

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

MAY 17, 2011

The Ames City Council met in special session at 7:00 p.m. on the 17th day of May, 2011, 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 Finseth was also present.

LIBRARY EXPANSION PROJECT UPDATE: Mayor Ann Campbell welcomed the group in attendance for the expansion update. Library Director Art Weeks introduced Library Board of Trustees members in attendance, which included members Lucket, Budd, Bradley, Schill, Rawlins, Campbell, Manus, and Meier. Mr. Weeks said Member Stow will be arriving later. Mr. Weeks also introduced Library staff members Lynne Carey and Karen Thompson, and Library Consultant Kay Runge. Mr. Weeks thanked the City Council for the opportunity to provide an update on the expansion project, and said the opportunities for comment are tomorrow at the library in the Farwell T. Brown Auditorium at 10:00 a.m. and 7:00 p.m. and at 2:00 p.m. in the Green Room at Northcrest Community. Mr. Weeks introduced Library Architects Jeff Scherer and Amanda Aspensen. Two handouts were distributed to the Council members.

Mr. Scherer said the goal is to strike the right balance for Ames and the Ames Public Library. He said one of the overriding considerations is that the addition would not be overbearing, and that the building would have continuity. He said the proposed expansion would increase square footage from 48,000 to 77,500.

Mr. Scherer reviewed the increases in circulation, collection, and visits since the library renovation in 1984. Mr. Scherer also discussed the existing conditions of the building and the modifications that have been made. Photographs were shown of the library in 1904, 1907, 1940, and 1984.

Mr. Scherer said that the main issues are ADA compliance, collection space, technology changes, safety, meeting space, and youth space. He described the new location for the Bookmobile, and said that the current mailboxes will be retained. Other improvements were also discussed. Diagrams were shown of the library space and how the floor plan will be re-worked. He said that a new elevator will be installed, and that the circulation desks will be more like concierge desks. Mr. Scherer showed the new entrance, with a glass connection from the older portions of the building to the new part.

Council Member Orazem asked how many renovations would still have to be done even without the renovation and expansion. Mr. Scherer said that roughly half of the budget is devoted to systems. Discussion ensued on the floor plan. It was noted that there will be four meeting rooms on the second floor and two large meeting rooms on the first floor. Council Member Goodman asked if the operations costs would be flat. Mr. Weeks said that staffing costs should not increase since the point of supervision will be shifted to the second floor. Mr. Scherer said the building will be designated LEED Silver, so the operations should remain relatively the same.

Library Board Member Luckett said he is pleased with the process. He said the Board has listened to the citizens, and has learned that the current site is very important to the community. He said the Board is fortunate to have Jeff Scherer working through the process, and believes the project is on the right track and will be supported by the community.

Library Board Member Bradley said the process has been long, and the Board has learned much about

the community's desire to work with what is there while incorporating energy efficiency and needed improvements.

Mr. Weeks thanked the Mayor and Council, and reminded the public to comment on the project at the public input sessions on Wednesday, May 18.

The meeting recessed at 8:04 p.m. and reconvened at 8:10 p.m.

DISCUSSION OF LAND USE POLICY PLAN AMENDMENT PROCESS: City Manager Steve Schainker told the Council that the Land Use Policy Plan (LUPP) Procedural Considerations prepared for the meeting were prepared as a starting point. Planning and Housing Director Steve Osguthorpe reminded the Council that on April 20, 2010 the Council invited the development community to give input on what they believed were code impediments to development. Mr. Osguthorpe said that one of the suggestions that came out of that meeting was to develop a defined process for amending the LUPP. That was then referred to staff, and then became a priority for the Planning & Housing Department.

Mr. Osguthorpe reviewed the process for amending the LUPP currently, and then reviewed the procedural considerations prepared by staff to aid Council in developing a defined process.

Discussion ensued regarding previous amendments.

Council Member Orazem wondered if the Council should anticipate future requests when decisions are being made. Council Member Goodman and Council Member Larson commented on change and unanticipated conditions related to a LUPP.

Discussion ensued regarding how many amendments are too many. Council Member Wacha said it is frustrating when a specific request drives the Plan. Council Member Mahayni said that an integral part of a comprehensive plan is a serious periodic review. He said the Council must adopt a resolution to review the applicability of the LUPP vision and goals in terms of what is currently taking place every five years.

Mayor Campbell said Council Member Larson had the same idea. Member Larson said that any strategic plan is reviewed every five years, and the LUPP is a strategic plan. Mayor Campbell asked if the Council would rather anticipate than react to requests. Member Mahayni said both are applicable; the Council must deal with minor amendments, and major amendments would be the result of deliberate evaluation and study.

Member Goodman said he does not believe that amendments mean there is something wrong with the plan. He said he believes the scheduled review should be community-wide and bring everyone to the table.

Mayor Campbell said that it cannot be said that changes can only be made every five years. Member Wacha agreed that there must be flexibility.

Mr. Schainker said that some issues are difficult on a case by case basis. He said a major review of the LUPP every five years could be a solution that would reaffirm the direction of the Plan, and then a separate policy could be instituted for minor amendments that come about.

Discussion ensued regarding what would constitute a major change, and what would constitute a minor change.

Mr. Schainker asked for direction. He said that staff can continue as before if that is Council's desire, and move ahead with a new commitment to review the LUPP every five years. It was his understanding that customers were expressing frustration at the April 20, 2010 meeting, and it was referred by Council for staff to look into this. He said nothing has to be done right now, that staff can come back to Council with an outline of a major review process.

There was discussion regarding a major review of the LUPP. Member Goodman said the review every five years is a good idea, but he worries about how long it will take each time. Mr. Schainker said the major review would include public meetings to gather input, and could take longer than the periodic reviews of other plans. Mr. Schainker said that the 2003 review was an internal review, and the last city-wide review of the Plan was in 1993. Member Orazem suggested the review would have focus with specific topics being reviewed each time.

Moved by Wacha, seconded by Goodman, directing staff to come back to Council with a plan to review the LUPP every five years.

Member Orazem said council members should be required to put forward what they think are the elements that should be focused on in the review. Member Larson said he thinks the results of the visioning effort should be considered. Member Orazem said that with the census results coming out over the next year, he thinks this is the ideal time for the review.

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

Member Goodman discussed a situation where the customer was frustrated with how the process worked. He said he hopes that an environment can be created where decisions can be reached quickly, or the investor knows from the beginning that they may not achieve what they are hoping to achieve.

Member Larson discussed the idea of concurrent applications. He said with some new council members, he believes the Council should be reminded of the quasi-judicial situations. He also said there is value in looking at things concurrently with land use and zoning.

Member Goodman said he thinks it makes the most sense to do the LUPP discussion independently.

Mr. Schainker asked the Council if it would like to handle all amendment requests at once or separately.

Member Davis said he is not in favor of having applications due at one time, and said it would be a real detriment to many.

Mr. Osguthorpe asked if major amendments would still be processed when requested or be processed during the five year review. Member Orazem asked if City Attorney Doug Marek could help clarify between major and minor amendments. Mr. Marek said if zoning is being considered concurrently with a minor LUPP amendment that is site-specific, they must be treated as quasi-judicial decisions. He said that council members would need to be careful to keep their consideration of facts limited to those presented in public forum. He said it is possible, but that the presentations, discussions, and deliberations would need to take place in the Council Chambers as public meetings.

Discussion ensued regarding benefits and drawbacks of concurrent applications.

Mr. Schainker asked the Council if a comprehensive review is done every five years, does the Council even want to consider major amendments after a major review. There was discussion regarding amendment requests. Council members agreed that the Council should analyze requests as they come. Mr. Schainker asked if there are any criteria that the Council wants to establish in a process to help in making the decisions. Discussion ensued on major versus minor amendments. Member Larson said that an amendment may be minor to someone and major to someone else. Member Davis agreed that the perception is different with each person of what is major or minor. Mr. Schainker asked if the Council is satisfied with the way the process is now, without any new criteria. Member Goodman said the criteria are the goals already established in the Plan. Discussion ensued regarding the current goals of the LUPP and the suggested criteria.

Mr. Schainker reiterated that the Council does not want to change or add criteria right now, which will give the ultimate flexibility to the Council. Member Larson said it could happen that guidelines are added during the major review as a result of public input. Member Goodman said he hopes the Council can address a concern from the conversation on April 20, 2010 regarding how much time developers spend with staff on a request before the Council has a chance to approve or deny the request. There was agreement that this issue should be addressed, but that it cannot be addressed or solved tonight.

Discussion ensued regarding the major reviews of the LUPP every five years.

Mayor Campbell said she hopes that a review of the LUPP every five years will result in staff helping guide the Council through the items that are appropriate in a LUPP.

COMMENTS: Council Member Orazem congratulated Edie Schmidt on receiving the Buyer of the Year Award.

Mayor Campbell commented on the property tax reform bill going through the legislature currently. She asked Assistant City Manager Bob Kindred to give a brief overview.

Assistant City Manager Bob Kindred said the current proposal is for a reduction of approximately 40% in the taxable valuation of commercial and industrial property to be phased in over five years. Member Larson said he has concern about the effect on residential property taxes. He said he is not sure the public fully understands what is being considered. Mayor Campbell said this is a very crucial time in the legislature, and told the Council that the Iowa League of Cities is having a webinar on this proposal tomorrow at 11:00 a.m.

ADJOURNMENT: The meeting adjourned at 9:48 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

Erin Thompson, Recording Secretary