL YEAR (FY) 2009 TRANSPORTATION IMPROVEMENT PLAN (TIP):** Director Kyras advised that, since approval by the AAMPO of the 2009 TIP in May 2008, two unforeseen transit project changes have occurred, i.e., public transportation service analysis between Ames and Des Moines and hybrid bus purchases. In addition to being included as an amendment to the TPWP, the Ames-to-Des Moines service analysis would need to be included as an amendment to the 2009 TIP. Also, since the purchase of two hybrid buses has been approved under the Iowa Clean Air Attainment Program, the TIP must be amended to include the purchase in the highway section (as opposed to Federal Transit Administration funding).

Moved by Popken, seconded by Larson, to approve amendments to the 2009 TIP to include the Ames-to-Des Moines Corridor Study and the hybrid bus purchase.  
Vote on Motion: 9-0 Motion declared carried unanimously.

**AMENDMENT TO ADD FEDERAL HIGHWAY ECONOMIC STIMULUS FUNDING PROJECTS TO THE 2009 TIP:** Public Works Director John Joiner advised that, through the American Recovery and Reinvestment Act of 2009, the AAMPO has been allocated \$2,099,562 for highway and trail projects. He said that construction of the projects under this initiative will be financed with 100% Stimulus funds up to the total allocated amount, without local match requirements; however,

the City will be required to cover the costs to design these projects, which is estimated to be approximately \$200,000. Funding for this design work has been identified from savings in earlier projects' funding by General Obligation Bonds. In order to support the intended stimulus effect of the funding, projects must not have been budgeted in the 2009/10 budget and must facilitate a quick turn-around from initiating project design through project letting (be "shovel-ready"). The projects recommended to receive AAMPO funding were:

1. G. W. Carver Rehabilitation, from Stange Road to Bloomington Road. This was initially approved in the Capital Improvements Plan (CIP) for 2011/12. The construction estimate is \$1,000,000. The target letting date is August 18, 2009.
2. Lincoln Way Rehabilitation, Hickory Drive to east of Marshall Avenue. This was initially approved in the CIP for 2010/11. The construction estimate is \$849,362. The target letting date is July 21, 2009.
3. Skunk River Trail, from South River Valley Park to Carr Pool. This was initially approved in the CIP for 2010/11 and 2011/12. The construction estimate is \$250,000. The target letting date is July 21, 2009.

Moved by Rice, seconded by Doll, to amend the FY 2009 TIP to add the Stimulus projects listed above in accordance with all applicable American Recovery and Reinvestment Act requirements.  
Vote on Motion: 9-0. Motion declared carried unanimously.

**AAMPO SELF-CERTIFICATION:** According to Director Joiner, and pursuant to federal regulations, each MPO must self-certify that the transportation planning process is addressing the major issues in the Metropolitan Planning Area and is being conducted in accordance with all applicable requirements. In the last AAMPO process review by the Federal Transit Administration (FTA) and the Federal Highway Administration, a joint report was issued finding that the transportation planning activities of the AAMPO were being carried out in accordance with federal regulations, policies, and procedures.

Moved by Goodman, seconded by Mahayni, to certify that the AAMPO planning process is addressing the major issues in the Metropolitan Planning Area and is being conducted in accordance with all applicable requirements.  
Vote on Motion: 9-0. Motion declared carried unanimously.

Mr. Joiner informed the AAMPO Policy Committee members that they will be meeting again on March 24 for final passage of the Transportation Development Plan, draft TIP, and draft TPWP

**ADJOURNMENT:** Moved by Doll, seconded by Rice, to adjourn the AAMPO Transportation Policy Committee Meeting at 6:40 p.m.  
Vote on Motion: 9-0. Motion declared carried unanimously.

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

The regular meeting of the Ames City Council was called to order by Mayor Campbell at 6:45 p.m. on March 3, 2009, 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 Tracy was also present.

