

**MINUTES OF THE REGULAR MEETING OF THE  
AMES CONFERENCE BOARD AND  
REGULAR MEETING OF THE AMES CITY COUNCIL**

**AMES, IOWA**

**JANUARY 22, 2013**

**REGULAR MEETING OF THE AMES CONFERENCE BOARD**

The regular meeting of the Ames Conference Board was called to order by Chairperson Ann Campbell at 6:30 p.m. on January 22, 2013. Present from the Ames City Council were Jeremy Davis, Matthew Goodman, Jami Larson, Peter Orazem, Victoria Szopinski, and Tom Wacha. Story County Board of Supervisors present were Wayne Clinton and Rick Sanders. Representing the Ames School Board were Teresa Simpson and Bill Talbot. Gilbert School District was represented by Marcia Dezonias. United School District was not represented.

**MINUTES OF THE JULY 10, 2012, SPECIAL MEETING OF THE CONFERENCE BOARD:**

Moved by Clinton, seconded by Goodman, to approve the minutes of the Special Meeting of the Conference Board held July 10, 2012.

Vote on Motion: 3-0. Motion declared carried unanimously.

**ASSESSOR'S BUDGET PROPOSALS:** Ames City Assessor Greg Lynch highlighted information from the City Assessor's 2013/14 Annual Report. He specifically explained Taxable Valuations by Class at 100% Assessed Value and at Rolled Back or Taxable Values. The percentage of change between the 2011 and 2012 values was noted. The 2012 rollback factor was 52.8166%. According to Mr. Lynch, the increase in the rollback is the primary driver of the net 5.4% change in taxable value from 2011 to 2012.

Department activities were reviewed by Mr. Lynch. Residential properties are starting to rebound from problems experienced in past years. He brought the Council's attention to Attachment D contained within the Report, which shows the quarterly sales activity. The overall sales volume for new homes decreased 30% from 2010 to 2011, but in 2012, it increased back up to 43. The sale price for new homes also increased. There were 575 sales in 2012 compared to 492 in 2011. The overall sales volume for existing homes increased by 16.87%, and the average sales price per square foot increased 2.05%. The median sales price showed a slight increase of 1.49% from \$161,500 in 2011 to \$163,000 in 2012. According to Mr. Lynch, that, coupled with a median sales ratio of 99.3% for sales that are believed to be included in the Iowa Department of Revenue's sales ratio analysis for equalization, leads to the conclusion that residential revaluation for January 2013 would not be required. He also stated that since the Assessor's Office current software that is used to generate values is no longer supported, they have developed a new model and are currently calibrating it. It will be used to revalue residential properties.

In regards to commercial properties, based on information provided by the Iowa Department of Revenue through October of 2012 and on other sales that have occurred since then, Mr. Lynch estimated the median sales ratio to be 98%. This is down from a year ago when it was 100.7%. The 98% range is well within the range of 95% to 105%, which excludes it from equalization by the Department of Revenue; based on that, no city-wide commercial revaluation is warranted.

Department accomplishments for 2012 were highlighted by Mr. Lynch.

Assessor Lynch reported on staff changes within the office. Brenda Swaim, who has been with the Assessor's Office since 1996 was appointed as Deputy Assessor in 2012. The former Deputy Assessor, Paul Overton, had been appointed the Boone County Assessor. Matt Emerson was hired on July 1, 2012, as the Database Manager/IS Administrator.

Mr. Lynch detailed the City Assessor's budget proposal for 2013/14. Pertaining to salaries, he is asking for a 2.0% cost-of-living increase and a 1.00% merit pool, for a total of 3.00%, for the Assessor and all other staff. The Health Insurance line item was increased by 8%. Mileage reimbursement increased by \$.01/mile; it is paid at the current IRS rate. Mr. Lynch reminded the Conference Board that the Assessor's Office now uses the City's Information Technology Division for all of its needs.

The Board of Review line item was reviewed by Mr. Lynch, and a summary of the cases that had come before the Property Assessment Appeal Board was given. For 2012, 15 cases were filed; ten of those cases involved parcels held in a cooperative form of ownership.

Regarding the GIS and Mapping portion of the Assessor's Budget, Mr. Lynch advised that they had contracted with Pictometry for new aerial imagery. The flight occurred in March 2012, but because of early foliage, the photography was not acceptable. The company gave the Assessor's Office those images at no cost and re-flew the City in November 2012. They are hoping to be on a three-year cycle for aerial photography.

An explanation of the funds and balances uses and proposed was given by City Assessor Lynch. He noted that the projected ending balance is about 30% of the annual budget; it is felt that that amount of reserves is adequate.

The annual survey, as required by the Conference Board, was summarized by Mr. Lynch. Of the 100 forms mailed, 37 were returned. The Board's attention was brought to the comments that were contained within the Report.

Mr. Lynch pointed out that the percentage of change between the Proposed and Current Budget shows a decrease except for Assessment Appeals/Court Costs. The total percentage increase in the Assessor's Budget is 1.9%, which is the least amount of increase during Mr. Lynch's tenure.

Moved by Sanders, seconded by Szopinski, to approve the proposed City Assessor's 2013/14 budget, as above-discussed.

Roll Call Vote: 3-0. Motion declared carried unanimously.

Moved by Sanders, seconded by Szopinski, to receive the proposed budget (adoption of the budget will occur after the hearing is held).

Roll Call Vote: 3.0. Motion declared carried unanimously.

Moved by Sanders, seconded by Szopinski, to set 6:30 p.m. on February 26, 2013, as the date of public hearing on the proposed FY 2013/14 City Assessor's budget.

Roll Call Vote: 3-0. Motion declared carried unanimously.

**COMMENTS:** Council Member Larson added that the *Iowa Code* mandates that the City Attorney represent the Conference Board and states that the city may be reimbursed for its expenses. As part of an evaluation of the duties of the City Attorney in connection with the City's recruitment for that position, Acting City Attorney Judy Parks had done an analysis of the costs incurred over the past two years by the City Attorney's Office to provide the services to the City Assessor's Office. That analysis revealed that, depending on the number of appeals, the costs came out between \$5,000 and \$10,000/year, which was at the rate that other City departments are charged for the City Attorney's services. It was noted that those fees were much less than using the

services of a private attorney. Mr. Larson said that City Assessor Lynch had agreed to add that reimbursement to the City for the services of the City Attorney in the future. For 2013/14, that amount will be \$10,000.

**ADJOURNMENT:** Moved by Sanders, seconded by Davis, to adjourn the Ames Conference Board at 7:00 p.m.

Vote on Motion: 3-0. Motion declared carried unanimously.

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

The Regular Meeting of the Ames City Council was called to order by Mayor Campbell at 7:05 p.m. on January 22, 2013, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Davis, Goodman, Larson, Orazem, Szopinski, and Wacha. *Ex officio* Member Sawyer Baker was also present. The Mayor announced that the Council would be working off of an Amended Agenda: (1) The properties at 118-122 Campus Avenue were added to Item No. 16 pertaining to approval of a Plat of Survey; (2) Item No. 20 had been stricken because the establishment is not ready for final inspection; and, (3) approval of a Fireworks Permit for North Grand Mall was added under Permits, Petitions, and Communications. She also advised that staff had requested that Item No. 11 (purchase of Medium-Duty Truck Chassis for Electric Distribution Division) be pulled.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of January 8, 2013, and Special Meeting of January 15, 2013
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for January 1-15, 2013
5. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
  - a. Class C Liquor - The 5 & Dime, 115 5<sup>th</sup> Street
  - b. Class C Liquor & Outdoor Service - West Towne Pub, 4518 Mortensen Road, Suite 101
  - c. Class C Liquor & Outdoor Service - Dublin Bay, 320 South 16<sup>th</sup> Street
  - d. Special Class C Liquor & Outdoor Service - Black Market Pizza, 2610 Northridge Parkway
  - e. Class C Liquor & Outdoor Service - Mickey's Irish Pub, 109 Welch Avenue
6. RESOLUTION NO. 13-019 approving Quarterly Investment Report for period ending December 31, 2012
7. RESOLUTION NO. 13-020 approving plans and specifications for 2012/13 Asphalt Street Reconstruction – 2012/13 Water System Improvements (South Wilmoth Avenue, Hilltop Road, Tripp Street, and Morningside Street), Water Main Replacement; setting February 20, 2013, as bid due date and February 26, 2013, as date of public hearing
8. RESOLUTION NO. 13-021 approving plans and specifications for Toronto Area Water Main Replacement (Toronto Street, Arizona Avenue, Tucson Court, Windsor Circle); setting February 20, 2013, as bid due date and February 26, 2013, as date of public hearing
9. RESOLUTION NO. 13-022 approving plans and specifications for 2012/13 Ames Municipal Cemetery Paving Improvements; setting February 20, 2013, as bid due date and February 26, 2013, as date of public hearing
10. RESOLUTION NO. 13-023 approving plans and specifications for Hickory Drive Improvements (Lincoln Way and Westbrook Drive); setting February 20, 2013, as bid due date and February 26, 2013, as date of public hearing
11. RESOLUTION NO. 13-025 approving Change Order No. 2 for 2011/12 Collector Street Pavement Improvements (Ash Avenue)
12. 2012 Electric Services Underground Trenching Project:

