

**MINUTES OF THE JOINT MEETING OF THE AMES CITY COUNCIL AND THE
HUMAN RELATIONS COMMISSION, AND
REGULAR MEETING OF THE AMES CITY COUNCIL**

AMES, IOWA

MAY 10, 2011

**MEETING OF THE AMES CITY COUNCIL
AND THE HUMAN RELATIONS COMMISSION**

The meeting was called to order by Mayor Campbell at 7:00 p.m. on May 10, 2011, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Davis, Goodman, Larson, Mahayni, Orazem, and Wacha. *Ex officio* Member Tor Finseth was also present. Members present from the Human Relations Commission were Aaron Fultz, John Klaus, Amy Juhnke, Barbara Woods, and Amy Longenecker.

PRESENTATION OF HUMAN RELATIONS COMMISSION ANNUAL REPORT:

Commission Chair Aaron Fultz introduced the members present. Mr. Fultz indicated that while the FACES Celebration was the signature event of the year, the Human Relations Commission finished 2010 with a number of successful events and programs. He summarized the Commission's activities from January through December 2010.

The meeting recessed at 6:44 p.m.

The meeting was reconvened at 6:48 p.m.

REGULAR MEETING OF THE AMES CITY COUNCIL

PROCLAMATION FOR ARBOR DAY: Mayor Campbell proclaimed May 15-21, 2011, as Public Works Week. Accepting the proclamation was Public Works Director John Joiner.

CONSENT AGENDA: Council Member Wacha requested that Item No. 11 (Agreement with Iowa Department of Transportation for Grand Avenue Extension) be pulled from the Consent Agenda for separate discussion.

Moved by Mahayni, seconded by Wacha, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of the Special Meetings of April 19, 2011, and May 2, 2011, and the Regular Meeting of April 26, 2011
3. Motion approving Report of Contract Change Orders for April 16-30, 2011
4. Motion approving certification of civil service applicants
5. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Special Class C Liquor – Mongolian Buffet, 1620 S. Kellogg Avenue, #103
 - b. Class C Beer and B Wine – Walgreen's #12108, 2719 Grand Avenue
 - c. Class B Beer – Jeff's Pizza Shop, 2402 Lincoln Way
 - d. Class C Liquor – Mother's Pub, 2900 West Street
 - e. Class C Liquor – Red Lobster #747, 1100 Buckeye Avenue
 - f. Class C Beer – Tobacco Outlet Plus #530, 204 South Duff Avenue
6. RESOLUTION NO. 11-211 approving appointment of Jim Gunning to fill vacancy on Parks and Recreation Commission
7. RESOLUTION NO. 11-212 authorizing increase in staffing level in Police Department for sworn personnel for FY 2011/12
8. RESOLUTION NO. 11-213 approving 2011/12 Commission On The Arts (COTA) Annual Grants

9. RESOLUTION NO. 11-215 approving contract with Peter Irniq for artwork
10. RESOLUTION NO. 11-216 approving contract with TEAM Services of Des Moines, Iowa, for Intermodal Facility Testing and Inspection Services in an amount not-to-exceed \$60,177.95
11. RESOLUTION NO. 11-217 approving preliminary plans and specifications for 2009/10 and 2010/11 Asphalt Pavement Improvements Project; setting June 8, 2011, as bid due date and June 14, 2011, as date of public hearing
12. RESOLUTION NO. 11-218 approving preliminary plans and specifications for 2011/12 Community Development Block Grant (CDBG) Public Facilities Neighborhood Infrastructure Improvements (North Hazel Avenue); setting June 8, 2011, as bid due date and June 14, 2011, as date of public hearing
13. RESOLUTION NO. 11-219 approving award to Fair Manufacturing., Inc., of Menno, South Dakota, for one Snocrete 842SI snow blower at \$73,500, with delivery after July 1, 2011
14. RESOLUTION NO. 11-220 awarding contract to Fletcher Reinhardt Company of Cedar Rapids, Iowa, in accordance with unit prices bid for Watt-Hour Meters for Electric Services
15. RESOLUTION NO. 11-221 approving contract and bond for 2010/11 Downtown Street Pavement Improvements (Kellogg Avenue from Main Street to 7th Street and Main Street from Allan Drive to Clark Avenue)
16. RESOLUTION NO. 11-222 approving contract and bond for 2010/11 Water System Improvements (Water Main Replacement)
17. RESOLUTION NO. 11-223 approving contract and bond for 2010/11 Water System Improvements (Water Service Transfers)
18. RESOLUTION NO. 11-224 accepting completion of Ames Police Shooting Range Project
19. RESOLUTION NO. 11-225 approving Plat of Survey for 436, 440, and 504 Welch Avenue
20. RESOLUTION NO. 11-226 approving Plat of Survey for 191 West Riverside Road and 3909 547th Avenue

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

AGREEMENT WITH IOWA DEPARTMENT OF TRANSPORTATION FOR GRAND AVENUE EXTENSION: Council Member Wacha stated that he was unclear as to how much of the Grand Avenue extension would be constructed. City Manager Steve Schainker responded that the portion to be constructed during this phase would be from South 16th Street north to the Coldwater Golf Links. Public Works Director Joiner is working with the Iowa Department of Transportation and federal agencies to use unspent stimulus monies in lieu of local funds for this portion of the project. Mr. Schainker explained that this will free up about \$400,000 to do other projects.

Moved by Wacha, seconded by Larson, to adopt RESOLUTION NO. 11-214 approving Agreement No. 01-11-HPPU-013 with Iowa Department of Transportation for Grand Avenue Extension.

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

PUBLIC FORUM: Richard Deyoe, 505 Eighth Street, #2, Ames, said that his name is not Richard Deyoe. His name is now Bin Laden II. On another note, Mr. Bin Laden II stated that he received a letter from the City indicating that he is not to walk around Ames without his clothes. He has appeared before the Council numerous times to ask that it pass an ordinance allowing people to do this.

5-DAY BEER PERMIT FOR SUMMERFEST IN WELCH LOT T: Moved by Mahayni, seconded by Davis, to approve the 5-day Class B Beer Permit for Summerfest in Welch Lot T for June 11, 2011, with the stipulation that the organizer's hire an on-duty police officer to assist during the busiest hours of operation of the beer garden.
Vote on Motion: 5-0-1. Voting Aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting Nay: None. Abstaining: Goodman. Motion declared carried.

5-DAY LICENSES FOR OLDE MAIN BREWING COMPANY: Moved by Mahayni, seconded by Davis, to approve the following 5-day licenses for Olde Main Brewing Company:

- a. Class C Liquor (May 21 - 25) at ISU Alumni Center, 420 Beach Avenue
- b. Class C Liquor (May 21 - 25) at CPMI Event Center, 2321 North Loop Drive
- c. Class C Liquor (May 28 - June 1) at ISU Alumni Center, 420 Beach Avenue
- d. Class C Liquor (May 28 - June 1) at CPMI Event Center, 2321 North Loop Drive

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

ENCROACHMENT PERMIT FOR SIGN AT 303 KELLOGG AVENUE: Moved by Wacha, seconded by Mahayni, to approve the request from Vinyl Café for an encroachment permit for a sign at 303 Kellogg Avenue.
Vote on Motion: 6-0. Motion declared carried unanimously.

REQUESTS FROM AMES PATRIOTIC COUNCIL FOR MEMORIAL DAY PARADE ON MAY 30, 2011: Moved by Orazem, seconded by Wacha, to adopt RESOLUTION NO. 11-227 approving the closure of the south half of Parking Lot M from 9:00 a.m. until approximately 11:00 a.m. for parade staging.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Orazem, seconded by Wacha, to adopt RESOLUTION NO. 11-228 approving the closure of Fifth Street from Grand Avenue to Clark Avenue from 9:30 a.m. until 11:00 a.m. for line-up and the start of the parade.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Orazem, seconded by Wacha, to adopt RESOLUTION NO. 11-229 approving the closure of Pearle Avenue at Fifth Street from 9:30 a.m. to 11:00 a.m.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Orazem, seconded by Wacha, to adopt RESOLUTION NO. 11-330 approving the temporary closures of Clark Avenue (from Fifth Street to Ninth Street), Ninth Street (from Clark Avenue to Maxwell Avenue), Sixth Street (at Clark Avenue), and Duff Avenue (at Ninth Street), as the parade moves through the intersections.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

REQUEST TO PERMIT WINE TASTING AT FARMERS' MARKETS: City Manager Intern Brian Phillips advised that the request to allow wine-tasting at farmers' markets came from the Main Street Cultural District (MSCD). The current City *Code* does not allow this, and the proposed ordinance would allow wine and beer tasting to be held in conjunction with approved farmers' markets on a City street or in a "public place" as it is defined by state law. In response

to questions by the Council, Mr. Phillips explained that the proposed wording indicates that no more than 10% of the vendors at farmers' markets may be serving alcoholic beverages. He further explained the definition of and what constitutes a legitimate farmer's market. Mr. Phillips stated that this ordinance would allow this type of vending in all farmers' markets in Ames on a public street or in a public place, and that it would not be limited solely to the Downtown Farmer's Market.

Assistant City Manager Sheila Lundt explained that the proposed ordinance change would strictly limit tasting events in public places to approved farmers' markets, and vendors that provide alcohol samples would be required to be grouped together in a designated tasting area, which would make alcohol control enforcement easier for both servers and the Police Department. She said that the Police Department would also have to approve the alcohol management plan. There are only a few vendors of native wines and beers that would be likely to participate in Ames-area farmers' markets, and samples are limited to one ounce each. Ms. Lundt further stated that there is no fee structure in place at this time. Council Member Larson indicated that if staff finds that this type of activity takes up much City staff time, the Council might want to consider some sort of fee.

Tom Drenthe, Market Manager for the MSCD, said that the District is sensitive to this issue. He also indicated that it is wanting to draw in a wide variety of local products, and consumers like to be able to sample the wares. This includes vendors who make local wine and beer.

Moved by Larson, seconded by Orazem, to pass on first reading an ordinance permitting wine and beer tasting at farmers' markets.

Council Member Wacha stated that while he was vocal about not allowing this type of activity at the Art Walk held in the Downtown area, he felt that this proposal had addressed his concerns regarding containment.

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

REVISIONS TO CHAPTER 12, *THE CITY HOSPITAL*: City Attorney Doug Marek stated that the Hospital Board of Trustees has reviewed and discussed several recent changes to the *Iowa Code* related to the functions of municipal hospitals. Those state statutory changes have resulted in some inconsistencies between the provisions of the *Iowa Code* and those in the Ames *Municipal Code* regarding the Mary Greeley Medical Center. Mr. Marek indicated that he has prepared an analysis of the incompatible code sections, and he has also drafted an ordinance that would bring the *Municipal Code* into conformity with the corresponding state statutes. The Hospital Board of Trustees has requested that the City Council proceed with the adoption of the proposed ordinance amending Chapter 12 of the *Municipal Code*.

Council Member Wacha asked whether there were any changes for the Board to acquire property. Mr. Marek said that there were no amendments to the *Code* regarding the acquisition or sale of hospital property.

Council Member Goodman questioned Mr. Marek about Section 12.15(3) regarding the proposed language to repeal the public notice/hearing requirement prior to selling or leasing property that is no longer needed for hospital purposes. Discussion took place regarding the reasoning behind this change and if it was mandatory that the *Municipal Code* be amended to reflect the *State Code* statute. Further discussion ensued regarding real estate transactions. Mr. Marek stated that

the portions of the *Municipal Code* being stricken relate to the Trustees' authority to dispose of property not needed for hospital purposes without notice and holding the public hearing.. In other words, the hospital would still retain the authority to dispose of its property, however, the procedural step (of notification and holding the public hearing) will no longer be required.

Moved by Davis, seconded by Mahayni, to pass on first reading an ordinance amending Chapter 12 of the *Municipal Code*.

Council Member Goodman indicated that all the proposed changes seem reasonable with a benefit, however, the need for a public hearing and notice of such for certain real estate transactions seems important. He felt that, especially in the Hospital-Medical area, this seems like a reasonable process, as real estate transactions could be very important to the hospital's neighbors. More discussion was held regarding removal of this language from Section 12.15(3). Council Member Goodman reiterated that the hospital is a public entity; notices and a public hearing is not so onerous and it assures communication.

Roll Call Vote: 5-1. Voting Aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting Nay: Goodman. Motion declared carried.

FIRST UNITED METHODIST CHURCH LAND TRANSACTION: Public Works Director John Joiner stated that the First United Methodist Church (FUMC) of Ames is in the process of expanding its on-site facilities, and as part of this expansion project, it has been identified that the FUMC will need to acquire pieces of public land currently being used as municipal parking lots. This proposed expansion creates the need for vacating of the existing pedestrian easement on the northern edge of one of the City's lots, which is no longer needed for pedestrian use. The proposed action is to set May 24 as the date of public hearing to sell City-owned property and vacate the easement. A Developer's Agreement will also be brought forward on the 24th.

Moved by Goodman, seconded by Wacha, to adopt RESOLUTION NO. 11-231 proposing the sale of land and the vacation of an easement and setting the date of public hearing for May 24, 2011, for the First United Methodist Church Land Transaction.

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

FACADE GRANT PROGRAM SCORING: Planner Jeff Benson reported that on March 1, 2011, the City Council directed staff to develop concepts for the competitive grant process for the Downtown Facade Improvement Program. This is a necessary action, because the requests for grants have now exceeded the annual funding available for this important incentive, and it is believed that the granting of this incentive, based on a scoring system, will provide a fair and objective method for the City Council to award available funds to the projects that best meet the objectives of the program. Subsequent to that direction, staff provided the Council with issues and options to consider in this scoring system, and at a meeting on April 12, 2011, the Council provided comments regarding criteria for a proposed scoring system.

Based on all of the input, staff presents the proposed review system for the City Council to consider. The Downtown Facade Improvement Program, if approved, will consist of the following three sections: Requirements for all Facade Grants; Program Logistics; and, Scoring Criteria. It is staff's intent to set a deadline date, score all of the applications, and then bring back to the City Council to award the available grant funding. Mr. Benson highlighted the scoring criteria. The requirement will be that for all facade grants, none shall exceed \$15,000,

and the preference shall be for awarding grants that have not previously received funding. Similarly, a preference will be given to facades on Main Street.

City Manager Steve Schainker explained that if funding is available for a second grant round, the same scoring process will be followed. He further explained that if an applicant scored high and the City still had funding left over after the first round, that applicant could still receive a second grant for a side or rear facade. These are criteria the Council may use as tools to prioritize, and it is not bound by these criteria—it is a starting point. Mr. Schainker emphasized that an applicant who has already received a \$15,000 grant may come the following year on the same facade and get a second grant under this program.

Council Member Orazem stated that, on the first grant period, the report indicates that “preferences will be given to facades that have not received previous grant funding on facades on Main Street.” The scoring criteria does not reflect that. According to Council Member Orazem, it seems logical to say that 10 points will be granted if this is the first grant round, and 10 points if it is located on Main Street. This needs to be built into the system; otherwise he felt it would be awkward.

Planning and Housing Director Steve Osguthorpe indicated that during the first round, the applications are rated more as pass/fail, whereby they either meet the preference criteria or they don't. He said that staff will first look at those that meet the preference criteria; if there are still monies left over, then staff would open up the process once again. Mr. Schainker stated that even during the second round, all of the funding will go first towards the “preference” applications. Mr. Osguthorpe reported that if in that first round, all applications were applying for a first-time grant and they were all located on Main Street, the scoring will be particularly important. The scoring would also tell the applicant(s) whether or not it would be worthwhile for them to reapply.

Council Member Larson said that according to the written report, it is implicit that the facades on Main Street will automatically be the top preference for grant funds. He had hoped that the City would encourage others on Kellogg Avenue to apply, as the City's entryway, and possibly come before some of the applications for Main Street.

Discussion ensued regarding the layout of facades on Main Street (i.e., side or rear facades of Main Street buildings). Staff wanted Council to clarify if its preference is Main Street facades versus Main Street buildings.

Council Member Goodman stated that the reason that Kellogg was “brought in” was to be able to expand this grant program into the “entryway.” More discussion took place regarding the downtown boundaries for the facade grants. Council concurred that it should not be the facades solely on Main Street, but anywhere in the Downtown Service Center District.

Moved by Goodman, seconded by Orazem, to change the wording of “Main Street” to “front facades in the Downtown Service Center.”

For clarification, City Manager Schainker explained that during the first round, funding would go to the applicants who have not been awarded a grant before and have front facades. During the second round, any remaining money will go to those who have front facades or who haven't been awarded a grant. Then with any left over money, the Council might wish to use the rating system for anyone who didn't qualify.

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

Council Member Orazem stated that he would still like the Council to assign points in the first round to allow an applicant to compete for funding. He felt that the points system would allow applicants to make up a deficit and submit a dominant proposal. Council Member Orazem said it seemed by not allowing someone to try for grant funding is counterproductive. If an applicant wants to compete in the first round, he/she would have to make up a deficit with points. He felt that option should be left on the table.

Discussion ensued regarding the point break-down for grant funding.

Moved by Orazem, seconded by Wacha, that 10 points be added for not having had previous grant funding and 10 points be added for having a front facade, thereby adding those points to the total.

Council Member Goodman stated that from previous discussion, the rear facade was mostly out. This motion would allow the possibility of adding rear/side facades back in with weighting by the points system. He said that a large part of this program is trying to spread the grant money around to different beneficiaries. If it gets to the point of all of the money being spent, it may be time to change the criteria; however, impact defined by front facades and new beneficiaries is important.

Council Member Wacha stated that what Council Member Orazem proposes leaves the door open for all applicants, but, ultimately, the Council will make the decision on the facade grants.

Council Member Larson said the Council is making this procedure too cumbersome. There is a two-stage process. He indicated that if the system was based on all points and the “preferences” weren’t addressed initially, it would have made sense to go along with Council Member Orazem’s motion.

City Manager Schainker indicated that if this motion passed, there would be no reason to have a two-phased approach. If the 20 extra points were added, there would only be one call for grant applications.

Council Member Orazem called for the question.

Vote on Motion: 2-4. Voting Aye: Orazem, Wacha. Voting nay: Davis, Goodman, Mahayni, Larson. Motion declared failed.

Council Member Orazem advised that the grants should then be for front facades only. Council Member Goodman agreed and said that the Council’s goal is to create a better, more thorough evaluation process. Much discussion was held regarding those applications for back entrance facade funding. Council Member Goodman stated that he doesn’t want to feel pressure to grant money to back door facades, and that the money could carry over from one year to the next. Council Member Davis indicated that this is “grant” dollars, which equates to free money. The Council is not obligated to give anyone this funding.

Moved by Goodman, seconded by Wacha, to approve the Review System for the Downtown Facade Grant applications with the amendment as previously adopted.

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

DEMOLITION OF SIGMA CHI HOUSE AT 2136 LINCOLN WAY: Planner Benson explained that the property is located in the Greek house neighborhood south across Lincoln Way from the Iowa State University (ISU) campus on the southeast corner of Lincoln Way and Gray Avenue. This property is owned by the Beta Omicron Chapter of Sigma Chi. The Sigma Chi Fraternity house was built in 1964. This area has a special zoning classification because of the concentration of Greek houses and because of the architecture of those houses in the neighborhood. Therefore, the *Municipal Code* requires the Council to approve any demolition of an existing or former Greek house in the East University-Impacted Area. The purpose of the strict demolition standards in this district is to assure "...architectural compatibility with the valued characteristics of existing structures and landscapes, such as location, height, materials, and the appearance of variety of forms and of architectural styles..." Therefore, demolition of existing (Greek) structures is prohibited unless "the structure cannot be used for the original intended purpose and/or no alternative reasonable use can be identified and the property owner can show evidence that an economic hardship will be created if the structure cannot be removed."

Mr. Benson reported that the applicant proposed to demolish the existing Greek house and construct a new one. The applicant provided a "case for economic hardship" that explains the background and reasons for the proposed project. Generally, the applicant is making the case that the current building does not meet the needs of current students, that it is economically more feasible to build a new Greek house than to renovate the current house to meet these needs, and that donors will support new construction but will not adequately support renovation. Planner Benson explained that the key element in the application for "economic hardship" is the number of people that have to live there to sustain a chapter house. There are expenses, and the house has to have enough residents (at a charged rate) to sustain the house. The Sigma Chi Chapter is at a point that it can no longer be sustained with the number of people living in the house. The house no longer meets the needs of the students living there. Mr. Benson indicated that according to the architect's proposal, it would cost \$2.6 million to renovate the house. To construct a new building would cost about \$2.5 million. A brand new facility with all of the new amenities would attract more students, and throughout the Chapter, there is much more support for the new construction proposal.

Mr. Benson pointed out that the Sigma Chi Chapter would have to meet all of the standards of the East University-Impacted Overlay District and City staff's evaluation of the design. Since the Chapter hasn't gotten permission to demolish the house, site and architectural plans haven't been fully developed. This will be a condition, subject to the City Council's approval. He further noted that a variance from the Zoning Board of Adjustment was received to the existing parking. The parking capacity for the house will be 50. Mr. Benson said that approval of the demolition should be conditional upon receiving the Minor Site Development Plan along with submittal of complete plans for a building permit application.

Doug Sharpe, managing partner with BSB Design, reported that the existing building was built in the 1960s, and that it is in a significant location along Lincoln Way, which is the entry into the "Greek community." He explained more details of the new Greek house. Mr. Sharpe stated that the Chapter is asking for the opportunity to "raise the bar" for the Greek community and improve its property. He advised that this will also solidify the standing of the Sigma Chi Fraternity.

Moved by Larson, seconded by Davis, to adopt RESOLUTION NO. 11-232 approving the demolition of the Greek residence at 2136 Lincoln Way provided the following conditions are

met before the demolition permit is issued: a) a Minor Site Development Plan is approved by the Planning and Housing Department; b) submittal of complete plans for a building permit application consistent with the building elevations reflected on the schematic design of the Sigma Chi Fraternity and with any applicable design standards; and, c) proof of financing for the building as reflected on the schematic design of the Sigma Chi Fraternity is approved by the City Attorney.

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

TAX ABATEMENT FOR NEW SIGMA CHI HOUSE AT 2136 LINCOLN WAY: City Planner

Jeff Benson reported that the Beta Omicron Chapter of Sigma Chi proposes to build a new chapter residence at the 2136 Lincoln Way location, and the chapter seeks tax abatement for this project. Generally, the applicant is making the case that the current building does not meet the needs of current students, that it is economically more feasible to build a new Greek house than to renovate the current house to meet these needs, and that donors will support new construction, but will not support renovation adequately.

Setting a high standard for allowing demolition of Greek houses recognizes that the concentration of Greek houses makes the neighborhood distinctive from other parts of the University-Impacted Area. The East University-Impacted Urban Revitalization Area provides partial property tax abatement as an incentive to encourage and support adaptive reuse of Greek houses. This incentive is available for any improvement to a qualifying property that adds more than 5% of the existing building value, but because City policy emphasizes preservation in the East University-Impacted Area, tax abatement is not currently available for new construction. Mr. Benson stated that the reasoning behind this is to be consistent with the City's goals and policies for this area, in that it is a Greek neighborhood. It is a benefit to the community to have a Greek house remain in the neighborhood rather than having the property turn over to some other use. He said that by approving the tax abatement, it would be done as an incentive to keep the Greek Chapter at its current location. Through the City's various tax abatement programs around the community, staff tries to focus incentivizing qualities that projects would not have otherwise. If the City finds that individuals are building "quality" into a project above and beyond what is required by *Code*, that would be a basis for tax abatement incentives. If the design proposed exceeds the minimum standards to a certain level, that would be incentivized through tax abatement. Mr. Benson further indicated that if parking is provided through a parking structure, as is done throughout Campustown, and if a party performs a development that adheres to the *Code* and provides the required parking in a "structure," tax abatement can also be provided in these situations.

Council Member Larson asked if the current facility has installed a sprinkler system yet. It was reported that the system was installed back in 1994. He said that this project would be worthy of a tax abatement. He said that the assessed value for property taxes will bring a much more attractive facility to the area.

Moved by Larson, seconded by Mahayni, directing staff to prepare a proposal to amend the tax abatement criteria to support new construction in accordance with the following criteria: that the building is an existing or former residence recognized by Iowa State University as part of the Greek residence system; and, that 70% of the area of existing exterior walls of the structure will remain.

Council Member Wacha advised that tax abatement is in place for the renovation of existing buildings. He said that this is the new construction of the fraternity and that it goes above and beyond the minimum standards. Council Member Wacha stated that he didn't like setting a precedent that would allow tax payers money to pay for that "above and beyond" use.

Council Member Goodman said that he was not a strong supporter of tax abatement in most situations. However, it comes down to whether or not there is an appreciable community benefit to the subsidy. In this case, he feels that there is.

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

REPORT ON LUPP MAP AMENDMENT FOR PROPERTIES LOCATED ON EAST 13TH

STREET: Planning and Housing Director Steve Osguthorpe said that staff is reporting back to Council with information it had requested. Council members asked to see what the proposal would do in the broader context of the neighborhood in regards to the request submitted by Jerry and Jody Smith. Mr. Osguthorpe reviewed the proposal that is currently being processed for McFarland Clinic's request for a change to the Land Use Policy Plan (LUPP) for eight properties in the area.

Mr. Osguthorpe reported that the Smiths have requested a change in the Land Use Policy Plan Map from one- and two-family Medium-Density Residential to Medical land use designations. The request pertains to three contiguous properties that are addressed as 118, 120, and 122 East 13th Street. Their request was to change the LUPP only, and not to change the zoning of these properties at this time. He pointed out that the property at 118 East 13th Street is zoned Hospital-Medical and for this parcel, the current zone is consistent with the underlying land use designation; therefore, the requested change to the LUPP is not needed for this lot.

Mr. Osguthorpe said that if the McFarland Clinic and the Smith proposals were approved, four intervening properties would be sandwiched in between the Medical Land Use designation. Council needs to determine if it would make sense to have some parcels on the same side of the street designated one use, and individual parcels haphazardly designated as something else.

Mr. Osguthorpe indicated that the McFarland request is scheduled to be heard by the Planning and Zoning Commission next week, and it will come before the City Council in June. He said that the Council needs to determine whether to process the two requests concurrently or separately.

Council Member Wacha advised that this is indicative of why the Council needs to have a broader discussion about the Hospital-Medical Zone. There are not only these two requests, but also one from the Mary Greeley Medical Center for expansion. The area, particularly east of Duff Avenue, needs the most attention as far as where Council feels the boundaries for the H-M Zone should be.

Council Member Goodman said that the benefit of a broad discussion is that no interest group is preferenced, and it takes into consideration all of the interests at the same time and gives people some predictability in making long-term decisions. He felt that the piece-meal changes are complicating the lives of those residing in the neighborhood.

Council Member Larson agreed that a broad discussion would be in order, however, it seemed logical that the requests from both parties be handled concurrently.

Moved by Larson, to refer to staff the request for an LUPP Map amendment for properties at 118, 120, and 122 East 13th Street from one-and two-family Medium-Density Residential to Medical Land Use designations, and to process it concurrently with the McFarland Clinic request.

Discussion ensued regarding the processing of the two requests for LUPP changes concurrently. Council Member Larson said that he did not want to hold up the McFarland Clinic request. Council Member Wachar stated that it makes sense to address the McFarland issue and then have the broader discussion. He said that since there is no imminent need to act on the Smith's request, he would prefer to have discussion of the H-M Zone boundaries first.

Council Member Larson withdrew his motion.

Moved by Wachar, seconded by Orazem, directing staff to organize a roundtable to discuss the boundary lines of the Hospital-Medical Zone.

Council Member Mahayni reported that this has been an issue for a long time, and a previous city council adopted a new Hospital-Medical Zone at East 13th Street/Dayton Avenue. The stakeholders in the Duff Avenue area H-M Zone are the Hospital, McFarland Clinic, and the neighborhoods. He felt that the Council has to establish boundary lines, and anything beyond that cannot invade those neighborhoods. Rather than take a piece-meal approach, the Council needs to establish those boundaries once and for all.

Kay Wall, 1004 Kellogg Avenue, Ames, reported that North Old Town residents worked for three years to convince Mary Greeley Medical Center (MGMC) to build a parking ramp instead of taking six houses and one business to construct a parking lot. Now, McFarland Clinic wants a building and parking on four properties which are in a neighborhood currently zoned Residential. Ms. Wall said that McFarland indicates that the proximity to McFarland Clinic and MGMC would "facilitate a convenient location for electronic records and training." Ames' previous LUPP stated that divisions of land use occur along alleys, so that houses wouldn't have to face businesses. She further said that the proposed zoning change would mean that homes would have a five-story building across the street. Ms. Wall suggested that this location would not be convenient to McFarland West, McFarland in Somerset, or to MGMC's Dialysis Center. She indicated that although the Ames School Board has not offered for sale its property on Lincoln Way (east of McFarland West), she felt that development of this property by a business would be advantageous to Ames' tax base. She also wondered what happened to McFarland's idea that it would build a parking ramp when the time came to expand.

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

FUNDING REQUEST FOR GRANT WRITING CONSULTANT FEES: Planning Director Osguthorpe stated that staff is coming up on its deadline to submit an application for the Historic Resource Development Program Grant. Because the assigned staff member has been ill, Gloria Betcher, previous member/chair of the Historic Preservation Commission (HPC), has indicated her willingness to take on the task. Ms. Betcher has experience in grant-writing and has written a previous grant for the City. The cost for her service would be \$147/hour, up to an amount not to exceed \$2,058. These monies would be taken out of the 2010/11 Contingency Fund.

Council Member Goodman wondered if the project could be delayed until next year. He explained his reluctance in having a previous commissioner, who was involved in the process/development, be temporarily employed for writing the grant. This situation strikes him as unique.

Council Member Mahayni stated that Ms. Betcher, to her credit, mentioned in a previous Council meeting that her services would be available to the Council once she was off the HPC, however, she would require payment. Since she said this in a public meeting, he sees nothing wrong with it. Council Member Mahayni said she is an expert in this field.

Moved by Mahayni, seconded by Larson, to adopt RESOLUTION NO. 11-233 approving the funding request for preparation of the HRDP grant in an amount not to exceed \$2,058.00, being paid out of the 2010/11 City Council's Contingency Account.

Roll Call Vote: 5-1. Voting Aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting Nay: Goodman. Resolution declared carried, signed by the Mayor, and hereby made a portion of these minutes.

FOLLOW-UP REPORT ON DANGEROUS BUILDINGS: City Manager Schainker explained that on April 19, 2011, staff presented information to Council regarding three types of Dangerous Building Enforcement within our community. Each of the three types of situations involving dangerous buildings requires a different approach to abate dangerous conditions and attain compliance with City codes. During this workshop, the City Council directed the City Manager to come back with strategy and resources to fulfill the City's obligations as adopted by the March 2009 Code, distinguishing between the categories.

City Manager Schainker said the report focused on the background of each of the three categories—Residential, Commercial, and Hoarding. There are some budgetary impacts that will need Council approval. Most importantly, there is a philosophy of enforcement for each of these categories. Mr. Schainker hoped that the Council can go on record that it supports each of philosophies, as it will direct staff's enforcement in these particular areas.

Mr. Schainker summarized each category's background, the philosophy for enforcement of these dangerous buildings, and the budget support needed for each. He explained that there may be a pool of money needed for the hiring of a structural engineer, as well as possible title searches.

Council Member Larson asked if our *Code* requires the owner of a commercial building to hire a structural engineer. It was noted that this is not a *Code* requirement. City Attorney Marek indicated that the City would bear the burden of proving that a structure was a dangerous building, so the evidence of a structural engineer's evaluation would be needed. Building Official David Brown said that staff has never had an owner refuse to hire a structural engineer when reasons for concern have been expressed.

City Manager Schainker briefed the Council on the focus of enforcement for "hoarding" in residential homes, which will pertain to the exterior of the property. He said that, in extreme cases, if the interior is impacted in such a way that it poses a health or safety issue, the City will remove the person(s) and the contents of the home.

City Manager Schainker said that since the City does not have the resources to investigate and address all potentially dangerous buildings simultaneously, a "prioritization matrix" was developed, as shown in the report.

Moved by Wacha, seconded by Mahayni, to approve staff's recommendations as reflected in the Staff Report on Dangerous Building Enforcement as follows: 1) the philosophies for enforcing residential, commercial, and "hoarding" buildings; 2) the designation of \$100,000 from the Community Development Block Grant (CDBG) funded Neighborhood Sustainability Program to up-front the cost of demolition of dangerous commercial or residential buildings, if needed; 3) \$10,000 from the 2010/11 Council Contingency Account to pay for structural engineering services, if needed, to determine the existence of dangerous situations on commercial buildings; and, 4) the prioritization of criteria for dangerous buildings to guide staff's enforcement efforts.

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

2011 STORY COUNTY DECATEGORIZATION MINI-GRANT FOR CHILD SAFETY

SEAT EVENT: Police Sergeant Mark Watson stated that this mini-grant is for the purchase of child safety seats. On June 5, the City is hosting the Child Passenger Safety Seat Check-Up Event, whereby trained police officers will install the purchased safety seats. These officers will also meet with the parents and/or caregivers to instruct, review, and assist in installing these seats. The mini-grant is in the amount of \$7,000. The purchased car seats will be given to those residents in Story County who are in need. The event is for everyone who would like to receive information on car seat safety installation.

Moved by Mahayni, seconded by Goodman, to accept the Story County Decategorization FY 2011 mini-grant and approve participation in the Child Passenger Safety Seat Check-Up Event. Vote on Motion: 6-0. Motion declared carried unanimously.

PLANS AND SPECIFICATIONS FOR ANIMAL SHELTER CONSTRUCTION: Police Chief Chuck Cychosz reported that in 2009, the Council approved using grant funds from a federal Energy Conservation and Block Grant program to explore energy efficiency enhancements at the Ames Animal Shelter. The project got scaled back to a couple of cornerstone actions, those being improvements to the entryway and the building's heat loss. He said that vision was combined with support from donors for an enhanced room for the cats at the shelter, which is referred to as the "kitty condo." Chief Cychosz presented the architect's rendering of the plan. He spoke to the substantial improvements for energy conservation, as well as the functionality and benefit to the animals.

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 11-234 approving preliminary plans and specifications for construction of the Ames Animal Shelter Improvements; setting June 2, 2011, as the bid due date and June 14, 2011, as the date of public hearing. Roll Call Vote: 6-0. Resolution declared carried unanimously, signed by the Mayor, and hereby made a portion of these minutes.

HEARING ON MAJOR SITE PLAN AND AMENDMENT TO PLANNED RESIDENCE DISTRICT PLAN FOR GREEN HILLS, LOCATED AT 2200 HAMILTON DRIVE: Mayor Campbell opened the public hearing.

Planning and Housing Director Osguthorpe explained the proposed expansion of the Green Hills Community. The proposal includes both horizontal and vertical expansions. He referred to the plans and pointed out the areas where these expansions will occur. At its April 20 meeting, the Planning and Zoning Commission recommended to unanimously approve this Major Site Plan and amendment to the PRD.

Ivan Paulson, 2330 Hamilton Drive, Ames, said that he has been a resident at Green Hills for nine years. He indicated that the proposal for expansion will have a distinct benefit to the community, however, the location of the expansion is a problem. This proposed plan is taking the heart out of the community's walkways, which is highly used by the residents. If this plan is approved, residents wouldn't have access to the walkways. It will take away that area which provides outdoor recreation. Mr. Paulson indicated that there is an alternative site for the health care expansion area, however, that it being saved for additional independent living units. He said that management at the Community has done a super sales job, but many of the residents are concerned about the plan. The land does not belong to the Health Care Center, but to the Residents Association of Green Hills. Mr. Paulson said that until that issue is cleared up, this expansion is proposed for someone else's land. He further said that the plan will require major expenditures for moving the City's storm drains, sanitary sewers, water line, and electrical lines.

Rod Copple, 4938 Hemingway, Ames, stated that he is the executive director at Green Hills Retirement Community. Over 120 residents voted last October to support this expansion project. The Condominium Regime requires over 80% of the vote to change the bylaws. He informed the Council that it passed by 86%; there were 15 owners that voted against the proposal. He indicated that this is a complicated issue, but it is a very important issue for the long-term viability of Green Hills. The proposed expansion will allow the Community to compete for the next 25 years. The proposal lays out the ground work to provide additional services to the residents of Ames. Mr. Copple reported that the Green Hills residents pay over one-half million dollars in real estates taxes. He advised that the land transfer deed was completed today by the Health Care Corporation for this project.

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

Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 11-235 approving the Major Site Plan and amendment that includes: (1) modernization of current health care center; (2) development of memory care and 14-bed skilled nursing wing; (3) construction of two-story assisted-living unit; and, (4) addition of one-story wellness center.

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

HEARING ON 2011-12 ANNUAL ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM:

Housing Coordinator Vanessa Baker-Latimer explained that in order to receive federal CDBG funds, the City must submit a Consolidated Plan to the Department of Housing and Urban Development (HUD). The Consolidated Plan also requires that the City develop an Annual Action Plan that outlines the program activities that will be undertaken to address or meet those goals and priorities. Federal regulations require that the Annual Action Plan be submitted to HUD for approval 45 days before the beginning of the program fiscal year; that date is May 17, 2011. Prior to that date, the Plan must be made available for a 15-day comment period (from April 22 to May 6) to allow for citizen input on the proposed projects.

According to Ms. Baker-Latimer, on April 25, 2011, the City received notification from HUD that the City will receive approximately \$445,361 in Community Development Block Grant funds for the fiscal year beginning July 1, 2011. This represents an \$89,000 decrease compared to the 2010-11 allocation. In addition to the \$445,361 of newly allocated funding, it is anticipated that there will be approximately \$675,0900 in rollover funds from 2010-11, along

with approximately \$107,870 of anticipated program income in 2011-12, for a total budget of \$1,228,231. Of this amount, \$982,585 is available for programming.

Ms. Baker-Latimer stated that in January 2011, the Council approved the following programs to be implemented next year: 1) Home Improvement Rehabilitation; 2) Home Buyer Assistance; and, 3) Neighborhood Infrastructure Improvements. These are three out of four sub-components under the "Neighborhood Sustainability Program." At the April 19, 2011, City Council meeting, discussion was held regarding the possible use of CDBG funds to assist with the demolition of dangerous buildings through the Slum and Blight Removal sub-component. The component is being reactivated to accomplish this much-needed neighborhood activity.

Housing Coordinator Baker-Latimer advised that on February 15, 16, and 17, 2011, staff hosted public forums to inform the public about the overall CDBG Program and to solicit input regarding the proposed 2011-12 program activities. Seventeen citizens attended these sessions, representing nine human service/non-profit organizations, five Section 8 participants, one citizen, and two religious organizations. One e-mail was also received from a neighborhood association representative. There were no comments being received during the comment period.

Ms. Baker-Latimer pointed out that it is imperative during this upcoming fiscal year (2011-12) that a minimum of 70% of the funds be spent on programs that directly benefit low- and moderate- income households.

Mayor Campbell declared the hearing open.

Shari Reilly, 129 Ash Avenue, Apt. 3, Ames, stated that she was representing the St. Thomas Aquinas "Love Your Neighbor" Program. She is also one of the founding members of the "Home for Awhile" Transitional Housing organization. She was attending to specifically address the Flood Buy-Out portion of the CDBG Program. Through the "Love Your Neighbor" Program, she said that they assist up to eight families with up to \$1,200/week in assistance. They do over \$45,000 a year in assistance. They help people who are behind in their mortgages; they have only seen one-to-two requests for mortgage assistance in the four years she has directed this program. Ms. Reilly said that tells her that most of the low- to moderate-income people in Ames are renters. She read from a report of the *National Low Income Housing Coalition*, stating that 42% of the population in Ames are renters. Of those, the fair market rent value for a two-bedroom apartment is \$728. The percentage of renters unable to afford the fair market value of a two-bedroom unit is 48%. Ms. Reilly indicated that it is her belief that nearly 25% of all the people who live in Ames cannot afford fair market value rental units. She brings this up to highlight the shortage of the low fair market rental units in Ames. The Flood Buy-Out Program would affect many of the units along South 5th Street— all of which qualify as being below fair market value in rent values. Ms. Reilly stated that it would be counter productive to tear down those 5th Street rental units. She said that the private sector is doing all it can, with churches also giving a lot of money towards prevention of homelessness. She further said that when the City speaks of neighborhood sustainability, it needs to keep in mind that it also means the large group of renters. Ms. Reilly indicated that more CDBG monies could be directed to save decent rental housing units.

Andrea Bentzinger, 5418 Frost, Ames, said that she is the director of the Story County Community Housing, Inc. (SCCHI). She reported that she, too, wanted to address the allocation of funds in the Action Plan. There is \$500,000 being set aside to demolish rental units. She is concerned with how long this money might be set aside, not knowing if FEMA was going to

come through with its portion of funding. She questioned whether this money could be reallocated to other program activities should FEMA's allocation fall through. Ms. Bentzinger was also concerned about the Program's \$100,000 being allocated towards Slum and Bight Removal. As director of the SCCHI, she was hoping to get her hands on some of the CDBG funds for her agency. In reference to the rental units on South 5th Street, if those units are removed through the Flood Buy-Out Program, she is unsure where those families will go in order to find an affordable place to live. Ms. Bentzinger said that the SCCHI doesn't just deal with home ownership opportunities, but that it also deals with low- and moderate-income renters. She felt that reinstating the Renter Affordability Program instead of allocating all of these monies towards destroying properties would be something the City should consider.

Vic Moss, Director of the Emergency Resident Project (ERP), 16711 563rd Avenue, Ames, stated his concerns as well regarding the housing problems in Ames. He indicated that Ames is in the midst of a housing crisis that exceeds all else he has seen. In Ames, the average renter cannot even afford a one-bedroom apartment. His focus is on those that make less \$9-11/hour, because that is the target population that comes to the ERP. This totals about 7,150 households. A person making minimum wage needs to work about 79 hours per week to afford a two-bedroom unit in Ames. Mr. Moss said that it takes two wage earners to raise a family in Ames; however, a family with two pre-school age children will take about \$1,200 per month just to pay for daycare. It is an impossible situation that these families are in. Mr. Moss reported that renters in unprecedented numbers are struggling to pay rents, and every day, many families come to the shelter that have lost or are threatened with losing their homes. He spoke with an architect who said that it is possible—and probably cheaper—to modify lower rent apartments to make them flood-resistant. Mr. Moss further stated that the use of public funds to buy flood-threatened homes and then destroy them would make Ames' larger problem worse.

Heather Withers, 1226 Ridgewood Avenue, Ames, distributed her comment Statement regarding the use of CDBG Program funds. She commended the City for exceeding the goal by 25% in assuring that 70% of the CDBG funds have gone to support low- and moderate-income projects. In looking at the Action Plan this year, a great majority of those activities speak to those who are actually homeowners and not as much to renters. In hearing the statistics reported this evening, Ms. Withers believes that it is unlikely people would be able to afford home ownership unless the mortgage was very favorable. Organizations in the community which offer help are limited in the number of units that it can provide in a year. In looking at what can be done for renters, the Plan identifies a great need for the costs of deposits for rent and utilities, however, the program year the City will not be implementing the Renter Affordability Plan. Ms. Withers said that the dire situation for renters needs to be addressed. She explained that the community needs to explore creative ideas and ways of maintaining them at the same time that the flooding issue is addressed. Ms. Withers indicated that as the City is making decisions and allocating funds, she hopes that the Council is conscience of those in need.

Mayor Campbell closed the hearing.

Upon questioning from Council Member Goodman regarding the Renter Affordability Program, Ms. Baker-Latimer responded that in 2004 when the City first became an Entitlement Community, this program offered deposit assistance: rent, utilities bills, childcare, etc. A lot of assistance was concentrated on this, but at the same time, an abundance of requests came from home owners. The Housing Division tried to balance out all of the requests. In the City's neighborhood programs, infrastructure and streets affect everyone – low-income renters and home owners alike.

Council Member Mahayni asked Ms. Baker-Latimer to comment on what the City could do for these renters. Ms. Baker-Latimer stated that the City still has its Section 8 housing available in Ames, even though administration of the program is transferred to another housing authority (Central Iowa Regional Housing Authority). Several property owners have come forward and indicated their interest in accepting Section 8 housing – in particular some newer units recently built. The City’s Housing Division has also connected those properties owners with the Central Iowa Regional Housing Authority interested in Section 8 housing.

Council Member Larson asked what the consequences might be if not as much money was put into the Flood Buy-Out Program and how would it be restructured within the budget. Ms. Baker-Latimer responded that, being an Entitlement Community, one of the criteria that is required to meet HUD regulations is that the money be spent in a short period of time. Failure to do so would jeopardize any receipt of future funding. The City tries to concentrate on projects that can readily impact the benefit, which has been done since 2004. Our infrastructure projects can be done more timely. Also, the Home Improvement Program is larger dollar program that can assist in getting money spent in a relatively quick manner.

Council Member Orazem stated that one of the frustrations living in a college town is that the poverty statistics are skewed by the fact that there are many students. The poverty rates for unattached individuals in Ames is over 50%, and the poverty rate for people in households is around 6%. He questioned if there was better information on the actual size of the population of low-income renters that are not students. Ms. Baker-Latimer indicated that she is still waiting for that information to come from the recent Census.

Ms. Baker-Latimer explained that the Section 8 Program is the only program that offers long-time assistance. The Renter Affordability Program is a one-time assistance program.

Council Member Goodman said that the demolition of the residential project on South 5th Street is a devastating experience for renters. Although the money that is allocated to eliminate those buildings as rental housing choices, the City is trying to protect the consumer market somewhat by encouraging renters to try to find affordable housing that may not flood them out of their homes, destroy their cars, and all of their assets. He has been supportive of this project, which also includes a few homes on Duff Avenue and the nursing home for all the same reasons. He does believe this is helping renters.

Council Member Goodman stated that the City needs to create a holistic approach with the allocated money to move into the future. From what he’s heard tonight, he feels there are many avenues and many priorities within the community. As other service providers do, Mr. Goodman indicated that now may be the time to prioritize the CDBG funding and get feedback.

It was pointed out that three public forums were held in preparation for this hearing. Ms. Baker-Latimer said that meetings are held throughout the year, and City staff contacts human services organizations asking for their input. She explained that the City has tried to implement projects to help the majority of the people.

Council Member Wacha stated his appreciation for all of the public input and that there are issues that need to be dealt with; however, affordable housing has to, first, be safe. The apartments on South 5th Street are not safe. Every time there is a flood, people that are in most need are displaced. He felt very strongly that if the City has the opportunity to buy those units out, it needs to be done.

Moved by Wacha, seconded by Mahayni, to adopt RESOLUTION NO. 11-236 approving submittal of the City's 2011/12 CDBG Annual Action Plan with the projects presented above.

Council Member Mahayni expressed his concern regarding the seriousness of the situation, in that the City's funding goes down every year, and the needs go up. This is a societal dilemma that the entire country is facing.

Council Member Larson said he is concerned that 40% of the money is going towards flood buy-out. He would rather see more money go towards support and assisting human services agencies for their efforts. Council Member Larson said that in terms of flood buy-out, the City is taking low-income housing out of stock, and continually turning developable land with infrastructure in place into land that does not generate any property tax. Council Member Mahayni stated that he agrees, however, May 17, 2011, is the deadline to submit the Plan for 2011-12.

City Manager Schainker advised that the flood buy-out of those apartment buildings may correct itself. He isn't confident that FEMA will grant the funds for land acquisition, and staff may need to come back to the Council to amend the Plan. The City Council did give staff direction some time ago to fund the flood buy-out. Much discussion ensued regarding the funding of the Flood-Buy Out Program.

Council Member Mahayni called for the question.

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

HEARING ON 2010/11 COLLECTOR STREET PAVEMENT IMPROVEMENTS (STORM STREET): Mayor Campbell declared the hearing open. No one wished to speak, and the hearing was closed.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 11-237 approving final plans and specifications and awarding contract to Concrete Technologies, Inc., of Urbandale, Iowa, in the amount of \$758,3797.60.

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

HEARING ON 2010/11 CYRIDE ROUTE PAVEMENT IMPROVEMENTS (ONTARIO STREET): The public hearing was opened by Mayor Campbell. There being no one wishing to speak, the hearing was closed.

Moved by Mahayni, seconded by Wacha, to adopt RESOLUTION NO. 11-238 approving final plans and specifications and awarding contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$690,588.76.

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

ORDINANCE ON ZONING TEXT AMENDMENT TO PERMIT "VETERINARY OFFICES" IN VILLAGE RESIDENTIAL ZONING DISTRICTS: Moved by Goodman, seconded by Davis, to pass on second reading an ordinance to permit "veterinary offices—small animal exclusive—and including indoor kenneling in the Commercial Center of Village Residential zoning districts.

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

ORDINANCE REVISING THE RENTAL HOUSING CODE: Moved by Goodman, seconded by Davis, to pass on second reading an ordinance revising the Rental Housing Code.

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

ORDINANCE TO INCREASE STORM WATER RATES: Moved by Goodman, seconded by Mahayni, to pass on first reading an ordinance to increase storm water rates by \$.45/month/customer.

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

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

Roll Call Vote: 5-1. Voting Aye: Davis, Goodman, Larson, Mahayni, Orazem. Voting Nay: Wacha. Motion declared carried.

Moved by Mahayni, seconded by Larson, to pass on third reading and adopt ORDINANCE NO. 4065 increasing storm water rates by \$.45/month/customer.

Roll Call Vote: 5-1. Voting Aye: Davis, Goodman, Larson, Mahayni, Orazem. Voting Nay: Wacha. Motion declared carried.

ORDINANCE REZONING PROPERTY WITHIN 100-200 BLOCK OF KELLOGG AVENUE CORRIDOR: Moved by Goodman, seconded by Davis, to pass on third reading and adopt ORDINANCE NO. 4062 rezoning property within 100-200 Block of Kellogg Avenue Corridor from Highway-Oriented Commercial (HOC) to Downtown Service Center (DSC).

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

ORDINANCE TO INCREASE WATER AND SEWER RATES: Moved by Mahayni, seconded by Goodman, to pass on third reading and adopt ORDINANCE NO. 4063 increasing water rates by 8% and sewer rates by 10%, effective June 1, 2011.

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

ORDINANCE TO PERMIT PLACEMENT OF SIDEWALK SANDWICH BOARDS: Moved by Goodman, seconded by Mahayni, to pass on third reading and adopt ORDINANCE NO. 4064 permitting placement of sidewalk sandwich boards in the Downtown Service Center.

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

COUNCIL COMMENTS: Council Member Larson requested that staff update the Council on the proposed Flood Buy-Out through the Hazard Mitigation Grant Program. City Manager Schainker indicated that it could be placed on the Council's next agenda.

Moved by Larson, seconded by Wacha, to refer to staff the letter from the Ames Chamber of Commerce and the Ames Economic Development Commission regarding infrastructure costs associated with annexation of approximately 630 acres of property along East Lincoln Way.

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

Moved by Wacha, seconded by Goodman, to refer to staff the letter from Manatt's, Inc., regarding the portable concrete plant located at the Cyclone Truck Stop (1811 South Dayton Avenue).

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

Mayor Campbell reported that County Auditor Lucy Martin is willing to speak to the Council about the City's redistricting since the Census. The Council is interested in hearing her report.

ADJOURNMENT: Moved by Davis to adjourn the meeting at 10:21 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

Jill L. Ripperger, Recording Secretary