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

1. Motion approving payment of claims
  2. Motion approving minutes of the Special Meeting of February 17, 2009, and Regular Meeting of February 24, 2009
  3. Motion approving certification of civil service applicants
  4. Motion accepting Report of Contract Change Orders for February 1-15 and February 16-28, 2009
  5. Motion approving renewal of the following beer permits, wine permits and liquor licenses:
    - a. Special Class C Liquor & Outdoor Service Privilege - Stomping Grounds, 303 Welch Avenue
    - b. Class C Liquor - Twentieth Century Bowling, 505 S. Duff Avenue
    - c. Class C Beer - Almost Always Open, 419 Lincoln Way
    - d. Class C Liquor - Coldwater Golf Links, 615 S. 16<sup>th</sup> Street
  6. Motion approving submittal of grant application to HUD for Human Services Campus funding
  7. RESOLUTION NO. 09-078 approving appointments to City's various boards and commissions
  8. RESOLUTION NO. 09-079 approving 28-E Agreement with Story County pertaining to ice and snow control
  9. RESOLUTION NO. 09-080 approving modification to final acceptance amount for completion of 2007/08 Sanitary Sewer Rehabilitation Program, Contract No. 1 – Meadowlane Avenue
- 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.

**AMENDMENT TO 2009/2014 CAPITAL IMPROVEMENTS PLAN (CIP):** Finance Director Duane Pitcher called the Council's attention to Page 126 of the 2009/2014 CIP. He said that he was notified by staff from the Parks and Recreation Department that the text did not accurately describe the intended projects. The projects listed under FY 2009/10 should have included a project for Gateway Park (Demolition of the garage/storage facility: \$30,000). Parks and Recreation staff reviewed their projects and were able to reduce some of those costs and move others to different years, which allowed for the totals to be exactly the same as initially indicated. City Manager Steve Schainker reiterated that the dollar amount of the CIP remains the same.

Moved by Goodman, seconded by Popken, to adopt RESOLUTION NO. 09-084 approving an amendment to the 2009/2014 CIP to include a project for Gateway Park under Parks and Recreation. Vote on Motion: 6-0. Motion declared carried unanimously.

**GENERAL OBLIGATION REFUNDING BONDS 2009A:** Moved by Mahayni, seconded by Larson, to adopt RESOLUTION NO. 09-085 setting March 24, 2009, as the date of public hearing for authorization to issue General Obligation Refunding Bonds 2009A in an amount not to exceed \$8,000,000.

Director Pitcher explained the process for refunding bonds. He stated that the low short-term interest rates have provided a debt service saving opportunity. The General Obligation Bond Series 1998A, 1999, 2000, 2001A, and 2001B are currently callable and can now be refunded. The time frame has not been extended. The refunding will result in debt service savings of approximately \$80,000/year from FY 2009/10 through FY 2012/13 when the refunding issue is retired.

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

**CLASS B BEER & OUTDOOR SERVICE PRIVILEGE FOR HOMEWOOD GOLF COURSE:**

Moved by Goodman, seconded by Doll, to approve the Class B Beer & Outdoor Service Privilege for Homewood Golf Course.

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

**PUBLIC ART COMMISSION:** Steve Kawaler, Public Art Commission Art Around the Corner Committee Chairperson, presented the selections made from the 13<sup>th</sup> Annual competition. He advised that there were 19 entries, and six (6) were chosen for the exhibit. Two alternates were also chosen: "Dayblind Stars," by Kristin Garnant of Camanche, Iowa, and "Cradle," by Duke Oursler, now of Pooler, Georgia.

According to Mr. Kawaler, in mid-April, the final installation sites will be selected. Installation will occur in mid-May. The brochure depicting the selections will be prepared in late-May and distributed in mid-June. In late-June, an official "opening" of the artwork selections will occur. At the City-wide art event in September, the selection of "Best in Show" will be made.

Moved by Rice, seconded by Popken, to adopt RESOLUTION NO. 08-086 approving the following 2009/10 Art Around the Corner selections:

1. "Change on your Dollar," by Jerry Cowger of Waterloo, Iowa
2. "Perpetual Horizon," by Mark Baker of Cedar Rapids, Iowa
3. "Undulation on Wing," by Kristin Garnant of Camanche, Iowa
4. "Untitled Flower," by Michael Sneller of Iowa City, Iowa
5. "Metronome," by Duke Oursler of Pooler, Georgia (formerly of Earlham, Iowa)
6. "Rising Wave," by Mark Baker of Cedar Rapids, Iowa

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

**ISU/AMES SPRING 2009 LAW ENFORCEMENT COMMUNITY RELATIONS CAMPAIGN:**

Police Chief Chuck Cychosz advised that the City had been involved in the Spring Law Enforcement Community Relations Campaign for the past two years. Staff believes it is worthwhile to continue to participate in this Campaign, which has as its focus the promotion of good relationships in Campustown. According to Chief Cychosz, Iowa State University Department of Public Safety will match the City of Ames' contribution.

Council Member Rice asked if this would be ongoing, and if so, he would suggest that the funding come from another source of funding (other than Council Contingency).

Moved by Rice, seconded by Goodman, to adopt RESOLUTION NO. 09-087 approving up to \$5,000 from the Council's Contingency Account for expenses associated with the ISU/Ames Spring 2009 Law Enforcement Community Relations Campaign.

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

**STAFF REPORT ON VEISHEA FUNDING:** Council Member Goodman advised that he would be abstaining from voting on this item due to a conflict of interest.

According to Assistant City Manager Sheila Lundt, staff is recommending that Council allocate

\$2,000 towards the pancake feed and \$5,000 towards the entertainment costs. The funding source would be the Hotel/Motel Tax Fund. In addition, Electric Services will provide \$1,000 in sponsorship of the VEISHEA Parade as a way to promote Smart Energy and the Utility's Demand-Side Management efforts. Ms. Lundt stated that the Ames Chamber of Commerce and the Ames Convention & Visitors Bureau will be contributing a combined amount of \$3,000 toward the cost of the event.

Also, in order to facilitate the movement of parade entries to the staging area, temporary closure of various streets and turn lanes is being requested, as follows:

1. Streets south of the Campus area in the early morning hours of April 18
2. Left-turn lanes on Lincoln Way at Union Drive (near the Memorial Union) and Welch Avenue north of Lincoln Way starting at Noon on April 17 until 9:00 AM on Sunday morning, April 19
3. Left-turn lane on Lincoln Way at Union Drive (near the Knoll) to be closed as needed on the morning of April 18

Representing VEISHEA 2009 were Mark Pierce, Elyse Harper, Allie Bryant.

Moved by Mahayni, seconded by Doll, to adopt RESOLUTION NO. 09-088 approving allocation of \$2,000 toward the VEISHEA 2009 Pancake Feed and \$5,000 toward the evening entertainment events, said amounts to be allocated from the Hotel/Motel Tax Fund.

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

Moved by Mahayni, seconded by Doll, to adopt RESOLUTION NO. 09-089 approving requested turn lane and street closures to facilitate parade staging and events on Central Campus and near the Memorial Union.

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

**HEARING ON ADOPTION OF 2009/10 BUDGET:** It was announced by Mayor Campbell that the City had received the Distinguished Budget Presentation Award for the 23rd consecutive year from the Government Finance Officers' Association. Accepting the Award were Finance Director Duane Pitcher and Budget Officer Carol Collings.

Mayor Campbell opened the public hearing on adoption of the 2009/10 Budget.

Susie Petra, 2011 Duff Avenue, Ames, said that the preparation costs to open Carr Pool for the summer season would be approximately \$17,000. Those costs include such things as water, electricity, heat, and chemicals. Ms. Petra stated that, as a prudent taxpayer, she sees it as a waste to drain that \$17,000 a mere four weeks later. She asked the Council to consider keeping Carr Pool open for an additional eight weeks. The Friends of Carr Pool Committee members believe that there are ways to mitigate costs and request that the City invite them to help resolve this issue.

There being no one else who wished to speak, the hearing was closed.

Moved by Larson, seconded by Goodman, to adopt RESOLUTION NO. 09-081 approving the 2009/10 budget.

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

**HEARING ON AMENDMENTS TO FISCAL YEAR 2008/09 BUDGET:** The public hearing was opened by the Mayor. No one asked to speak, and Mayor Campbell closed the hearing.

Moved by Mahayni, seconded by Larson, to adopt RESOLUTION NO. 09-082 amending the budget for the current fiscal year ending June 30, 2009.

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

**HEARING ON ISSUANCE OF GENERAL OBLIGATION CORPORATE PURPOSE BONDS (PRE-LEVY):** The Mayor opened the public hearing and closed same after no one came forward to speak.

Moved by Goodman, seconded by Rice, to adopt RESOLUTION NO. 09-083 approving issuance of General Obligation Corporate Purpose Bonds (Pre-Levy) in an amount not to exceed \$11,700,000.

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

**REQUEST FOR WAIVER OF SUBDIVISION REGULATIONS FOR PROPERTIES LOCATED AT 2501 AND 2503 TIMBERLAND ROAD:** Steve Osguthorpe, Director of Planning and Housing, explained that, in Municipal Code Section 23.103, there is a provision for the City Council to consider waiving subdivision standards that meet two criteria:

1. Strict compliance with the requirements of the regulations would result in extraordinary hardship to the applicant, or,
2. It would prove inconsistent with the purpose of the regulations because of unusual topography or other conditions.

Director Osguthorpe advised that the applicant has requested a waiver of subdivision standards pertaining to the requirement of sidewalks for a property located off of Timberland Road. The request for waiver involves the construction of approximately 100 feet of a four-foot-wide sidewalk along the frontage of two lots. According to Mr. Osguthorpe, this issue surfaced when the property owner wanted to extend sewer to his property. (This land was developed before it was annexed to the City.) Sewer service was extended to the property in question under the condition that an easement be granted across the abutting property where the sewer was run. The applicant is planning to do a lot line adjustment to encompass the sewer on his property, which triggers subdivision requirements, including sidewalk and frontage requirements.

Mr. Osguthorpe advised that staff discovered, after this application was filed, that there were other frontage improvements that the applicant intended to be part of the waiver request. Those items include such things as pavement width. Under City standards, the frontage requirement calls for a 26-foot-wide pavement; however, the actual right-of-way on this portion of Timberland Road is only 20 feet wide. There are no sidewalks in that area. If sidewalks were required, they would have to be installed in a location where, most likely, there will never be a street extension due to the narrowness of the right-of-way. In addition, to install sidewalks, the applicant would have to obtain

an easement from the neighbors along this right-of-way. Staff believes these issues create extraordinary circumstances for the applicant. No additional lots are being created, so there are no adverse impacts. After analysis of this case, staff does not see any practical way of installing sidewalks at any point in time.

Moved by Mahayni, seconded by Rice, to adopt RESOLUTION NO. 09-090 approving a waiver of all street and frontage requirements for 2501 and 2503 Timberland Road, with the condition that a Plat of Survey be recorded (which consolidates the split portion over the sewer service with Lot 20 into one new parcel).

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

**DISCUSSION OF APPLICATION PROCESS FOR LAND USE POLICY PLAN (LUPP) AND REZONING CHANGES:** Director Osguthorpe asked for direction from the City Council on the processing of LUPP amendments and also Zoning Map and text amendments.

Per Mr. Osguthorpe, the first issue deals with Municipal Code Section 29.1507, “Zoning Text and Map Amendments.” He explained that specific language under the subtitle, “Petition for Amendment” states that, “...Whenever owners of 50% or more of the area of the lots in any district or part thereof desire amendment, supplement, or change in any of the provisions of the ordinance...they may file an application...requesting City Council to make such amendment or change...”. This means that individuals may apply without referral from the City Council. Clarification is needed as to whether a zoning text amendment should require Council referral or whether this section was intended to enable anyone to submit, without referral, an application for a zoning text amendment even though it would be effective beyond the bounds of one’s own property.

According to Mr. Osguthorpe, all zoning and development applications are currently available on the Planning and Housing Department website except for two, i.e., LUPP amendments and zoning text amendments. These are not available on-line because, when policy is involved, the City Council makes the determination whether or not to refer such a request to staff. Rather than providing the application forms for LUPP and zoning amendments on-line, a note has been included on the website directing applicants to contact City staff for information. Mr. Osguthorpe emphasized that individuals have the right to submit an application for rezoning at any time even if it is not consistent with the LUPP; however, the current process ensures that they do so with a clear understanding of the implications of the request. If the rezoning application is processed, and subsequently denied because it is not consistent with the LUPP, the applicant must wait a full year before reapplying. The “first contact” with staff enables staff to explain such issues and provide direction as to the best way to proceed. Mr. Osguthorpe asked for confirmation from the Council that a “first contact” with staff is the correct approach.

The final issue pertained to the question of referral versus sponsorship of a proposal. Director Osguthorpe said that staff has assumed that, even though Council refers an amendment proposal, it is the applicant’s proposal, and therefore, subject to all application and fee provisions. Clarification from the City Council was requested by staff.

Moved by Goodman, seconded by Popken, to confirm the following processes:

1. Zoning Map amendments may be submitted without Council referral. Application forms for zoning map amendments will not be provided on-line. Applicants may contact staff for an application and submit at any time of their choosing.
2. LUPP Map, LUPP text, and zoning text amendments require Council referral. Application forms for these types of amendments will not be provided on-line. Applicants may contact staff for an application form, but the application will not be accepted for processing without prior Council referral.
3. Any proposed amendment referred by Council at the request of an individual is not considered a Council-sponsored or Council-directed amendment. The individual requesting referral must submit a complete application, including associated fees.

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

**FLOOD PLAIN ADMINISTRATION:** Director Osguthorpe stated that City staff had recently reviewed the Flood Plain Management Ordinance and compared it with the requirements of the National Flood Insurance Program (NFIP) and the state model Flood Plain Ordinance. After that comparison, staff found a number of inconsistencies within the City's Ordinance that impose a greater regulatory burden than is required. The bigger issue, according to Mr. Osguthorpe, pertains to whether a Conditional Use Permit is required when building in the floodway fringe. He advised that it appears from the City Code that some uses were intended to be permitted without first obtaining a Conditional Use Permit. Staff is requesting that the City Council refer the existing Ordinance to the Planning and Housing Department to review and propose amendments that would maintain the required flood protection standards and more closely follow the intent of the NFIP.

Moved by Mahayni, seconded by Rice, to refer the existing Flood Plain Ordinance to the Planning and Housing Department to review and propose amendments that would maintain the required flood protection standards and more closely following the intent of the National Flood Insurance Program. Vote on Motion: 6-0. Motion declared carried unanimously.

**OFFICIAL PARKING METER MAP FOR DOWNTOWN LOTS U AND V:** Moved by Larson, seconded by Popken, to adopt RESOLUTION NO. 09-091 approving revisions to the official Parking Meter Map for Downtown Lots U and V. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

**DOWNTOWN PARKING RAMP STUDY PROFESSIONAL SERVICES AGREEMENT:** City Manager Schainker clarified that the request before the City Council at this time was for a conceptual cost study for a parking ramp on only Lot X or Lot Y. It was not for any other location, and it was not for a design.

Council Member Larson asked if the options would be a rectangular parking ramp on Lot X or a rectangular parking ramp on Lot Y. He said, at one time, there was an idea presented of a linear ramp that could parallel the railroad tracks. Mr. Larson also asked how much detail would be provided. Mr. Schainker pointed out that the study was to determine what type of ramp could be built in Lot X or Lot Y. He asked Mr. Larson if he were now interested in what type of ramp could be built over both Lots X and Y. Council Member Popken indicated that he would like to see flexibility in the location. Mr. Larson concurred and stated that he would like to see the costs associated with each option included in the study.

Traffic Engineer Damion Pregitzer recalled that the original intent of the Study was to determine the feasibility of building a parking ramp containing 150 to 200 stalls in either Lot X or in Lot Y. He said that the City could discuss the idea of extending a parking structure over Lot X and Y with the consultants, but as far as the study in question was concerned, it was going to be basic to either Lot X or Y. Council Member Doll asked if it would change the fee to include other options. Mr. Pregitzer said that he believed that to now extend the parking structure over both lots would substantially change the cost estimate. It also would not give the clearest sense of a single stand-alone structure on either lot.

Mr. Schainker asked Council members if their goal was to optimize the number of parking spaces in a one-level structure. Council Member Larson said, for him, it was to look at all possibilities within reason because there are some issues relating to sound barriers relative to the train and extending parking further to the east and west. He was not referring to any particular design; however, he would like all concepts to be considered and to be told whether those concepts are feasible. Mr. Larson suggested that the consultants merely state whether other concepts would be feasible.

Mr. Pregitzer again advised that a discussion, prior to the final report, could be held with OPN Architects as to the feasibility of other concepts and how much work that would entail.

Council Member Popken asked to know the next steps after the budgetary estimate. City Manager Schainker advised that it would depend on the direction given by the Council. The City Council will have to review the conceptual possibilities and then have to decide to add it to a future Capital Improvements Plan, whether it should be part of the Downtown catalyst project, etc.

Council Member Popken stated that he was concerned that the City might be tied into a specific structure and then find out that it would amplify the noise in Tom Evans Park. Mr. Schainker stated that the consultants will not be analyzing noise as a part of this study. He emphasized that, with this type of project, estimates with not much design detail will be given; the design would be another step and would be a lot more costly.

Moved by Goodman to add, under “Pre-design Basic Services - Site Evaluation,” noise buffering and providing maximum access to the entire Downtown.

Motion failed due to the lack of a second.

Council Member Mahayni pointed out that noise is a function of the design of the structure; this study does not pertain to design. Mr. Schainker reiterated that this study would provide a cost estimate to build a generic structure.

Council Member Larson pointed out that noise seems to be a concern and it should be discussed with the consultants.

Council Member Goodman stated that he did not believe Council’s intent was to determine the feasibility of a parking ramp on Lot X or Lot Y; they wanted cost estimates for parking ramps within X and Y that take into consideration the noise and accessibility.

Mr. Pregitzer believes that the scope of services in the Agreement on tonight’s Agenda was developed to meet the Council’s previous direction regarding a parking structure. The cost to analyze the noise and facade would cost considerably more than what is included in the proposed

Agreement. Those issues could be included in a second phase.

Council Member Mahayni asked for clarification on “deliverables” to be included in the Parking Study, specifically, “Preliminary site concept for two options.” Mr. Pregitzer advised that the Study will include a conceptual design (of a parking ramp) in Lot X and a conceptual design (of a parking ramp) in Lot Y. Council Member Rice said that he would like the consultant to present options for combining Lot X and Y as well as separately. Council Member Goodman advised that the two options should not have to be exclusively in either lot. City Manager Schainker asked the Council to clarify exactly what they were expecting from the Study.

Mr. Schainker asked if the consultants could be asked for their generic opinion on how to handle noise. Mr. Pregitzer advised that, since that specific information was not asked for up-front, he would have to discuss it with the consultants.

Moved by Rice, seconded by Mahayni, to adopt RESOLUTION NO. 09-092 approving the Professional Services Agreement for a Downtown Parking Ramp Study with OPN Architects of Des Moines, Iowa, in an amount not to exceed \$13,700.

Council Member Larson wanted the consultants to be aware that aesthetics and noise control will be important; those should be included when they arrive at the “probable construction costs of each option.”

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

**ADA HAYDEN PARK LAKE WATER QUALITY MONITORING:** Director of Water Pollution Control John Dunn explained the request for staff to solicit professional services for monitoring and analytical work related to Ada Hayden Heritage Park. The monitoring would begin in May 2009 and run through September 2009. It would be put on hold through the winter months and resume again in May 2010 and run through September 2010. Mr. Dunn advised that the scope of work included in the RFP was reduced somewhat from what had been done in the past. This scope would include monitoring in the Lake only; it would not include the wetlands.

Moved by Doll, seconded by Rice, to approve the issuance of a Request for Proposals for Ada Hayden Park Lake Water Quality Monitoring.

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

**PURCHASE OF DIESEL BUSES AND HYBRID BUSES:** Transit Director Kyras advised that CyRide has the opportunity to purchase buses under two grant programs: Iowa Clean Air Attainment Program and the Federal “American Recovery and Reinvestment Act” (Stimulus funding). All the documentation is now complete to allow staff to move forward with the actual purchase.

Ms. Kyras advised that local match in the amount of \$228,000 for two hybrid buses is not currently in the budget because the purchase was not planned to occur until next year. Since the IDOT is allowing the purchase in FY 2008/09, the match will be allocated from the uncommitted Transit Capital Reserve balance. The purchase of seven expansion diesel buses is being funded wholly from federal funds (Stimulus). CyRide is part of a nationwide bus purchasing co-op and currently has bus options for 23 buses. The low bid on this procurement is from Gillig Corporation at a per diesel bus price of \$347,740.98.

Moved by Rice, seconded by Doll, to adopt RESOLUTION NO. 09–093 approving the purchase of up to seven diesel buses and two hybrid buses from Gillig Corporation.

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

**RENTAL HOUSING INSPECTION FEES:** Mayor Campbell brought the Council's attention to the revised Item No. 26 that had been placed around the dais. City Manager Schainker advised that the proposed Resolution had been corrected; the former one had listed the fees to be collected in June 2010.

Moved by Goodman, seconded by Doll, to adopt RESOLUTION NO. 09-094 approving Rental Housing Inspection Fees to be collected in June 2009.

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

**ASSISTANCE TO FIRE FIGHTERS GRANT:** Moved by Goodman, seconded by Rice, to adopt RESOLUTION NO. 09-095 accepting the Assistance to Fire Fighters grant in the amount of \$51,000 from the Department of Homeland Security for purchase of four Mobile Data Terminals.

City Manager Schainker advised that the local match will be provided by the local E-9-1-1 Board, and the ongoing operational costs have been included in the budget approved by the City Council tonight.

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

**UPDATE ON RESIDENT SATISFACTION SURVEY:** City Manager Schainker recalled that this issue had been referred to staff by the City Council.

Public Relations Officer Susan Gwasda advised that the City is preparing to send out its 27<sup>th</sup> Annual Resident Satisfaction Survey. She said that the City's relationship with CD-DIAL had ended as the Director retired and they are restructuring. The City is still waiting for a determination as to what entity at Iowa State University will be assisting in this year's Survey.

Ms. Gwasda stated that this was the time for the Council members to determine if they wanted any areas added to the Survey. She said the bench-marking questions would remain.

City Manager Schainker explained the two main purposes for the Survey. For City management staff, a satisfaction survey can be a means to evaluate the effectiveness of the various services that are provided by City employees to residents. For elected officials, a survey can provide meaningful information as to how residents feel about certain important policy issues.

Council Member Goodman recalled that the Council had mentioned the possibility of Board and Commission members having input as to questions on the Survey. He asked if any input had been provided. Ms. Gwasda stated that she had not solicited their input.

Council Member Larson suggested that questions regarding growth and issues related to where the City should grow, annexation of property, and protecting the environment be asked to find out where the priorities are regardless of the cost structure.

Moved by Rice, seconded by Goodman, to add a question on the Survey in order to derive meaningful information as to whether the Carr Pool facility should be retained (kept open) with potential operating costs being included.

Council Member Goodman referenced an e-mail message received from Peter Orazem that suggested that costs should be included when asking residents about prospective projects. He is not sure how the costs would be calculated.

Council Member Rice said that actual wording of the question would be up to Susan Gwiasda.

Mayor Campbell noted a difference in asking questions relative to CIP projects and those relative to a “retroactive project” on which there had been opposition to the Council’s decision. What the Council would be asking for is basically a scientific referendum on a past issue, and the Mayor felt a dangerous precedent would be set if the City Council were to start asking questions on the Survey after a decision had been made on a controversial issue.

Council Member Mahayni gave his view that a satisfaction survey should not be a “referendum survey.” He pointed out that “satisfaction” should be relative to services performed. Mr. Mahayni also feels that it would be dangerous for that type of approach to be followed.

City Manager Schainker pointed out that Carr Pool is a very sensitive issue, and no matter how the question is written, there will be criticism pertaining to its meaning if all information (e.g., operating costs, capital costs, hours, etc.) is not included.

Council Member Popken pointed out that questions about facilities are asked on the Survey. Council Member Larson said a question pertaining to fare-free CyRide was included on last year’s Survey, and he used the fact that it was not ranked very highly to not support it when it came before the City Council. Mayor Campbell pointed out again that questions on the Survey have pertained to future services, not ones that had already been decided by the Council.

Council Member Goodman said that he did not understand the “marriage to decisions” made by the Council when there is passion in the community. He felt the Survey was simply perspective from the community on what’s important to them; it should not matter whether a decision had been made on the issue or not. In Mr. Goodman’s opinion, it could be that the issue was very important to the citizenry, but the Council failed to recognize it. He views this as a means to respond to the community’s needs and wants and feels that is what “good government is all about.”

Council Member Doll asked if the wording for the question on Carr Pool could be reviewed by the City Council before it is included. Council Member Popken said that he did not think the City Council should wordsmith the questions.

Council Member Goodman would like the question to include potential costs, citing specifically capital costs and operating costs.

Council Member Mahayni reiterated that what the motion refers to is asking for a referendum on already-made decisions. The processes already followed by the City Council allow for public input. He thinks that this would cause the public to view the decisions made by the City Council as always being in a state of influx. Council Member Goodman disagreed, stating that more information on an issue that the public has a great deal of passion over is always better.

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

Council Member Rice asked *ex officio* Member Tracy if she knew of any issues important to college students that should be included in the Survey. Ms. Tracy said that Campustown issues were important. Council Member Doll suggested that questions specifically regarding what is desired in Campustown be included. Council Member Larson gave an example of how this could be done, e.g., would you like to see retail, restaurants, etc. Mayor Campbell pointed out that the City does not own property in Campustown for redevelopment.

Moved by Doll, seconded by Rice, to include questions in the Survey pertaining to options for Campustown.

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

**DANGEROUS BUILDINGS ORDINANCE:** Moved by Mahayni, seconded by Goodman, to adopt the Dangerous Buildings ORDINANCE NO. 3986.

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

**COMMENTS:** Moved by Larson, seconded by Goodman, to refer to staff the letter from FOX Engineering dated February 27, 2009, regarding development on S. 16<sup>th</sup> Street.

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

Mayor Campbell commented on the subject of inclusive community. She advised that, due to the efforts of the Director of the State's Civil Rights Commission, a VISTA worker had been assigned to the City to continue the work of the Inclusive Task Force. However, she expressed great dismay over the information of a strong racist nature that had been distributed via fliers in the Downtown late last week. She acknowledged that the City has a long way to go as far as being an inclusive community. Council Member Goodman said that every member of the community that he had spoken with had denounced the message contained in the fliers. He urged others not to let one person define the community.

Moved by Goodman, seconded by Popken, to request the City Manager to explore the possibility of submitting an application to the U. S. EPA's Smart Growth Implementation Assistance Program.

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

**ADJOURNMENT:** Moved by Doll, seconded by Goodman, to adjourn the meeting at 8:25 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor