

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

**AMES, IOWA**

**FEBRUARY 9, 2010**

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

The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee met at 5:15 p.m. on the 9<sup>th</sup> day of February, 2010, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Ann Campbell as Administrator. Voting members present were Campbell, Davis, Goodman, Larson, Mahayni, Orazem, and Wacha, representing the City of Ames City Council, and Wayne Clinton, Story County Supervisor. Mike O'Brien, Boone County Supervisor, and Robert Anders, Ames Transit Agency, were absent.

**AMENDMENT TO 2010 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) TO ADD STIMULUS PROJECTS:** For the benefit of the new City Council members, Public Works Director John Joiner explained that the AAMPO is comprised of the Ames Mayor, as Administrator; members of the Ames City Council, one member of the Boone County Supervisors, one member of the Story County Board of Supervisors, and a representative of the Ames Transit Agency.

Director John Joiner advised that it is anticipated that another bill will be passed in mid-February for Federal Stimulus funding. The amount to be allocated to the AAMPO will be \$2,099,562. Construction of the projects under this initiative will be financed 100% with Stimulus funds, without local match requirements. The City will be required to cover the cost to design the projects. The Stimulus rules will allow currently programmed projects to receive funding. The Skunk River Trail is already included in the City's Capital Improvements Plan (CIP), and there is \$448,825 of Local Option Sales Tax designated, which could be used for engineering and administration expenses. Two other trails, Vet Med Trail (S. 16<sup>th</sup> Street to ISU Research Park) and State Nursery Trail (S. Duff Avenue to Crystal Street), are proposed to be added to the TIP to qualify for the potential of Stimulus competitive statewide trail funding.

Moved by Goodman, seconded by Davis, to approve an amendment to the FY 2010 TIP to add Stimulus projects in accordance with all applicable American Recovery and Reinvestment Act requirements.

Vote on Motion: 8-0. Motion declared carried unanimously.

**AMENDMENT TO 2010 TRANSPORTATION IMPROVEMENT PROGRAM FOR CONSIDERATION OF ADDITIONAL TRANSIT FUNDING OPPORTUNITIES:** Transit Director Sheri Kyras explained that since initial approval of the TIP in May 2009 and amendments in September 2009, the House passed a Jobs for Main Street Act, which opened up the possibility of a second Stimulus bill. The Iowa Department of Transportation (IDOT) directed transit systems to identify projects that could be funded. The TIP amendments would allow grant submission of transit projects to the Federal Transit Administration if funding is approved by the Senate and signed by the President. Ms. Kyras explained the following projects:

1. Ten replacement 40' HD large buses and new camera surveillance systems, which total \$3,840,000 (100% federal funding requested)
2. Twelve expansion 40' HD large buses and new camera surveillance systems, which total \$4,608,000 (100% federal funding requested)
3. Storage area air handling/piping-ductwork relocation/sprinkler system upgrade, which total \$792,000 (100% federal funding requested)
4. Fuel pump improvements, which total \$29,000 (100% federal funding requested)
5. AVL/CAD technology, Web/Bus Stop Planner, scheduling software, which total \$1,705,450 (100% federal funding requested)

Moved by Mahayni, seconded by Davis, to approve amendments to the 2010 TIP for consideration of additional Federal Transit funding opportunities, as above-listed.

Vote on Motion: 8-0. Motion declared carried unanimously.

**APPOINTMENT TO STATEWIDE URBAN DESIGN AND SPECIFICATIONS (SUDAS)**

**BOARD OF DIRECTORS:** Moved by Larson, seconded by Wacha, to approve the appointment of John Joiner as the AAMPO representative to the SUDAS Board of Directors.

Vote on Motion: 8-0. Motion declared carried unanimously.

Moved by Clinton, seconded by Mahayni, to adjourn the meeting at 5:23 p.m.

**SPECIAL MEETING OF THE AMES CITY COUNCIL**

The Ames City Council met in Special Session for the budget wrap-up at 5:25 p.m., followed by its Regular Meeting, on the 9<sup>th</sup> day of February, 2010, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding and the following Council members present: Davis, Goodman, Larson, Mahayni, Orazem, and Wacha. *Ex officio* Member Keppy was also present.

**ARTS FUNDING (COTA):** Mayor Campbell introduced Fred Lewis, Chairperson of the Commission On The Arts (COTA). Commission Member Joel Jacobsen was also in attendance.

Mr. Lewis advised that requests for funding totaling approximately \$147,000 were received. The COTA is recommending funding 13 organizations. The amount of increase over last year's allocations is approximately 6%; \$120,480 was spent last year, and \$127,709 is the recommended allocation for 2010/11.

The Mayor and City Council were told by Chairperson Lewis how funding decisions are made by the Commission. He reviewed the criteria for funding.

Assistant City Manager Sheila Lundt, staff liaison, advised that the Commission had reviewed applications for funding at hearings held on November 7, 2009, and formalized its recommendations on December 21, 2009. Ms. Lundt emphasized that no organization is guaranteed a certain amount of funding; requests are judged on their own merits. According to Ms. Lundt, the Commission thoroughly reviewed previous allocations for current organizations

and talked at length about the level of support that was appropriate for each organization. It ultimately made the decision to put more funding into annual grants, which means less money going towards mini-grants.

**HUMAN SERVICES FUNDING (ASSET):** Assistant City Manager Lundt introduced Mary Cameron and Becky Perkovich, who serve as City volunteers on the ASSET Board. Ms. Lundt advised that the City's funding recommendations represent an increase of 9.34% over the current 2009/10 allocations.

Last November, the Ames City Council recommended allocating \$1,120,500 in FY 2010/11, which would have been a 13% increase over 2009/10. Not all of that funding is being recommended to be allocated in FY 2010/11. A number of organizations did not substantially draw down all of their City funding during 2008/09, and the volunteers took that into consideration during the current allocation process. Again, Ms. Lundt emphasized that no agency is guaranteed a certain amount of funding. Agencies must demonstrate services, and the City's priorities must be met. The ASSET Board is recommending that the City's allocation be \$1,079,065.

Ms. Lundt brought the Council's attention to requests for new services, as follows:

Richmond Center. Ms. Lundt recalled that the City Council provided emergency funding to the Richmond Center in 2008 in the amount of \$20,000, which was set aside for nursing services. The volunteers recommended that the funding be continued for 2010/11. The funds will allow clients to be seen that are on a state payment waiting list, and thus cannot be recipients of County funding.

Community & Family Resources deals with substance abuse issues. It is in the process of merging with the Richmond Center. Funding in the amount of \$1,500 has been requested for co-occurring treatment (when the client has a mental illness as well as a substance abuse diagnosis).

Good Neighbor has requested \$3,000 to expand its Health Food Voucher Program. ASSET is seeing a need for basic needs, and food is one of those basic needs. The majority of participants in this Program are Ames residents.

Big Brothers/Big Sisters is a new agency providing mentoring services in Ames and Story County. In a little over 2.5 months of operation, the agency established 20 matches. The agency is requesting \$10,000.

Ms. Lundt explained how the ASSET volunteers decide the agencies to receive funding and in what amount. She described the packet of information that must be submitted by the agencies to request funding. It was explained by Ms. Cameron how the panels make funding decisions based on the City's priorities.

**PUBLIC ART COMMISSION (PAC):** Sam Stegg, Chair, explained the charge of the PAC and named the eight smaller committees that comprise the Commission. He highlighted the achievements accomplished over the past year. The PAC is requesting funding in the amount of \$30,000 for FY 2010/11, which is the same base amount requested in FY 2009/10.

**AMES INTERNATIONAL PARTNER CITIES ASSOCIATION, INC., (AIPCA)**

**FUNDING:** Assistant City Manager Bob Kindred introduced Diane Oppedal, who is a City Delegate on the AIPCA. Ms. Oppedal explained that there is \$6,000 currently in the 2009/10 budget in anticipation of a visit of delegates from Frydek-Mistek, Czech Republic (one of the City's sister cities); that visit is not going to occur now. Therefore, that funding is no longer needed and could be returned. There is a possibility that a delegation from Kosshu City, Japan, may visit Ames in the Fall 2010. Mr. Kindred indicated that there is an allocation of \$3,000 already included in the proposed 2010/11 Budget.

**HISTORIC PRESERVATION COMMISSION:** Gloria Betcher, Chairperson of the Ames Historic Preservation Commission (HPC), stated that in FY 2010/11, the HPC plans to begin implementation of the ten-year Comprehensive Historic Preservation Plan that the City Council approved in November 2009. The HPC is requesting City funds for some of the items and complementing those items with initiatives that will cost the City nothing monetarily, but will commit staff time. Ms. Betcher gave the history of the activities of the HPC that have yielded grant funds being received by the City for past projects.

Ms. Betcher requested a total of \$38,700 for HPC funding in FY 2010/11, broken down as follows:

National Register Nomination of Downtown	18,500
Intensive Survey of Campustown	13,500
National Register Nomination of the Ames Public Library	100
HPC Neighborhood Grant Program for Preservation Initiatives	1,000
Educational Lectures, Workshops, and Signage	1,500

Ms. Betcher clarified that the HPC will be applying for grant funding for the two first-listed major projects. The Commission feels confident that grant funding will be received, and if so, the amount of City funding necessary to accomplish the above projects would equate to \$6,900.

Addressing questions as to whether being listed on the National Register would impede the redevelopment of Campustown, Ms. Betcher explained that there is no protection afforded to buildings listed on the National Register. It was noted that a Request for Proposal had already gone out for redevelopment of Campustown. City Manager Schainker said it is unknown whether National Register listing would impact that process.

Council Member Mahayni noted that no other City Board or Commission receives funding to provide training for its members. Ms. Betcher advised that Ames has been named a Certified Local Government, and as such, is required by federal guidelines to provide training to the HPC members.

Discussion ensued as to the two first-listed projects and if they would result in redevelopment in Downtown and Campustown not moving forward. Mayor Campbell was concerned that 360 hours of staff time would be required. Concerns about not receiving grant funding were expressed. Council Member Goodman pointed out that the Council has the option of placing stipulations on funding.

City Manager Schainker reviewed the Local Option Tax and Hotel/Motel Tax Funds. Council Member Orazem noted that the Local Option Tax Fund had a balance of \$3.7 million in 2008, and it has dwindled down to nearly nothing. He pointed out that Ames must increase its retail sales in order to continue using those funds.

Council Member Goodman suggested that the Council allocate a certain amount of funding for small requests and devise a system to evaluate those.

**AMES HISTORICAL SOCIETY:** Kathy Svec, President, and Peggy Baird, Vice-President, were present. Ms. Svec presented the Ames Historical Society's request for \$18,000 in FY 2010/11, which is an increase of \$2,000 from FY 2009/10. The increase in funding would continue to support rent and utilities and/or other operational costs associated with the facilities that are essential to safe-guarding historic records and providing service and access to local residents.

Council Member Mahayni requested that the Historical Society work on a program to honor past Mayors. Ms. Svec said that one of the Society's members has taken an interest in that project. An update as to its progress will be provided to the Council.

Answering a question from Council Member Goodman as to the possibility of charging for its services, Ms. Svec stated that most of the people asking for services from the Society provide donations or pay membership dues.

**A MID-IOWA ORGANIZING STRATEGY (AMOS):** No one was present from AMOS; however, City Manager Schainker advised that funds in the amount of \$16,707 had been carried over from 2009/10. Those funds will be used to promote sustainability, which is one of the Council's goals.

**VEISHEA:** Hallie Satre, 1210 Walton Drive, #205, Ames, representing VEISHEA 2010, said that they are under the same budgetary constraints as many other organizations. She noted that the VEISHEA Committee has chosen a headliner band to perform that should generate fewer noise complaints. Justin VanWert, Sponsorship Co-Chair, reviewed past sponsorship amounts provided by the City. Amy Peyton, Sponsorship Co-Chair, requested the City sponsorship total \$8,000 for FY 2010/11.

Council Member Larson asked if the Ames Convention & Visitors Bureau (ACVB) had committed to help sponsor VEISHEA. Assistant Manager Lundt said that she would check on that and respond back to the Council.

Ms. Peyton noted that Electric Services has offered to waive electric service fees in lieu of a monetary donation. Donald Kom, Electric Services Director, confirmed that offer if there is a venue located off-Campus that needs electrical power.

**UNITED AMES:** Josh Kriz, representing AmeriCorp Vista for United Ames, requested a total of \$5,000. This would cover one year of compensation and office accommodations for one AmeriCorps VISTA and help fund future Action Team projects, e.g., Street 'N' Greet trailer project and future Community Conversations. Laura Logsdon, Vice-President of United Ames, said that all funding had been allocated on a project-by-project basis. City Manager Schainker

advised that \$2,000 had already been allocated in the City Manager's portion of the proposed FY 2010/11 Budget and \$1,000 was committed by the ACVB.

Council Member Larson suggested that the Breaking Down the Barriers members work in conjunction with United Ames group on some of the endeavors.

**CAMPUSTOWN ACTION ASSOCIATION:** Chandra Peterson, 1216 Walton Drive, #102, Ames, advised that she, among others, had been working to re-energize the Campustown Action Association. She requested \$5,618.35 to print and install new Campustown District flags to help beautify the area. The designs for the proposed District flags were created by students for students. The goal is to encourage students to respect the area in every possible way.

Council Member Larson asked if monetary and labor donations from Campustown business owners could be requested or perhaps a Neighborhood Grant could be applied for. Ms. Peterson stated those were possibilities, and she would be willing to coordinate that effort.

**SUSTAINABILITY COORDINATOR POSITION:** City Manager Schainker noted that Catherine Scott, who was not present, had requested \$75,000 to fund a Sustainability Coordinator position during the Town Budget meeting held last October.

**HUNZIKER YOUTH SPORTS COMPLEX (HYSC):** Mr. Schainker said that \$25,000 had been included in the proposed 2010/11 Budget to subsidize operating expenses for the HYSC.

**YEAR-ROUND FARE-FREE CYRIDE:** Kaitlin Estill, who had originally requested year-round fare-free CyRide at the Town Budget meeting held on October 6, 2009, was not present.

**MAIN STREET CULTURAL DISTRICT:** Tim Coble, Past-President, and Sonya Stoltze Newstrom, President, were present representing the MSCD. Mr. Coble requested that the City consider allocating a total of \$42,000 to the District, broken down as follows: \$35,000 for operating expenses; \$5,000 for Downtown Street Beautification, and \$2,000 for snowflakes and banners.

**CARR POOL.** Roy Cakerice, 2911 Duff Avenue, Ames, presented the Council with budget comparisons from FY 2009/10. Out of the City's total budget of \$194,8971,311, Carr Pool's allocation was \$112,345 (.005 or half of 1%). Out of the Parks & Recreation budget of \$2,318,984, Carr Pool's portion was approximately 5%. Mr. Cakerice noted that Carr Pool accommodated over 20,000 swimmers last summer. He believes that the people of Ames should have a choice of where they want to swim. Mr. Cakerice requested that Carr Pool be open half-time next summer.

Ron Gardner, 2223 Prairie View East, Ames, stated that it is not financially viable for the neighborhood or the Friends group to run the Pool. In addition to operating expenses, liability insurance would be very costly. It would be much better for the City to run it; usage fees could be charged to swimmers.

Sue Ravenscroft, 455 Westwood, Ames, requested that the City keep Carr Pool open next summer, partly in response to the 2,600 persons who signed a petition asking that it not be closed. She said that there has been a misconception that Ames voters voted to close Carr Pool. Ms.

Ravenscroft said that it will be impossible to compare usage of Carr Pool with that of the new Aquatic Center. She feels strongly that people should have the choice of where they want to swim and asked that the City Council allow time to explore the possibility of installing a retractable roof over Carr Pool to provide a warm-water swimming pool.

Janet Klaas, 1405 Grand Avenue, Ames, read a letter from Mark Engelbrecht, Professor of Architecture at Iowa State University. Mr. Engelbrecht is currently in Rome, and in his letter, he likened the reuse of existing structures being done there to Carr Pool. Ms. Klaus also referenced the chapter in Farwell Brown's book, "The History of Ames," which details the origin of Carr Pool.

Susie Petra, 2011 Duff Avenue, Ames, spoke as a proponent of Carr Pool not being demolished. She said that after a January Council meeting, a Council member had told her that the Citizen Satisfaction Survey had concluded that 75% of the respondents were opposed to subsidizing the Pool. Ms. Petra said that was simply wrong, and it was imperative that the presumption be corrected. She believes that the survey writer misinterpreted the data and questioned whether that was intentional. According to Ms. Petra, 79% of the respondents chose an option from the Survey that would preserve the Pool. She asked the City Council to work with the Friends group to explore the possibility of installing a retractable roof over Carr Pool.

Judith Lemish, 327 S. Maple, Ames, requested that time be granted to explore re-purposing Carr Pool to a 12-month warm-water pool. She noted that an argument had been made that the City should not put money into Carr Pool because it was located in the floodplain; however, the new Aquatic Center is also located in the floodplain. Ms. Lemish pointed out that Carr Pool had never flooded. She said that the Friends of Carr Pool had requested on December 26, 2008, and again in September 2009 to know the cost of regular maintenance for Carr Pool, but to date, had not received that information. A copy of the request was submitted for the record.

Valerie Stallbaumer, 823 Crawford, Ames, spoke of her desire to keep Carr Pool open. She said that she did not represent any group, but enjoys the Pool herself. To her, the Pool offers a different type of setting than other swimming facilities, and she is hopeful that the Pool will remain open.

The meeting recessed at 7:55 p.m. and reconvened at 8:02 p.m.

**PUBLIC INPUT ON CIP:** Mayor Campbell asked if there was anyone else wishing to provide additional public input on the Capital Improvements Plan. No one came forward to speak.

**SALARIES FOR COUNCIL APPOINTEES:** Council Member Larson reported on the evaluation process for City Council appointees Steve Schainker, City Manager, and Doug Marek, City Attorney. He and Council Member Mahayni comprised the evaluation team; they had received feedback from the Mayor and other Council members. Council Member Larson commended both appointees for their good work. He added that the City is in good financial condition due to the fiscal conservatism demonstrated by the City Manager.

Mr. Larson said that the recommendations are as follows:

City Manager:	Base Pay:	\$176,198.88
	Deferred Compensation:	25,460.74
	Vehicle Allowance:	6,000.00

City Attorney:	\$133,090.83
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Moved by Larson, seconded by Goodman, to set the City Manager's base salary for FY 2010/11 at \$176,198.88 (an increase of 2.25%), and to set the City Attorney's salary at \$133,090.83 (an increase of 2.0%).

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

**AMENDMENTS TO 2010/15 CAPITAL IMPROVEMENTS PLAN (CIP):** Finance Director Duane Pitcher explained changes that had been made by staff to the 2010/15 CIP, as follows:

1. Page 13: Emergency Generator for Fire Station 2. A grant has been received, and the local match was budgeted for in 2009/10.
2. Page 108: Site change for the CyRide Building Expansion & Modernization.
3. Page 113: Iowa State Center Commuter Lot Resurfacing. The financing will be \$700,000 from the Federal Transit Administration and \$300,000 from Iowa State University.
4. Page 137: City Hall Mechanical and Structural Improvements. Financing will be \$300,000 in GO Bond funding in 2011/12.

Also, City Manager Schainker said that on Page 52, under the WPC Disinfection Project, it had been hoped that an I-Jobs grant in the amount of \$3,000,000 would be received; however, the City did not receive it. A new source of funding has not been found. Mr. Schainker recommended that the City adopt the CIP, and staff will have to come back with recommendations for funding for that project.

**APPROVAL OF 2010/15 CIP, AS AMENDED:** Moved by Goodman, seconded by Mahayni, to approve the Capital Improvements Plan for 2010/15, as amended with the above-named changes made by staff.

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

**AMENDMENTS TO PROPOSED FY 2009/10 BUDGET:** Moved by Mahayni, seconded by Davis, to allocate \$8,000 to VEISHEA 2010 from the Hotel/Motel Fund.

Council Member Larson expressed concern about the balance of the Hotel/Motel Tax Fund in light of the number of Downtown Facade Grants given in the past and the increased interest currently being shown in that program.

Assistant City Manager Lundt reported that the Ames Convention & Visitors Bureau had not yet allocated any funds to VEISHEA 2010.



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

Moved by Goodman, seconded by Wacha, to drop \$6,000 from the Local Option Tax Fund for Partner Cities.

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

Moved by Goodman, seconded by Mahayni, to allocate \$60,000 to the Police Department Crime Prevention Program for one-time costs pertaining to the creation of the Safe Neighborhoods Team to be funded from the available balance in the General Fund.

Council Member Wacha suggested that a decal be placed on the vehicle used for the Safe Neighborhoods Team to identify it and promote the program.

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

Moved by Mahayni, seconded by Davis, to approve all budget amendments to the 2009/10 Budget.

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

Moved by Mahayni, seconded by Wacha, to set March 2, 2010, as the date of public hearing on the proposed budget amendments for FY 2009/10.

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

**AMENDMENTS TO PROPOSED FY 2010/11 BUDGET:** Moved by Larson, seconded by Mahayni, to approve an allocation of \$30,000 to Public Art Commission with the funding source to be the Local Option Tax Fund.

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

Moved by Larson, seconded by Mahayni, to allocate \$1,079,065 for ASSET funding.

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

Discussion ensued on requests for funding from agencies. Council Member Orazem noted that the revenues only went up 3/10ths of one percent, so he is apprehensive about increasing any funding allocations.

Regarding Historic Preservation Commission (HPC) funding, City Manager Schainker suggested that at least the two most costly projects be left off any allocation given until after the City Council meets with the HPC. Council Member Goodman suggested that the Council wait to make any appropriations to the HPC until after that meeting.

Mr. Schainker noted that copies of the recently adopted Historic Preservation Plan will be provided to the new Council Members. Council Member Orazem requested information on the survey done in the College Heights area.

Moved by Orazem, seconded by Wacha, to approve \$16,000 to the Ames Historical Society out of the Local Option Tax Fund.

Council Member Goodman said he believes that the Ames Historical Society has done good things for the community to maintain a sense of cultural place as far as the history of Ames and requested very little in funding. Council Member Mahayni noted that this group is made up mainly of volunteers.

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

Moved by Goodman, seconded by Mahayni, to approve an additional \$2,000 to United Ames.  
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Larson, seconded by Goodman, to allocate \$5,618 to the Campustown Action Association for District flags with the source of funding being the Hotel/Motel Tax fund.  
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Goodman, seconded by Larson, to approve an allocation of \$25,000 to the Main Street Cultural District out of the Local Option Tax Fund.

Council Member Goodman noted that parking enforcement waivers in the amount of approximately \$9,000 per year is an appreciable contribution as well. He also noted that the Council allocates funding for the Downtown Facade Grants.

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

Moved by Goodman, seconded by Wacha, to allocate \$157,000 to the Police Department Crime Prevention Program for ongoing costs associated with the Safe Neighborhoods Team to be funded from the General Fund.

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

Citing the Council's goal of Sustainability, City Manager Schainker noted that the Mayor has been working with Iowa State University to share its Sustainability Coordinator. He suggested a maximum of \$25,000 to begin, with the funding to be shared among the utilities (\$6,250 each from the Resource Recovery Plant, Water & Pollution Control, Sanitary Sewer, and Electric).

**APPROVAL OF PROPOSED BUDGET FOR FY 2009/10, AS AMENDED:** (Motion made during the budget hearing on February 2, 2010.)

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

Moved by Goodman, seconded by Mahayni, to set March 2, 2010, as the date of final public hearing on the proposed budget for FY 2010/11.

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

The meeting recessed at 9:20 p.m. and reconvened at 9:30 p.m.

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

**CALL TO ORDER:** Mayor Campbell called the Regular Meeting of the City Council to order at 9:30 p.m.

Mayor Campbell announced that renewal of the Class B Liquor License for Holiday Inn, 2609 University Boulevard, had been pulled by staff because of the necessary paperwork had not been submitted.

**PRESENTATION OF GOVERNMENT FINANCE OFFICERS ASSOCIATION DISTINGUISHED BUDGET PRESENTATION AWARD:** Mayor Campbell presented the Award to Finance Director Duane Pitcher and Budget Officer Carol Collings. The City has received this Award for the past 24 years.

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

Motion approving payment of claims

1. Motion approving minutes of the regular meeting of January 26, 2010, and special meetings of January 22 and 29, and February 2, 3, and 4, 2010
  2. Motion approving Report of Contract Change Orders for January 16-31, 2010
  3. Motion approving certification of civil service applicants
  4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
    - a. Class E Liquor, C Beer, and B Wine - Fareway Store #386, 319 Burnett Avenue
    - b. Class E Liquor, C Beer, and B Wine - Fareway Store #093, 3619 Stange Road
  5. RESOLUTION NO. 10-036 setting date of public hearing for February 23, 2010, on Notice of Intent to issue \$6,600,000 Essential Corporate Purpose General Obligation Bonds and associated tax levy for debt service and \$90,000 General Corporate Purpose General Obligation Bonds and associated tax levy for debt service
    1. RESOLUTION NO. 10-038 authorizing Smart Energy rebate payment of \$33,390 to Ag Leader Technology
    2. RESOLUTION NO. 10-039 approving 2009 Resource Recovery Annual Report
    3. RESOLUTION NO. 10-040 approving 2010 tax exemption requests
    4. RESOLUTION NO. 10-041 approving preliminary plans and specifications for Unit No. 8 Waterwall Installation for Power Plant; setting March 10, 2010, as bid due date and March 23, 2010, as date of public hearing
    5. RESOLUTION NO. 10-042 approving preliminary plans and specifications for 2008/09 Downtown Street Pavement Improvements (Burnett Avenue); setting March 17, 2010, as bid due date and March 23, 2010, as date of public hearing
    6. RESOLUTION NO. 10-043 approving contract and bond for Distributive Control System (DCS) Upgrade at Power Plant
    7. RESOLUTION NO. 10-044 approving Change Order for Shared Use Path Extension (Skunk River Trail) with Foth Infrastructure and Environment, LLC
    8. RESOLUTION NO. 10-045 approving Change Order Nos. 1 and 2 for South Dayton Improvements (Division I & II)
    9. RESOLUTION NO. 10-046 approving Plat of Survey for 520 South Duff Avenue
    10. RESOLUTION NO. 10-047 approving Plat of Survey for 228 Gray Avenue
    11. RESOLUTION NO. 10-048 accepting completion of South Dayton Improvements (Division III)
    12. RESOLUTION NO. 10-049 accepting completion of Materials Purchase for GT1 Motor Control Center Replacement Project
    13. RESOLUTION NO. 10-050 accepting completion of Grand Avenue Extension
- Roll Call Vote: 6-0. Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

**PUBLIC FORUM:** Joe Rippetoe, 419 Pearson, Ames, noted the Council's recent discussion on the construction of a Casey's store at Bloomington Road and Stange Road. He expressed his dismay over the Council's perceived lack of focus on the merits of the case. Mr. Rippetoe believes that if it's too inconvenient for developers to build where they should build, this Council will find a way to let them build what they want where they want.

**NEW SPECIAL CLASS C LIQUOR LICENSE FOR VESUVIUS WOOD FIRED PIZZA:**

Moved by Mahayni, seconded by Wacha, to approve a new Special Class C Liquor License for Vesuvius Wood Fired Pizza, 1620 S. Kellogg Avenue, Ste. 108.

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

**NEW CLASS C LIQUOR LICENSE FOR THE CORRAL:** Moved by Mahayni, seconded by Davis, to approve a new Class C Liquor License for The Corral, 115 - 5<sup>th</sup> Street.

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

**NEW 5-DAY CLASS C LIQUOR LICENSE FOR GATEWAY HOTEL & CONFERENCE CENTER AT REIMAN GARDENS:** Moved by Mahayni, seconded by Davis, to approve a new 5-Day Class C Liquor License for Gateway Hotel & Conference Center at Reiman Gardens, 1407 University Boulevard.

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

**RENEWAL OF CLASS C LIQUOR LICENSE WITH OUTDOOR SERVICE PRIVILEGE FOR CY'S ROOST, 121 WELCH AVENUE:** Police Chief Chuck Cychosz introduced Police Lieutenant Jeff Brinkley.

Chief Cychosz explained the procedure followed to evaluate alcohol violations in liquor-licensed establishments, specifically noting the six criteria used. The typical renewal period for liquor licenses is 12 months. Chief Cychosz advised that the Police Department was recommending a 6-month license for Cy's Roost due to the number of violations committed throughout the past year.

Council Member Wacha noted that the violations seemed quite severe. Lieutenant Brinkley pointed out that the number of under-age violations was quite high. He said that the Police Department is working with the bar, and if the officers were not seeing progress, the Police Department would not be recommending any type of liquor license be issued.

Council Member Orazem asked if the owner of the establishment was fined for any of the violations or for putting police officers at risk. Lieutenant Brinkley stated that there is currently no provision to fine the business owner.

Council Member Mahayni said that this was the worst record of any liquor-licensed establishment that he had seen during his years on the Council. Council Member Wacha noted that there had been 58 calls to this establishment – which is over one per week. Council Member Mahayni asked if the Police Department had to wait for an annual review before addressing problems of this magnitude. Lieutenant Brinkley advised that the possibility of more frequent reviews is being discussed.

Council Member Davis asked what is being done by the owner to remedy the violations. Andrew White, 3315-146<sup>th</sup> Circle, Urbandale, said that he meets with the manager of the bar every Tuesday. He advised that five cameras had been installed at Cy's Roost so that he can monitor

what is going on from his laptop. He said that he had depended on quarterly meetings being held with the Police Department and dialogue occurring between bar owners and police officers; however, the last quarterly meeting that had been held was last September. Mr. White said that he had not been notified of any issues involving Cy's Roost until about a week and a half ago.

Council Member Mahayni asked what Mr. White was going to do from this point on. Besides the cameras being installed, Mr. White advised that he had met with the manager as to where minors are entering the bar. All doors are now being monitored. Also, the Police Department is going to send reports to the bar owners when there is a violation in their establishments.

Addressing 58 calls to the Police Department in one year, Mr. White said that police officers have consistently encouraged bar employees to call them if there is any issue in their establishments. Council Member Mahayni noted that the environment that Mr. White had allowed was contributing to the number of violations.

Cory Makai, 2811 West Street, Ames, said that he does call the police to diffuse situations before they escalate. He indicated that he is working with the Police Department to find ways to alleviate further violations. Lieutenant Brinkley pointed out that only five of the 58 calls had actually been initiated by bar employees.

Council Member Wacha noted that only 92% of the bar's employees had completed Police Department training and asked why that number was not 100%. Mr. Makai said that was due to the frequency of employee turn-over.

Moved by Mahayni, seconded by Orazem, to deny the application for a 12-month license and recommend a six-month license for Cy's Roost, contingent upon Cy's Roost submitting an application to the state.

Council Member Larson asked to know the cost of an annual liquor license. Mr. White stated that the class of license for this bar costs \$2,028/year. Mr. Larson pointed out that there is a high cost to the City to pay police officers to make 58 visits to one establishment. He suggested that the fee for the license be increased. City Attorney Doug Marek advised that the state issues the license and controls the fee. Council Member Mahayni suggested that the City look at assessing a fee or a fine to establishments after a certain number of incidents have required a police officer to respond.

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

Due to the lateness of the hour, Mayor Campbell suggested that the item pertaining to Wind Energy Systems (Agenda Item No. 32) be postponed.

Moved by Goodman, seconded by Mahayni, to postpone Item No. 32, "Discussion of Code amendments pertaining to Wind Energy Systems," until the Council meeting to be held on February 23, 2010.

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

**NEW 12-MONTH CLASS C LIQUOR LICENSE WITH OUTDOOR SERVICE PRIVILEGE FOR MICKEY'S IRISH PUB, 109 WELCH AVENUE:** Moved by Goodman, seconded by

Orazem, to approve a new 12-month Class C Liquor License with Outdoor Service Privilege for Mickey's Irish Pub, 109 Welch Avenue.

Council Member Davis asked staff to provide a breakdown of violations in the future.

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

**REQUEST TO VACATE EAST LINCOLN WAY RIGHT-OF-WAY (605, 615, AND 729 EAST LINCOLN WAY):** Public Works Director Joiner gave the history behind this request.

Noting that the City is only asking \$10 for the land, Council Member Goodman stated that he thinks the City should receive fair market value for the land. Fair market value would equate to approximately \$21,000.

Moved by Mahayni, seconded by Davis, to adopt RESOLUTION NO. 10-051 approving the process of vacating the East Lincoln Way rights-of-way at 605, 615, and 729 East Lincoln Way adjacent to Friedrich's Commercial Addition conditional upon the Final Plat being approved for the same area; and setting the date of public hearing as February 23, 2010.

Roll Call Vote: 5-1. Voting aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting nay: Goodman. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Mahayni, seconded by Davis, to adopt RESOLUTION NO. 10-052 approving the sale of all vacated rights-of-way at 605, 615, and 729 East Lincoln Way to the adjacent property owner in the amount of \$10 and setting the date of public hearing for February 23, 2010.

Roll Call Vote: 5-1. Voting aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting nay: Goodman. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

**SHARED-USE PATH THROUGH ESTATES OF NATURE'S CROSSING SUBDIVISION IN AMES MIDDLE SCHOOL:** Municipal Engineer Tracy Warner gave a brief explanation of

the need for a new alignment in order to facilitate the 2010 completion of the Skunk River Trail connection between South Dakota Avenue and the Ames Middle School. This will finish the final link in this Trail between Daley Park and State Avenue and will also allow for children to walk or bicycle to school without crossing the busy accesses along Mortensen Avenue.

The developer of The Estates of Nature's Crossing has offered to install or pay for all costs except that he has asked that the City pay for one-third of the segment through South Fork Subdivision (approximately \$14,000). This would equally split the costs of that segment among the City, the developer of The Estates of Nature's Crossing, and the developer of the South Fork Subdivision. The path would be completed prior to the start of school in Fall 2010.

Daniel DeGeest, 4212 Phoenix Street, Ames, said that this particular route to the Middle School is fraught with danger. The School is poorly located, and there are few options for getting there except for busing or being taken there by private vehicles. Mr. DeGeest is a proponent of the shared-use path being proposed due to safety reasons. He stated that it is a step, but not the final solution.

Keith Arneson, 4503 Twain Circle, Ames, noted that this path will take citizens past Christopher Gartner Park, which many people do not even know exists. He also noted that the City would only be paying approximately \$14,000 out of the total cost of \$115,000.

Moved by Mahayni, seconded by Larson, to adopt RESOLUTION ON. 10-053 approving alternate shared-use path alignment from Christopher Gartner Park through Estates of Nature's Crossing and South Fork Subdivisions to Ames Middle School.

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

Moved by Goodman, seconded by Mahayni, to direct staff to draft agreement with Estates of Nature's Crossing Subdivision developer and South Fork Subdivision owner that details work to be performed and shared funding arrangements.

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

**SUMMIT AVENUE SIDEWALK:** Ms. Warner gave the background of this issue. She presented three options:

1. Sidewalk would be installed on City-owned land between Summit Avenue and Ridgewood Avenue at an estimated cost of \$16,750. Two private properties would be affected. The City portion of the cost would be \$13,780. The cost to be assessed to 1517 Summit Avenue would be \$920. The cost to 1523 Summit Avenue would be \$2,050.
2. Sidewalks would be installed to fill in the gaps on both sides of Summit Avenue at an estimated cost of \$25,760. All costs would be borne by the adjacent private property owners.
3. All missing sidewalk segments would be completed on both sides of all the streets in this neighborhood at a cost of approximately \$60,670. The costs would be borne by the adjacent private property owners.

Ms. Warner said that all of the options would provide at least one continuous sidewalk connection from 16<sup>th</sup> Street through the neighborhood to the intersection of Ridgewood Avenue and 13<sup>th</sup> Street. A stop sign and stop bar would need to be relocated under Option 1.

Council Member Larson expressed his preference for Option 2 as its costs are not that much more than Option 1, but it completes all the gaps.

According to Ms. Warner, staff could also be directed to explore Community Development Block Grant funding for affected private property owners to reduce or offset the assessments. Housing Coordinator Vanessa Baker-Latimer advised that the property owners would need to meet the low- to moderate-income criteria.

Mark Goodale, 1423 Summit Avenue, Ames, expressed his dismay over the options. None of the options would benefit him. He sees a huge liability for the City if it does not provide equal access.

Mayor Campbell suggested that a meeting first be held with neighborhood residents to discuss the project.

Moved by Mahayni, seconded by Goodman, to postpone the decision until staff meets with the neighborhood to discuss the proposed project and ask the residents for a solution.

Mr. Goodale suggested that the City revisit partnering with the University, who at one point was willing to pay for the cement and provide the labor by a student association.

Vote on Motion: 5-1. Voting aye: Davis, Goodman, Larson, Mahayni, Wacha. Voting nay: Orazem. Motion declared carried.

**WIND ENERGY SYSTEMS:** This item was postponed to February 23, 2010.

**ADVANCED METERING INFRASTRUCTURE PILOT PROJECT:** Moved by Davis, seconded by Larson, to reject proposals for Advanced Metering Infrastructure Pilot Project for the Electric Department.

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

**BLOOMINGTON ROAD ELEVATED TANK REPAINTING PROJECT:** Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 10-054 awarding a contract to J. R. Stelzer Company of Lincoln, Nebraska, in the amount of \$576,770 for the Bloomington Road Elevated Tank Repainting project and authorizing budget adjustments.

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

**HEARING FOR 2009/10 WATER SYSTEM IMPROVEMENTS PROJECT (DUFF AVENUE WATER MAIN REPLACEMENT):** Mayor Campbell opened the public hearing. No one wished to speak, and the hearing was closed.

Moved by Mahayni, seconded by Wacha, to adopt RESOLUTION NO. 10-055 approving final plans and specifications and awarding contract to Halbrog Excavating, Inc., of Ankeny, Iowa, in the amount of \$83,469.40.

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

**HEARING FOR 2009/10 WATER SYSTEM IMPROVEMENTS PROJECT (OAKLAND STREET WATER MAIN REPLACEMENT):** The public hearing was opened by the Mayor and closed after no one asked to speak.

Moved by Mahayni, seconded by Wacha, to adopt RESOLUTION NO. 10-056 approving final plans and specifications and awarding contract to Drake Construction, LLC, of Menlo, Iowa, in the amount of \$276,341.60.

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

**HEARING FOR 2009/10 WATER SYSTEM IMPROVEMENTS PROJECT (WATER SERVICE TRANSFERS):** The Mayor opened the hearing and closed same after no one came forward to speak.



Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 10-057 approving final plans and specifications and awarding contract to Halbrook Excavating, Inc., of Ankeny, Iowa, in the amount of \$91,764.80.

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

**ORDINANCE AMENDING TERMS OF OFFICE, POWERS, AND DUTIES OF LIBRARY**

**BOARD OF TRUSTEES:** Moved by Goodman, seconded by Wacha, to pass on first reading an ordinance amending terms of office, powers, and duties of Library Board of Trustees members.

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

**ORDINANCE TO CORRECT SCRIVENER'S ERRORS PERTAINING TO**

**SUBDIVISIONS:** Moved by Goodman, seconded by Mahayni, to pass on first reading an ordinance to correct scrivener's errors in *Municipal Code*, Section 23.102(2)(a) pertaining to subdivisions.

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

**ORDINANCE DEFINING PRIOR OFFENSES:** Moved by Goodman, seconded by Mahayni, to pass on second reading an ordinance defining prior offenses.

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

Moved by Mahayni, seconded by Goodman, to hold a Closed Session, as provided by Section 21.5(c), *Code of Iowa*, to discuss matters in litigation.

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

Moved by Davis, seconded by Goodman, to reconvene in Regular Session.

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

Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 10-058 approving payment of a Worker's Compensation settlement.

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

**ADJOURNMENT:** Moved by Goodman to adjourn the meeting at 11:26 p.m.

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Diane Voss, City Clerk

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Ann H. Campbell, Mayor