- a. RESOLUTION NO. 13-026 accepting completion of 2012 Underground Trenching primary contract with Ames Trenching & Excavating
  - b. RESOLUTION NO. 13-027 accepting completion of 2012 Underground Trenching back-up contract with Dig America
  - c. RESOLUTION NO. 13-028 approving preliminary plans and specifications for rebid of Underground Trenching for Electric Services; setting February 14, 2013, as bid due date and February 26, 2013, as date of public hearing
13. RESOLUTION NO. 13-029 accepting completion of 2012/13 Collector Street Pavement Improvements (Meadowlane Avenue - East 13<sup>th</sup> Street to Carr Drive)
14. RESOLUTION NO. 13-030 approving completion of Brookside Park East Side Improvements
15. RESOLUTION NO. 13-031 approving Plat of Survey for 125 Hyland Avenue and 118-122 Campus Avenue
- Roll Call Vote: 6-0. Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**PUBLIC FORUM:** Aaron Fultz, 1115 Orchard Drive, Ames, Chairperson of the Ames Human Relations Commission, announced the recipient of the Ames Humanitarian Award: Debra Lee, who had been nominated by Jane Acker and Lynne Carey. The Award had been presented to Ms. Lee at the Martin Luther King, Jr., Celebration held on January 21.

Mr. Fultz also summarized the program held in observance of Martin Luther King, Jr., Day,

Michelle DeLaRira, Interim Director of Community and Family Resources (CFR), 1619 S. High Avenue, Ames, gave an update on the changes that had occurred to CFR's Management Team. She presented the response of CFR to the State Audit. Ms. DeLaRira thanked the City for forgiving the \$25,000 loan made to The Richmond Center. She stated that the City has been paid for the amount of the billing error discovered for nursing services between the City and Story County. Ms. DeLaRira told the City that CFR is very committed to the Ames community and dedicated to the prevention, treatment, and services that it provides and wants to partner with the City. She said she was very willing to address any concerns that the City may have regarding CFR's new Management Team and/or fiscal operations.

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

**5-DAY CLASS C LIQUOR LICENSE FOR OLDE MAIN BREWING COMPANY:** Moved by Goodman, seconded by Davis, to approve a 5-Day Class C Liquor License for Olde Main Brewing Company at the CPMI Event Center, 2321 North Loop Drive.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**CLASS C LIQUOR LICENSE FOR CHARLIE YOKE'S:** Moved by Goodman, seconded by Davis, to approve a Class C Liquor License for Charlie Yoke's, 2428-2430 Lincoln Way.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**SPECIAL CLASS C LIQUOR LICENSE FOR SHOGUN OF AMES:** Moved by Davis, seconded by Larson, to approve a Special Class C Liquor License for Shogun of Ames, 3704 Lincoln Way.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**FIREWORKS PERMIT FOR NORTH GRAND MALL:** Moved by Goodman, seconded by Davis, to approve a Permit to shoot fireworks from the rooftop of North Grand Mall on March 7, with a rain date of March 8, 2013.

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

**2013-2018 CAPITAL IMPROVEMENTS PLAN (CIP):** Mayor Campbell invited the public to provide input on the 2013-2018 CIP.

Sue Wuhs, 2920 Monroe, Ames, the Director of Ames Community Preschool Center (ACPC), advised that she had learned just last Friday that ACPC's bid had been accepted by the Ames Community School District for purchase of the former Willson-Beardshear School building. She said that the building will be the new home of ACPC. Ms. Wuhs said that she had already been contacted by members of the Sunset Neighborhood Association, who want some of the land to be donated and turned into a park. She said that ACPC was not in a position to give anyone land; however, Ms. Wuhs hoped that the City would be willing to do something similar to what it does at other schools where the playground would be opened up for use by the public at night and on weekends when ACPC is closed. In that regard, Ms. Wuhs asked for the City to include in its CIP funding for playground structures at the subject site. She noted that it would be some time before ACPC could afford to purchase any playground equipment. Ms. Wuhs requested \$27,000 be placed in the CIP for purchase of playground equipment at the new ACPC site. Council Member Orazem asked when ACPC would move into the Willson-Beardshear building. Ms. Wuhs said that the contractor and architect believe ACPC could move into the building as early as Fall 2013. She said that one of the improvements that will have to be done is to add a kitchen, which will be very costly. According to Ms. Wuhs, ACPC's current lease with the Ames Christian Church expires in December 2013; they would honor that lease. At the question of Council Member Orazem, Ms. Wuhs responded that ACPC is a non-profit agency. She also answered the inquiry about how the \$27,000 figure was arrived at by stating that she had met with staff from the City's Parks and Recreation Department.

Stacey Ross, 1121 Marston Avenue, Ames, representing the Citizens for Roosevelt Park, thanked the City Council for its vote on November 27, 2013, to accept as large of parcel as possible from the School District. As such, Ms. Ross asked that the City Council budget monies in the CIP for Roosevelt Park development. She noted that the School Board had recently created a bid document to sell 2.2 acres of land around the School; the 1.3-acre potential park is exempted from the bidding document. Ms. Ross said that it was her understanding that the School Board will take formal action to recommend transferring 1.3 acres to the City within 60 to 90 days. According to Ms. Ross, the current 2.3-acre park space at Roosevelt gets extensive use by individuals and families from throughout the community of Ames. The 1.3-acre park space does not include the blacktop or the "iconic fort playground."

Marty Helland, 1024 Roosevelt Avenue, Ames, said that the Roosevelt School green space has served as a city park for nearly 100 years. For the 80+ years that the School had been opened, the park space had been labeled "a school playground." According to Ms. Helland, since the School closed, the area has gotten little attention from the School or the City, but it certainly didn't mean that it wasn't used as a park; dedicated neighbors have maintained the area - trimming the bushes, planting flowers, picking up trash. She urged the Council to add money for park development in the CIP.

Kate Padgett-Walsh, 1209 Marston Avenue, Ames, stated that she was the President of the City's oldest neighborhood association, also urged the Council to allocate funding in the CIP for development of Roosevelt Park. She said that there are people from all over Ames and Gilbert that use the Park, some on a daily basis.

City Manager Schainker noted that staff had already been in discussion with the Parks & Recreation Commission concerning the Roosevelt School site. City staff will probably recommend placing development of a park at the Roosevelt School site in the second year of the CIP. Meetings will need to be held and input received from the neighbors.

Regarding the request of ACPC, City Manager Schainker noted that the City has considered open space/play areas at schools as neighborhood parks, and the City had entered into an agreement to share 50/50 with the Ames Community School District to buy playground equipment. ACPC is not offering to pay 50%; however, the difference might be that ACPC's new location might not necessarily be a city park. Discussion will need to occur with ACPC and the Parks & Recreation Director as to what percentage of the costs of playground equipment would be paid for by the City.

**ANNEXATION AGREEMENTS WITH HUNZIKER LAND DEVELOPMENT, LLC, AND QUARRY ESTATES:** City Manager Schainker advised the Council that there currently is an approved annexation agreement with the owners of Rose Prairie. Quarry Estates representatives also had signed an annexation agreement; however, it was never approved by the City Council. The Council had hoped to approve an agreement with Hunziker and Quarry Estates at the same time.

According to Mr. Schainker, based on the Council's most recent discussions, there are two policy issues that need City Council direction before City staff can prepare an agreement for approval:

Issue 1: Sprinklers in Homes. In order to address the concern of the new development north along Grant Avenue impacting the City's emergency response time, the developer suggested that any residential building include a fire sprinkler system; said requirement would be included in the annexation agreement. Mr. Schainker reported that Chuck Winkleblack, who represents Hunziker Land Development is adamant that no agreement can be reached for its two properties unless the sprinkler requirement be eliminated. Officials from Quarry Estates subsequently stated that even though the City has a signed agreement that includes the sprinkler requirement, they will not proceed with their development unless the sprinkler requirement is removed from the agreement. Therefore, the issue before the City Council is whether or not to include the residential sprinkler requirement in the annexation agreements with Hunziker and Quarry Estates.

Issue 2: Extension of Electric Utility Lines to Area B. Electric Services Director Donald Kom stated that all of Rose Prairie is not within the Ames Electric Utility service area.

City Manager Schainker pointed out that someone must pay for the extension of the electric distribution system up to the Hunziker property. The issue before the City Council is who should be responsible for extending the electric distribution system from Bloomington Road up to the southern boundary line of the Hunziker property.

Director Kom pointed out that the developer of Bloomington Heights was not required to extend the electric distribution system to the northern edge of his property up to the Hunziker property. Since it has been decided to annex property to the north, the electric system must be extended. The costs to add overhead lines would be approximately \$280,000. The costs to add underground lines would equate to approximately \$430,000. The system would be built big enough to accommodate all the growth that would happen in the Ames service territory. It would be the responsibility of the developer to install the internal infrastructure (within the development) and create the capability to get through to the edge of the development.

Council Member Goodman asked if there were any instances when the City would give up any of its territory to another utility. City Manager Schainker said that would mean the City would give up revenue. There are times when utilities “swap” areas, but not give it up.

According to Mr. Kom, from an electrical infrastructure standpoint, the estimated investment in this case to pick up the number of customers who would be living in the area is not out of line. If this property were somewhere else in the City, it would do the same thing. Also, if only Bloomington Heights was going to be served with a redundant system, the cost would be approximately one-half of the amount, i.e., \$140,000 for overhead lines or \$215,000 for underground lines. Assistant City Manager Bob Kindred noted that the *Code* requires that the distribution system be installed underground in residential areas. Mr. Kom added, however, if additional transmission is needed, and a transmission line would need to be constructed, because of the size of the load, it would need to be overhead. Even though it would be along the railroad tracks, this might not be appealing to new home owners.

Council Member Larson stated his opinion that it was not fair to require Hunziker to pay for expansion of the electric distribution system because Midland Homes or Regency Builders were not required to construct it to the northern edge of its property.

Council Member Szopinski expressed her frustration that the City is already investing \$1.4 million to extend infrastructure, paying 23% of the paving of Grant Road. She felt that the City keeps saying, “Sure.” It is her opinion that the developers needed to share in the costs, instead of it “being all us. It is always the City picking up the tab.” Ms. Szopinski said it will “only benefit a few.”

Director Kom noted, from an electrical provider standpoint, that when new territory is added, the City typically service is brought to the property at the City’s cost.

Chuck Winkleblack, 105 S. 16<sup>th</sup> Street, Ames, pointed out that, regardless of what the Land Use Policy Plan shows, the property in question has been in the Ames Electric Service territory for a long time, probably decades. He has never known any utility to give up its service territory because it refused to provide basic infrastructure. Mr. Winkleblack noted that Rose Prairie had already been annexed to the City of Ames. Assistant City Manager Kindred advised that the annexation agreement does require the developers of Rose Prairie to pay for electric distribution lines; however, in order for service to that land, the lines would have to go through the Hunziker land. Mr. Winkleblack asked who would pay for the infrastructure if the Hunzikers do not agree to annex; that would be approximately \$500,000 waiting to be paid for Rose Prairie.

Mr. Winkleblack took offense to Ms. Szopinski’s comments that “the Hunzikers keep asking” and the comments in Council Member Goodman’s blog, which is transmitting information to the public that is inaccurate. According to Mr. Winkleblack, the blog says, “that the Hunzikers keep asking and asking.” He wanted the record set straight: the developers of the Hunziker parcel have never asked the City to invest \$1.4 million in infrastructure; they preferred to “keep the City out of it.” In addition, he noted that paying a portion (23%) of paving Grant Road is an actual policy of the City – that adjacent property owners pay their share, and the City is an adjacent property owner. Mr. Winkleblack emphasized that the Hunzikers were paying costs for this annexation above and beyond what is traditional for subdivisions. They did not ask for their percentage of that to be done; the Hunzikers did not want to be a part of it. Regarding the electrical connection, it is traditional that the City brings the infrastructure to the development. This is the first time that Hunziker developers have ever been asked to pay to get power to their property. Mr. Winkleblack also stated that the Athen development needs to move forward because it is up against strict time constraints. He

advised that the retirement community equates to approximately \$13 million plus the residential development, and it needs to move forward.

Moved by Larson, seconded by Orazem, to exclude residential sprinklering requirement in both Hunziker and Quarry Estates annexation agreements.

Council Member Wacha asked what would happen if the developer of Rose Prairie asks to also be excluded from the sprinklering requirement. Mr. Larson stated that his motion did not include Rose Prairie.

Council Member Goodman noted that the developers of Quarry Estates had signed the annexation agreement as it was negotiated at that time. The fact that the City had not consummated the agreement was irrelevant; it could be signed by the City at any time. Hunziker had never signed the agreement; however, Quarry Estates had signed it, and he felt that developer should uphold its commitment. Mr. Goodman said that he was concerned over the City being willing to renegotiate agreements that had been signed.

It was asked by Mr. Goodman where the low-impact development comes into play. Assistant City Manager Kindred answered that the Conservation Subdivision Ordinance applies to all of the land within the Ada Hayden Watershed; that would apply to all three subdivisions (Hunziker, Quarry Estates, and Rose Prairie).

Vote on Motion: 4-2. Voting aye: Davis, Larson, Orazem, Wacha. Voting nay: Goodman, Szopinski. Motion declared carried.

Moved by Larson, seconded by Orazem, for the City of Ames bear the cost and the responsibility for extending the electric distribution system from Bloomington Road up to the southern boundary line of the Hunziker property, and that be accomplished in an overhead along the railroad portion.

Council Member Goodman stated his disagreement with that motion. He stated that these choices are made because the Land Use Policy Plan changed. When that happens, there are extra costs that are incurred by the City. Mr. Goodman said that he did not think it was unreasonable to ask for cost-share. The requests of developers triggers the extra costs and those costs should be shared to those whom stand to benefit the most in terms of profit.

Vote on Motion: 4-2. Voting aye: Davis, Larson, Orazem, Wacha. Voting nay: Goodman, Szopinski. Motion declared carried.

**STONE BROOKE SUBDIVISION EROSION CONCERNS:** Civil Engineer Eric Cowles stated that the City's Storm Sewer Outlet Erosion Control annual program provides for stabilization of areas that have become eroded due to discharges of the storm sewer system into streams, channels, swales, gullies, or drainage ways in residential areas. The intent of that annual CIP program is to provide a more permanent control of the erosion and will reduce recurring maintenance costs in these areas. He noted that the location identified for this program in 2011/12 was the creek adjacent to the Stone Brooke Subdivision (the creek crossing at Hoover Avenue to the outlet at Ada Hayden Park).

Although his property will not be impacted, City Manager Schainker recused himself from assisting the City Council on this issue since he is a member of the Stone Brooke Homeowners Association.



According to Mr. Cowles, the main area of concern for the property owners is an area of settlement between their respective properties. Maps were shown of the settlement area between 4002/1506 Stone Brooke Road. Between the properties is an existing storm sewer pipe that outlets into the creek. The land settlement is occurring above/near the storm sewer pipe installation. Mr. Cowles listed several possibilities as to why the land could be settling.

Assistant City Manager Kindred advised that it is the City's responsibility to maintain the storm sewer pipe as well as the creek since it carries public storm water discharge.

Mr. Cowles reported that City staff televised the section of storm sewer to determine if there were any irregularities in the storm sewer and found no evidence of collapse, cracks, holes, or soil infiltration into the storm sewer. The drainage channel was also analyzed and showed little evidence of significant erosion. The only point of issue was the small location between the two homes. No major bank erosion in this area was found that would lead to the settlement issue. In fact, it was found that the drainage channel is one of the more stable drainage channels across the City.

In summary, Mr. Cowles said that the likely reason for the settlement is due to poor compaction above or near the storm sewer trench when the pipe was installed. The settlement will be monitored with an electronic survey to ensure that the area is no longer settling. If it has ceased, the area will be stripped of the existing grass, soil will be added, and the area will be re-sodded. If the settlement is not yet complete, the area will be excavated, fill material added and compacted, and the area will then be re-sodded. In regards to the creek and the out-of-bank flows, no further action is recommended. It is estimated that this work will cost in the range of \$10,000 to \$15,000.

**COMPLETION OF CONTRACT PROVISIONS FOR REDEVELOPMENT OF NORTH GRAND MALL:** Moved by Wacha, seconded by Goodman, to adopt RESOLUTION NO. 13-032 accepting completion of contract provisions for redevelopment of North Grand Mall.  
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**2013/14 ANNUAL ACTION PLAN:** Housing Coordinator Vanessa Baker-Latimer told the Council that, as part of the City's process for preparing the Community Development Block Grant (CDBG) Program Annual Action Plan, staff had hosted three public input opportunities. Those meetings were designed to educate the public about the CDBG Program, receive feedback on Program activities based on customer input during program implementation and/or from requests for assistance, and receive input from various community groups, organizations, and citizens regarding other possible program activities. According to Ms. Baker-Latimer, 26 persons representing various agencies and five citizens had attended and/or provided specific input. The overall feedback received centered around affordable housing, and specifically, rental housing.

Ms. Baker-Latimer reported that the following suggestions were made:

1. The City continue utilizing CDBG funds to administer the Renter Affordability Program.
2. Expand the Dangerous Buildings Program to include substandard rental properties for non-profit organizations to build new affordable housing units.
3. Set aside the 15% public service cap for non-profit organizations in order for them to apply for implementation of various programs or services.
4. If any affordable housing is removed for any reason, there should be a one-to-one replacement of each property due to the affordable housing shortage.

5. Utilize CDBG funds to assist Project Iowa with job training opportunities for under-employed persons seeking living wage careers and employers seeking workers.
6. Utilize CDBG funds to subsidize K-12 students for CyRide transportation costs to attend school.

Council Member Goodman asked if it would be possible to use CDBG funding in connection with human service agencies. Ms. Baker-Latimer said that she would have to look into that further.

7. Utilize CDBG funds to assist with expanding affordable rental housing.
8. Utilize CDBG funds to assist with the Coordination Intake Process for non-profits to track assistance provided to homeless individuals and/or households.

Ms. Baker-Latimer noted that the City had not been notified of its CDBG funding allocation for 2013/14. Last year, the City was notified in March. The Plan needs to be submitted to HUD by May 17, 2013.

The following programs were recommended by City staff after taking into consideration the public forum comments. Ms. Baker-Latimer emphasized that it would depend on the amount of CDBG funds that the City will receive for 2013-14.

1. Home Improvement Rehabilitation
2. Homebuyer Assistance
3. Acquisition/Reuse
4. Operations and Repair
5. Dangerous Buildings
6. Deposit Assistance
7. Neighborhood Infrastructure Improvements

Ms. Baker-Latimer provided staff's rationale for recommending a continuation of those Programs. She noted that all of the activities proposed, except for the Dangerous Building Program, would be of 100% benefit to low- and moderate-income persons and/or neighborhoods.

Shari Reilly, 320 Ash Avenue, Ames, said that she was representing A Mid-Iowa Organizing Strategy. She expressed AMOS' concerns about a lack of affordable rental housing. Members of AMOS believe that it is important to use CDBG funding to develop programs that support people, rather than City infrastructure. AMOS would like to see a close working relationship between the City and Central Iowa Regional Housing Authority (CIRHA). AMOS would like to see transportation assistance be included in the next five-year Action Plan. Ms. Reilly also voiced AMOS' support for Project Iowa with job-training opportunities for under-employed persons.

Mayor Campbell noted that Ames is unique due to the ASSET process. That process is utilized for many of the projects that Ms. Reilly spoke about; the ASSET process has the scrutiny, without many of the administrative "strings" attached.

Council Member Larson acknowledged that Ms. Reilly's ideas were very creative. He noted that some of the funders take on other projects outside of the ASSET process, e.g., the United Way working on the transportation issue on a County-wide basis and provided separate funding on a one-time basis. Perhaps there would be CDBG funds that could be used for such programs since ASSET funds are in such demand. Mayor Campbell noted that the City Council has requested to review the

ASSET guidelines much earlier in the process, i.e., in the summer instead of right before budget time.

Council Member Orazem said that, in order to prioritize the Programs, it was important to know what services already have a funding source.

Moved by Wacha, seconded by Davis, to adopt RESOLUTION NO. 13-033 approving the proposed 2013/14 Annual Action Plan Program projects as noted above in connection with the City's CDBG Program and authorize staff to prepare the Action Plan document for the 30-day public comment period.

Council Member Goodman noted that some of the CDBG funding goes to pay for infrastructure (curb and gutter) in the low- to moderate-income areas. He said he shared Ms. Reilly's philosophy that the funding go to people, not infrastructure. Mayor Campbell noted that the infrastructure being funded is in the low- to moderate-income neighborhoods. Mr. Goodman said he felt that this year might be the year to explore other opportunities.

Council Member Davis stated that Housing Coordinator Baker-Latimer would soon be requesting that the Council develop its priorities for the next five-year Plan. He would like to wait to develop new programs until priorities are set. Mayor Campbell suggested that Council establish the priorities for CDBG funding around the same time as the ASSET Needs Assessment.

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

Council Member Goodman said that he sees some value to the comments made by Ms. Reilly. He asked if it would be best to wait to bring up other ideas, making sure that AMOS representatives are aware of when the discussion would occur. Housing Director Baker-Latimer pointed out that 2013/14 is the last year of the second five-year Plan. Next year, the City would have to approve a new five-year Consolidated Plan and priorities. She thought that would be the best time to bring up new goals and Programs.

Ms. Baker-Latimer noted that HUD had changed the entire plan for next year. She has not had the opportunity to review all the changes, but the City might need to hire some assistants to collect data and community input.

Greta Anderson, 60371-190<sup>th</sup> Street, Nevada, stated that she does not live in Ames, but serves on the Board of the Emergency Residence Project (ERP). She noted that the ERP does provide partial rental and utility deposits, but not enough to cover the entire cost of the deposit. Ms. Anderson alleged that there is a crisis of homelessness in Ames. Ms. Anderson said that the ASSET funding is not nearly enough to meet the needs in the Ames community. She suggested that staff engage the creativity and knowledge of the non-profits and AMOS in the development of the five-year Plan. Ms. Anderson asked that the City, as a whole, make greater efforts to engage the creativity of non-profits in the planning process.

Moved by Goodman, seconded by Larson, to direct that a discussion of the current and possible processes to develop the next 5-Year Plan be placed on a future City Council agenda.

It was noted that the time frame would be late Summer or early Fall 2013.

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

**REPORT OF AMES MUNICIPAL UTILITY PLAN:** Moved by Davis, seconded by Goodman, to accept the Report from the Utility Retirement Advisory Board and recommend that the relationship with Vanguard as Plan Administrator be continued.

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

**STEAM TURBINE NO. 8 OVERHAUL:** Electric Services Director Kom explained that typically, about every five years, one the units is taken down, and the turbine is opened up, cleaned, examined for anything that needs to be replaced, and then closed up (“open, clean, and close”). Steam Turbine Unit No. 8 is scheduled to be disassembled and inspected during the Spring 2013 outage.

According to Mr. Kom, bid documents were issued to open, clean, and close Unit No. 8, and in addition to the Base Bid, the bid contains 14 options based on time and material not to exceed prices for major repair work that may be necessary once the unit is opened up. The purpose of the options was to limit costs for the City and pay actual costs for the repair since the scope of each repair could not be defined for a lump sum bid. A price not-to-exceed was requested from each bidder, and the bids were evaluated on that basis. Staff requested that the Council approve a contract to open, clean, and close plus three options that the City knows will need to be done as well as authorizing staff to approve repair work once the unit is opened up and the need verified. The contract with NAES Corporation, if approved, gives staff the flexibility to authorize repairs, if needed. According to Director Kom, the City may not need to spend the entire amount of the contract if there are no other unforeseen repairs needed.

At the request of Council Member Orazem, Mr. Kom gave the history of the maintenance work issues that had occurred with Unit No. 7.

Moved by Goodman, seconded by Larson, to adopt RESOLUTION NO. 13-034 awarding a contract to NAES Corporation of Houston, Texas, in the amount of \$807,800 for Steam Turbine No. 8 Overhaul.

City Manager Schainker emphasized that the City learned from what had occurred in Unit No. 7. The City is pre-bidding certain items. If there is a repair needed that is not on that list, Special Council Meetings might be necessary so that the parts can be bid as soon as possible (while the Unit is open). The City will also be hiring a consultant (equipment manufacturer representative) on this project to provide guidance to the City and monitor the project. Two of the three options that staff knows will be needed are: (1) recasting the bearings, and (2) a low-speed stop test.

Noting that another problem with Unit No. 7 had been that the company doing the work had limited bonding capacity, Council Member Larson stated that he wanted to ensure that the company hired has the ability to add to the original bond in case performance issues are encountered. Director Kom said that the company doing the work on Unit No. 7 was a much smaller company than NAES; it was the low bidder.

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

**HEARING ON VACATING ELECTRIC FACILITIES EASEMENT AT 218-5TH STREET:** The Mayor opened the public hearing. There being no one wishing to speak, the hearing was closed.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 13-035 vacating an electric facilities easement granted by Youth & Shelter Services for its properties located at 218-5th Street. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON VACATING UTILITY EASEMENTS IN THE STREETS OF NORTH GRAND SUBDIVISION:** The public hearing was opened by the Mayor. She closed same after no one came forward to speak.

Moved by Wacha, seconded by Goodman, to adopt RESOLUTION NO. 13-036 vacating utility easements in the Streets of North Grand Subdivision. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON PROGRAMMATIC AGREEMENT WITH IOWA STATE HISTORIC PRESERVATION OFFICE (SHPO) IN CONNECTION WITH ADMINISTRATION OF CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM:** Mayor Campbell opened the public hearing. No one asked to speak, and the hearing was closed.

Moved by Davis, seconded by Larson, to adopt RESOLUTION NO. 13-024 approving the Agreement and authorizing its submittal to SHPO.

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

**ORDINANCE STRIKING REFERENCES TO BOARD OF HEALTH IN MUNICIPAL CODE CHAPTER 11 (HEALTH AND SANITATION):** Moved by Goodman, seconded by Davis, to pass on first reading an ordinance striking references to Board of Health in *Municipal Code* Chapter 11 (Health and Sanitation). Roll Call Vote: 6-0. Motion declared carried unanimously.

**ORDINANCE STRIKING REFERENCE TO BOARD OF HEALTH IN THE INDEX OF THE MUNICIPAL CODE:** Moved by Davis, seconded by Szopinski, to pass on first reading an ordinance striking references to Board of Health in the index of the *Municipal Code*. Roll Call Vote: 6-0. Motion declared carried unanimously.

**ORDINANCE REZONING PROPERTY LOCATED AT 2008-24TH STREET FROM RESIDENTIAL LOW-DENSITY (RL) TO RESIDENTIAL HIGH-DENSITY (RH):** Moved by Goodman, seconded by Wacha, to pass on second reading an ordinance rezoning property located at 2008-24th Street from Residential Low-Density (RL) to Residential High-Density (RH). Roll Call Vote: 6-0. Motion declared carried unanimously.

**COUNCIL COMMENTS:** Moved by Davis, seconded by Larson, to refer to staff the letter from the Iowa State University Research Park Corporation dated January 14, 2013, requesting that the City consider:

1. Placing traffic lights at the intersection of Airport Road and University Boulevard
2. Examine the widening of University Boulevard adjacent to the WebFilings project to accommodate turning lanes and a through lane

3. Evaluate the intersection of the Highway 30 westbound exit and University Boulevard at the peak traffic times of 8:00 a.m. and 4-5:00 p.m.

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

Regarding the letter from Bo Su, City Manager Schainker stated that staff will contact Mr. Su again and discuss the issues with him.

**ADJOURNMENT:** Moved by Davis to adjourn the meeting at 9:30 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor