

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

AMES, IOWA

OCTOBER 25, 2011

SPECIAL MEETING OF THE AMES CONFERENCE BOARD

The Special Meeting of the Ames Conference Board was called to order by Chairperson Ann Campbell at 6:30 p.m. on October 25, 2011. Present from the Ames City Council were Davis, Goodman, Larson, Mahayni, Orazem, and Wacha. Story County Board of Supervisors present were Clinton, Sanders, and Toot. Representing the Ames School Board were Espeset and Talbot. Gilbert School District and United School District were not represented.

MINUTES OF THE REGULAR MEETING OF FEBRUARY 22, 2011, AND SPECIAL MEETING OF MARCH 31, 2011: Moved by Mahayni, seconded by Sanders, to approve the minutes of the Regular Conference Board Meeting of February 22, 2011, and Special Conference Board of March 31, 2011.

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

2011/12 BUDGET AMENDMENT: City Assessor Greg Lynch provided an updated “2011 PAAB and District Court Cases” table to the Board members. Mr. Lynch asked the Board to make two decisions: (1) approving/denying an increase of \$32,500 to the current budget, and (2) approving/denying a contract with Pictometry for aerial photography.

Mr. Lynch explained the request to increase the Data Processing line item by \$2,500 and the Assessment Appeals line item by \$30,000. The FMS customized data processing software would allow for all of the property record cards to be scanned to digital form and displayed on the City Assessor’s web site. Currently, there are no sketches (footprint) of residential properties in the database. Once scanned, the digital images would be indexed and available to the public. The second request is for increasing the line item for assessment appeals. According to Mr. Lynch, there had been an unusually large number of property owners appeal from the Board of Review to either the Property Assessment Appeal Board or to District Court. The currently budgeted amount is \$30,000, which was based on the number of appeals in 2009. This year, however, appeals have been filed for 21 properties, which is about double the number from 2009.

Referring to the new “2011 PAAB and District Court Cases table,” Mr. Lynch explained that it reflects a decrease in the amount that was previously estimated (on the table provided to the Conference Board) for appraisals by approximately \$37,000. Bids came in lower than expected; \$60,320 is the amount that it will cost to have independent appraisals done on all the properties. According to Mr. Lynch, without a third-party independent appraisal being performed, it would be very difficult for the City Assessor’s Office to win in a courtroom situation.

Supervisor Sanders asked if the list of properties was the same as was presented to the Mini-Conference Board. Mr. Lynch confirmed that it was still the same list of properties; however, the table now shows a more accurate approximation of costs for those appraisals.

At the inquiry of Council Member Goodman, Mr. Lynch advised that reassessment occurs every two years if the market indicates that it should be done. Mr. Lynch agreed with a comment made by Mr. Goodman that the same larger commercial property owners seem to appeal each time. Mr. Lynch shared that independent tax consultants sometimes contact those type of businesses with an offer to prove that the assessment is too high. Those consultants work on a contingency-

fee basis and tend to ask for 40% of the first two-years' tax savings as payment. Therefore, there is no risk at all to the property owner to appeal the assessment.

Supervisor Clinton stated that he did not recall any time in the past when there had been the number of assessment appeals as had been filed this year. Mr. Lynch gave his opinion as to why there was such a large number of appeals this year. Council Member Wacha pointed out that there are only nine owners on the list, but 21 properties.

Council Member Goodman asked if it were necessary to budget for the new software in this fiscal year. City Assessor Lynch advised that his office would like to start scanning the property cards immediately and providing the service to the citizens as soon as possible.

Moved by Larson, seconded by Talbot, to set the date of public hearing for November 22, 2011, on the proposed amendments to the 2011/12 City Assessor's Budget.

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

According to Mr. Lynch, another decision that needed to be made was regarding aerial photography. He explained that a representative of Pictometry (the company that performed the City Assessor's aerial photography in 2009) had contacted the City Assessor's Office a few weeks ago, stating that they had signed a contract to fly Boone County in the Spring 2012. Therefore, there would be an economy of scale that the Ames Assessor's Office would be able to benefit from because of the preference for the two-mile buffer around the City to be flown at the same time. Because Boone County would be having its aerial photography done at the same time, Ames would have access to those images at no charge; that would be saving Ames \$4,800 or 22%. According to Mr. Lynch, current accurate aerials provide a large benefit to the City Assessor's office, but also to the City's Public Works Department, Planning and Housing Department, Fire Department, Electric Department, and Water Department. The vendor is asking for flights at two different times in a six-year period. No down-payment is necessary out of this year's budget because Ames would be a repeat customer. The cost would be \$7,176/year for three fiscal years. After three years, there would be an opportunity to end the contract with no additional costs being assessed.

Moved by Sanders, seconded by Goodman, to authorize entering into a contract with Pictometry.
Vote on Motion: 3-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Clinton, seconded by Davis, to adjourn the Ames Conference Board at 6:55 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 7:03 p.m. on October 25, 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 Finseth was also present.

PRESENTATION OF GOLD WELL-WORKPLACE AWARD: Health Promotions Coordinator Stephanie Downs briefed the Council on the history of the City's receipt of the Well-Workplace Award and thanked the members for their continued support of programs and services. She described the certification process and the benchmarks measured. Ms. Downs stated that in

1993, the City of Ames because one of the first, if not the first, city to be named a Bronze-level Well-Workplace, sponsored by the Wellness Councils of America. In 1997, the City of Ames received the Silver designation. In 2000, the City of Ames was the first city in the nation to receive the Gold-level Well-Workplace Award. It is also the only city in the nation that has sustained that level in 2003, 2007, and again in 2011. Julie Huisman presented the Gold Well-Workplace Award to Mayor Campbell. Mayor Campbell added that the City of Ames was the only municipality to receive a Well-Workplace Award at this year's ceremony.

PROCLAMATION FOR WORLD TOWN PLANNING DAY: Mayor Campbell proclaimed November 8, 2011, as World Town Planning Day. Liz Beck, Chairperson of the Planning and Zoning Commission, and Steve Osguthorpe, Director of the Planning and Housing Department, accepted the Proclamation.

CONSENT AGENDA: Council Member Larson asked to pull Item #6 (adding structural assessment costs to Facade Grant Program) for separate discussion.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of October 11, 2011, and Special Meetings of October 17, 2011, and October 19, 2011
3. Motion approving Contract Change Orders October 1-15, 2011
4. RESOLUTION NO. 11-482 adopting Supplement No. 2011-4 to *Municipal Code*
5. RESOLUTION NO. 11-483 approving Investment Report for quarter ending September 30, 2011
6. RESOLUTION NO. 11-484 approving appointment of Allison Sheridan to fill vacancy on Public Art Commission
7. RESOLUTION NO. 11-485 approving appointment of Joan Bolin to fill vacancy on Student Affairs Commission
8. RESOLUTION NO. 11-486 approving enrollment in Iowa Water/Wastewater Agency Response Network (IOWARN)
9. RESOLUTION NO. 11-487 approving Memorandum of Agreement between City and Story County for portions of unincorporated rural townships to be combined with contiguous precinct for voting purposes
10. RESOLUTION NO. 11-488 authorizing a delay in implementing change to the maximum annual out-of-pocket cost for prescription drugs pertaining to the International Union of Operating Engineers (IUOE), Blue Collar Unit, Contract
11. RESOLUTION NO. 11-489 on accepting completion of 2009/10 Water System Improvements (Water Service Transfers)
12. RESOLUTION NO. 11-490 accepting completion of 2010/11 Arterial Street Pavement Improvements (6th Street)

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

FACADE GRANT PROGRAM: Council Member Larson asked for an explanation of potential additional costs associated with evaluation of structural conditions relative to the Facade Grant Program. He explained that staff had recommended \$1,000 be added to the Facade Grant Program to pay for structural evaluations. Assistant City Manager Kindred advised that structural inspections conducted by the City's Inspection Division were added as a requirement

to the Facade Grant Program several months ago, but no funding source was identified. The inspector evaluates whether the building's condition is such that it is a good use of Facade Grant monies, and on rare occasions, a building has been found to be structurally at risk to an extent that it meets the City's Dangerous Building Ordinance. Mr. Kindred pointed out that the City's inspectors are not licensed structural engineers and are not qualified to perform a complete analysis. An evaluation of the building structure by a certified structural engineer could run between \$600 and \$1,000/building. Currently, there is no budget source identified to pay for those services.

City Manager Schainker clarified that not every building will need a structural assessment. It will only be required after the Building Official makes a determination that a structural engineer should look at the situation.

Council Member Orazem asked if there had been any discussion of employing someone to perform an evaluation of foundations of all buildings in the Main Street Cultural District to ascertain the extent of potential problems. He pointed out that if there is one building that has problems, the ones on either side of that building might have the same issues. Assistant City Manager Kindred advised that staff was not suggesting that; that would be a very ambitious project and would require very careful thought as to what would be done with the results since the buildings are all privately owned.

Moved by Larson, seconded by Goodman, to authorize the use of funding from the Facade Grant Program for the City to hire a structural engineer to evaluate a building's condition to determine whether it is sufficiently safe to proceed with the facade improvement project.

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

PUBLIC FORUM: Mary Jean Baker, 821 Tennyson Avenue, Ames, shared that she had recently had the privilege to tour the City of Dubuque, Iowa. She said that she had been intrigued by the way the economic, environmental, and social impacts were considered in each project undertaken. She shared many of the improvements that had been highlighted on the tour. Ms. Baker advised that she was first exposed to "Complete Streets" on the tour of Dubuque. She stated that "Complete Streets" are designed to be comfortable for travel by car, bus, on foot, or bicycle.

Erv Klaas, 1405 Grand Avenue, Ames, stated that he had recently attended the 4th Annual "Growing Sustainable Communities" Conference in Dubuque. He highlighted a few of the things that he had learned from attending breakout and networking sessions. Mr. Klaas was impressed by the excitement of business leaders and local officials in what they were doing to make Dubuque one of the most progressive, successful, and sustainable cities in the nation. He would like to garner that same type of excitement in the Ames community.

Brad Spitsak identified himself as part-owner of Arthur, Inc., a subcontractor working on the City's Intermodal Facility project. He referenced an e-mail message that he had sent to the Mayor and City Council, asking to be on the Agenda for November 1, 2011, regarding issues his company had encountered. Mr. Spitsak said he was present at this meeting to introduce himself and his company and to "demonstrate the importance of the topic." He believes things are going well and does not believe there are any issues with performance or quality, but was present as an advocate for subcontractors and suppliers. Subcontractors normally work directly with the cities; however, this project is being done a little differently. He said that

subcontractors for his company had performed work on the project in June and July, and have not yet been paid. Mr. Spitsak said he just wanted to make the Council aware of the issue. There is some dialogue occurring, but it has not resulted in payment for the work that has been done.

Sharon Wirth, 803 Burnett Avenue, Ames, identified herself as a member of the Historic Old Town Neighborhood. She presented a brochure entitled, the "Old Town Historic District in Ames, Iowa." The brochure gives the history of the Old Town Neighborhood and highlights many of the historic properties within it. Ms. Wirth explained that the Neighborhood had received a small grant from the Convention & Visitors Bureau through its Community Grant Program, and with those proceeds, financial support from the Neighborhood Association, and approximately 150 hours of volunteer time, the brochure was produced.

NEW SPECIAL CLASS C LIQUOR LICENSE FOR LE'S RESTAURANT: Moved by Mahayni, seconded by Davis, to approve a new Class C Liquor License for Le's Restaurant, 113 Colorado.

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

NEW CLASS C LIQUOR LICENSE FOR ANGIE'S CANTINA: Moved by Davis, seconded by Mahayni, to approve a new Class C Liquor License for Angie's Cantina, 2414-2416 Lincoln Way.

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

HEARING ON VACATING ELECTRIC EASEMENT AT 119 E. 12TH STREET/121 E. 12TH STREET: Mayor Campbell opened the public hearing. There being no one wishing to speak, the Mayor closed the hearing.

Moved by Mahayni, seconded by Wacha, to adopt RESOLUTION NO. 11-491 approving the vacating of an electric easement at 119 E. 12th Street/121 E. 12th Street.

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

HEARING ON REZONING PROPERTY GENERALLY LOCATED AT 119 EAST 12TH STREET AND 1215 CARROLL AVENUE: The Mayor opened the public hearing. No one wished to speak, and the hearing was closed.

Planning and Housing Director Osguthorpe explained the errors in the legal description that had been noted after Ordinance No. 4073 had been adopted and published. The maps provided to the Planning and Zoning Commission had been correct, and there would be no need to take the issue back to that Commission. Council Member Wacha asked for clarification that this was purely an administrative clarification and that it did not change any of the information that had been previously presented. Mr. Osguthorpe confirmed that was true.

Moved by Mahayni, seconded by Davis, to pass on first reading an ordinance rezoning property generally located at 119 East 12th Street and 1215 Carroll Avenue from Urban Core Residential Medium Density to Hospital-Medical.

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

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

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

Moved by Mahayni, seconded by Davis, to pass on second and third readings and adopt ORDINANCE NO. 4090 rezoning property generally located at 119 East 12th Street and 1215 Carroll Avenue from Urban Core Residential Medium Density to Hospital-Medical.

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

HEARING ON CDBG 2011/12 AMENDED ANNUAL ACTION PLAN: The public hearing was opened by Mayor Campbell. The hearing was closed after no one came forward to speak.

Vanessa Baker-Latimer outlined the proposed project activities. She noted that at its September 13, 2011, meeting, the City Council had directed staff to amend the 2011/12 Community Development Block Grant (CDBG) Annual Action Plan to include those proposed activities. She also recalled that the Council had redirected \$25,000 of funding for creation of a pilot program to assist a property owner with funds to rehabilitate a single-family rental property for conversion back to an owner-occupied unit.

Moved by Mahayni, seconded by Wacha, to adopt RESOLUTION NO. 11-492 approving the 2011/12 Amended Annual Action Plan.

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

HEARING ON UNIT NO. 7 CIRCULATING WATER PIPE REHABILITATION PROJECT: Mayor Campbell opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 11-493 approving final plans and specifications and awarding a contract to L&P Painting of Cedar Rapids, Iowa, in the amount of \$155,072, plus applicable sales taxes.

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

HEARING ON UNIT NO. 8 AIR HEATER BASKET REPLACEMENT PROJECT: The hearing was declared open by the Mayor and closed after no one requested to speak.

Moved by Mahayni, seconded by Wacha, to accept the report of bids and delay the award of a contract.

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

SALE AND ISSUANCE OF ESSENTIAL CORPORATE PURPOSE GENERAL OBLIGATION BONDS SERIES 2011B: Tionna Pooler, City's Financial Advisor with Public Financial Management, Des Moines, Iowa (PFM Group) distributed a tabulation of the bids received for the City's \$6,675,000 General Obligation Corporate Purpose Bonds. In connection

with this bond sale, the City had reaffirmed its AAA bond rating, and Ms. Pooler emphasized the benefits of that rating.

Ms. Pooler said that the City received 13 bids, representing 36 banks from 16 states across the nation. She advised that the True Interest Cost (TIC) equated to 1.9% for bonds that will be paid through 2023, which was an excellent rate. It was the recommendation of the PFM Group that the City award the bid to FTN Financial Capital Markets of Memphis, Tennessee.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 11-494 approving the sale and issuance of Essential Corporate Purpose General Obligation Bonds, Series 2011B, in an amount not to exceed \$6,675,000, to FTN Financial Capital Markets of Memphis, Tennessee. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

WATER SERVICE AND ANNEXATION AGREEMENTS: Director Osguthorpe recalled that the Estate of Mildred Caldwell (owners of 2126 State Avenue) had requested water service from the City of Ames. The rural water provider (Xenia) had declined to serve the property because service could not reasonably be extended to the property in an efficient and cost-effective manner. However, since the property is not presently contiguous to the City limits, annexation is not yet an option, and the City is under no obligation to provide water service without annexation. Mr. Osguthorpe pointed out that on February 22, 2011, the City Council approved a previous request from the owners of this property, stipulating the conditions under which the property could receive water from the City. There is a water main in State Avenue directly in front of the property in question; that line was installed to serve residences on Dartmoor Road and Oakwood Road. There is no sanitary sewer serving this area, and the nearest line is about 1,000 feet to the south along Worle Creek. According to Public Works Director Joiner, the City would not be obligated to provide sanitary sewer service.

Mr. Osguthorpe noted that the City Council had referred two other requests from property owners for water service on State Avenue. On July 26, 2011, the Council directed staff to prepare an Annexation Agreement for the owners of 2121 State Avenue (Wiley Press). The direction given by the Council at that time was that annexation of the Wiley property would be required prior to water service being provided. Additional provisions to reduce the incompatibility of the present use with the expected residential development of the area would also be required. At the present time, Wiley Press has not yet responded to the proposed conceptual terms. The other request for water service was referred to staff on September 13, 2011, from Ron Mowers and Margaret Epplin of 2124 State Avenue; that property is adjacent to the city limits and currently shares a well with 2126 State Avenue.

According to Mr. Osguthorpe, due to the configuration of the corporate limits in this area, it is not possible to annex both Wiley Press and the Mowers/Epplin properties since that would create an island of unincorporated land (2219 State Avenue) surrounded by the City. The property at 2219 State Avenue, a seed conditioning plant, is owned by the Committee for Agricultural Development (CAD), and CAD is not interested in annexing at this time. It was noted that Wiley Press and the CAD properties are industrial in nature. While they are consistent with County zoning, they are not consistent with the City's Urban Fringe Plan, which calls for this area to be Urban Residential. The Caldwell and Mowers/Epplin properties are single-family residential and are consistent with the City's Urban Fringe Plan, but do not meet the City's residential density standards.

Mr. Osguthorpe advised that one way to address the requests of all three parties, as well as to address the long-term interests of the City, is to “land bank” the Caldwell, Wiley Press, and Mowers/Epplin properties. This could be done by having the property owners in question sign agreements that would allow them to obtain City water now, but require annexation later at a time of the City’s choosing. The “banking” of the three properties could be held until such time as the CAD property seeks annexation into the City. At that time, the City would also require the three properties to petition for annexation. If additional property owners in the area seek voluntary annexation in the future, the CAD property could possibly be brought in under the *Iowa Code*’s 80/20 option (by which up to 20% of the land area of non-consenting owners can be annexed along with at least 80% of the land area of consenting owners).

City Manager Schainker pointed out that the City has a long-standing policy of not approving water sales to properties outside its city limits and it is not under any obligation to do so. He pointed out that, in 2009, the City Council adopted provisions in the Ames *Municipal Code* to address unique limited requests of property owners seeking water from the City without annexation.

Mr. Osguthorpe advised that the “land-banking” approach would serve the interests of the various property owners as well as the City is to allow connection to the City’s water system under terms similar to that contained in the Caldwell agreement, albeit with other stipulations unique to each property. The annexation of these properties could be triggered when the CAD property seeks annexation or if the Council wishes to annex the CAD property under the 80/20 provisions of the *Code of Iowa*.

At the inquiry of Council Member Goodman, City Attorney Doug Marek advised that the Covenants would run with the land and be binding on all future owners.

Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 495 approving the Covenant and Agreement for Annexation pertaining to the property located at 2126 State Avenue.

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

Moved by Goodman, seconded by Mahayni, to direct staff to prepare similar agreements for Wiley Press and Mowers/Epplin that would allow them to obtain water from the City with an agreement to seek annexation to the City at a later date and at the Council’s request.

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

RESOURCE RECOVERY “FREE DAYS”: Public Works Director Joiner recalled that, in August 2011, staff had provided information outlining the impact “Free Days” have on the Resource Recovery Plant (RRP).

John Pohlmann, Superintendent of the RRP, provided a brief history of “Free Days” dating from April 23, 1977. Mr. Joiner emphasized that a “Free Day” was originally designated in 1977 as a “Clean-Up Day,” as part of the “National Keep America Beautiful Day.” Mr. Pohlmann said that presently, “Free Days” include two regularly scheduled events each year. In the 34 years since their inception, they have grown from citizens with cars and pickups, as originally approved by the City Council, to including collection events held at contract communities, small businesses, apartment owners hauling tenants’ trash, and individuals who accumulate trash until

the “Free Day” and then haul multiple loads to the RRP. Gary Freel, Assistant Superintendent of the RRP, pointed out that some individuals have turned the City’s “Free Day” into a profit-making opportunity for themselves, offering to haul other people’s trash for a charge. This directly competes with businesses run by licensed haulers.

Mr. Freel also advised that staffing for “Free Days” has doubled in order to reduce waiting times and provide the best possible customer service. Mr. Pohlmann said that staff must now close the Plant to commercial haulers two or three days prior to the “Free Day” to ensure adequate space for the material. This results in excess of 300 tons of trash being diverted to the Boone County Landfill, which equates to a direct loss of scale revenue for the RRP ranging from \$10,000 to \$12,000 per day. That total did not include revenue from Refuse Derived Fuel and ferrous or non-ferrous metal sales. “Free Days” also result in lost landfill space, which is an ongoing concern for Boone County. Director Joiner said that the financial impact on the RRP of two “Free Days” per year now equates to over \$68,000, but are utilized by less than 1% of Story County’s population.

Mr. Freel pointed out that “Free Days” also negatively impact local licensed trash haulers and their customers. Sending the haulers to the Boone County Landfill increases their costs by approximately \$100/trip. This equates to very poor customer service to Ames’ regular haulers, and likewise, to their customers.

According to Director Joiner, environmentally, “Free Days” are directly contributing to greenhouse gases when the commercial haulers are diverted to Boone, increasing trucking/fuel mileage, as well as when these additional materials are landfilled and ultimately produce more methane. The City’s carbon footprint is further amplified by having 600-800 vehicles idling in line with materials that could have been picked up at their homes by their regular haulers.

Mr. Joiner stated that, as directed by the City Council on August 23, 2011, staff gathered stakeholder input by hosting two public meetings (on September 14 and 15, 2011). Because initial response to those two comment opportunities was very low, staff extended the comment period for online users. According to Mr. Freel, there were only eight comments received. He shared the public comments, concerns, and suggestions received.

According to Mr. Freel, staff believes that additional public education and outreach programs to inform citizens of disposal or reuse options would be a valuable alternative to the current “Free Days.” This would include actively pursuing presentation opportunities through Channel 12, at local communities’ City Council meetings, plant tours for local schools and universities, Science Nights, area service groups and organizations, and promotion of alternative disposal options through various sources such as Freecycle, Craigslist, Goodwill, Salvation Army, etc.

Council Member Orazem asked to know what the public good thought was for the City to initially offer “Free Days.” Mr. Pohlmann said it was intended initially to promote property clean-up through a national campaign back in 1977. It was not intended for people to store trash for a year; that borders on promoting hoarding.

Council Member Goodman said that he does see an advantage to offering a day or two per year, with a small incentive, to promote pride in private property. He believes that offering “Free Days” is a good idea, but it is getting abused. He recommended that City staff talk to the

garbage haulers, look at the options offered by City staff, and see if there is some scale that would be manageable.

Council Member Wacha asked to know what the impact would be if the City only offered one “Free Day.” Mr. Freel said that the largest event occurs in the spring. Mr. Pohlmann advised that he foresees the quantity would be extremely excessive if it were only offered on one day.

Council Member Wacha noted that staff had already held public meetings and met with licensed haulers for suggestions. He said that the service is being abused and not being used as it was intended. Council Member Larson agreed, stating that he thought the program had run its course.

Council Member Orazem noted that each dollar is benefitting a very small number of people.

Moved by Wacha, seconded by Orazem, to authorize elimination of the semi-annual “Free Days,” and expand public education and outreach through advertising and community presentations.

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

DESIGN FEATURES ON SOUTH 16TH STREET: Civil Engineer Corey Mellies recalled that, on July 12, 2011, the City Council authorized staff to negotiate a sole source contract with RDG Dahlquist Art Studio for fabrication and installation of lighted sculptures for the Ames Southeast Entryway Project. The Iowa DOT also approved that firm as the sole source provider for fabrication and installation of the lighted sculptural columns. RDG had been involved with initial concepts, public input, and cost estimating for the project as a sub-consultant on the Engineering Services Contract for the design of the project.

According to Mr. Mellies, RDG Dahlquist Art Studio had submitted a proposal for the fabrication and installation of 12 sculptural light columns and two pedestrian scale sculptural light columns in the amount of \$555,495. The price was achieved by soliciting proposals from several fabricators and lighting contractors. Upon receiving the proposal RDG, reviewed them to determine who could best provide each component as well as who might be able to provide an entire package.

Council Member Orazem noted that the City Council had previously inquired about utilizing a local firm, Power Film, to use solar energy as an alternate energy source to light the sculptures. According to staff, an analysis of that option revealed that for this application it would not be cost-effective, it would not provide enough usable surface area on the columns, and it would detract from the artist’s work.

Moved by Goodman, seconded by Davis, to adopt RESOLUTION NO. 11-496 approving a sole source contract with RDG Dahlquist Art Studios for fabrication and installation of lighted sculptures for the Ames Southeast Entryway Project in the amount of \$555,495.

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

2809 SOUTH RIVERSIDE: Public Works Director Joiner recalled that, several years ago, the City received notice that residents in an area along South Riverside Drive desired to be served by

Xenia Rural Water District. Because of the area's proximity to the City's airport and ISU Research park, the City wanted to protect that area for eventual growth with the city limits. The City denied that request; thus assuming the obligation to eventually provide water service to the area regardless of whether or not the area was annexed. The City now, according to the *Iowa Code*, must provide water service to the area (even if it is outside the city limits) within four years of the receipt of the Water District's notice. In accordance with that state law, the City Council, in July 2009, adopted an ordinance allowing properties located outside of the corporate limits to connect to City water under certain conditions.

According to Mr. Joiner, after four years had passed (in 2009), the owner of 2725 South Riverside Drive requested and received water service to his property in 2009. A neighboring property owner at 2809 South Riverside Drive made the same request to the City several years ago, and is now seeking connection to the City's 12-inch water main adjacent to his property. As in 2009, the City is obligated to provide that service as long as the requirements specified in the City ordinance are fulfilled. Those requirements include paying a one-time connection fee, installation of an approved back-flow prevention device, and paying water usage rates as specified within the ordinance.

At the inquiry of Council Member Larson, Mr. Joiner replied that the City provides snow removal in this area per an agreement with Story County. Mr. Larson pointed out that the residents of South Riverside Drive are or will be receiving several City services and should be made to annex to Ames. Council Member Davis concurred.

Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 11-500 approving a rural water type water service for connection to the existing adjacent public water main for the property located at 2809 South Riverside.

Steve Harder, 2809 South Riverside, Ames, stated that he had lived at that residence since 1982. He said that development had come to the boundaries of their property. Mr. Harder explained that the residents would have been happy to be serviced by Xenia, but the City denied the residents' request for that service. He also noted that the residents who connect to the water main will be paying for the service; he, specifically, will be paying approximately \$3,000 to connect to the main. Mr. Harder believes that the City should provide water service to the residents in question because the City denied the residents' request for Xenia to service them, and it is required by state law. Director Joiner clarified that Xenia had also indicated that it was not interested in servicing the area because it was not cost-effective for them to do so.

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

AFFIRMATIVE ACTION PLAN UPDATE: Human Resources Department Director Julie Huisman presented a summary of the City's Affirmative Action Update for the period July 1, 2010, through June 30, 2011. She pointed out that the information is used to determine changes that have occurred in the gender and racial/ethnic characteristics of the workforce. Ms. Huisman noted that the number of female applications received by the City had increased significantly from the previous fiscal year. She highlighted various activities that Human Resources staff had participated in an effort to encourage females and minorities to apply for positions within the City.

Moved by Goodman, seconded by Davis, to adopt RESOLUTION NO. 11-497 approving the Affirmative Action Plan Update.

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

AMENDMENT TO ENGINEERING SERVICES AGREEMENT FOR DESIGN OF MID-AMERICAN ENERGY 161-kV LINE: Electric Services Director Kom introduced Lyndon Cook, Electrical Engineering Manager, who is coordinating the 161-kV Interconnection Line project. Mr. Kom gave an update on the project. He reported that voluntary easements had been obtained for all but two parcels in Story County. Those two parcels are under the same four-party ownership. A revised Petition had been submitted to the Iowa Utilities Board; a hearing has been scheduled for December 8, 2011.

Mr. Cook advised that additional services are required from DGR for the 161-kV Interconnection Project to complete design work, right-of-way acquisition, construction management and complete a franchise petition filing. He told the Council that a number of design changes have been required as a result of the new route study and resulting route changes. The Iowa Department of Transportation has also made plans for a new rest stop and plans to eliminate a weigh station along the route. Both of those changes required re-routing of the proposed line to coordinate with the IDOT property changes. Additional design work is also required to change several structures to meet IDOT's new permitting requirement that the Line not overhang the Interstate 35 right-of-way. That overhang was approved under previously filed permits with the IDOT, but a new Federal Highway Administration prohibition requires minor adjustments to several structures to avoid overhanging the Interstate 35 right-of-way. Proposed Change Order No. 7 provides for the engineering of those structure changes. Change Order No. 7 also provides for additional right-of-way services to negotiate easements for overhang along Lincoln Way. It will also provide for services to negotiate and administer crop damages through the construction phase of the project. Due to project delays association with the earlier franchise permit denial, inflationary escalations are also included in the Change Order to reflect current rates for engineering and contract management services already included in the contract.

According to Mr. Cook, three of the four owners have given the City their approval for an easement. It appears that condemnation proceedings will be required to obtain the remaining 25% interest in the two parcels in Story County where easements are still needed.

Moved by Davis, seconded by Goodman, to adopt RESOLUTION ON. 11-498 approving Change Order No. 7 to increase the total amount of the Engineering Services Contract with DGR by \$111,300 to a revised contract amount of \$1,982,884 for additional engineering design, administration, franchise petition filing, hearing support, and right-of-way services for the 161-kV (Mid-American Energy Company) Interconnection Project.

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

DEVELOPMENT PROCESS SURVEY PRESENTATION: City Manager Schainker recalled that one of the top goals of the City Council is to further streamline and improve government processes. The objective of that goal is to promote Ames as a welcoming place to do business by embracing a "Can Do" attitude. At the Council's last goal-setting session, it assigned the City Manager to recommend techniques for improving feedback regarding City development-related approval processes.

Mr. Schainker described a variety of techniques that City staff has utilized to gain customer input into how the City could improve its development services. He said that most recently, with Business Development Coordinator Seana Perkins now on board, personal follow-up with every customer is being done. In addition to that personal follow-up by Ms. Perkins, a new on-line Development Process Survey has been developed. The results of the initial survey have been analyzed by Ms. Perkins and were presented.

Business Development Coordinator Perkins gave a presentation on the structure of the new on-line Development Process Survey. Eighty-four surveys were e-mailed to customers of the City's Planning Department, with 33 responding (23.9%). Surveys were sent to 437 customers of the Inspection's Division, and 105 responses were received (76.1%). Staff courteousness, helpfulness, professional knowledge, "welcoming" attitude and helpfulness by front counter staff, overall experience, and final outcome of the proposal/project were rated.

Council Member Larson suggested that the survey results be presented to other groups in the City, e.g., Homebuilders, developers, etc., to get their feedback as to whether they agree with or refute the results.

City Manager Schainker said that Ms. Perkins and City Management will meet with the two departments to discuss the results.

Council Member Larson pointed out the six continuous improvement themes that surfaced from the Survey:

1. Maintain consistency among City staff members in regards to answering questions and Code interpretations.
2. Improve timeliness of inspections, responses to inquiries, and approval decisions.
3. Base decisions on the current Code and not on personal preference or bias of a staff member.
4. Clearly communicate expectations to customers at the beginning of the approval process so they can be relied on without bringing up new requirements later in the process.
5. Display a "Can Do" attitude by helping to identify solutions that facilitate the project's approval.
6. Develop clarity and flexibility in City policies, rules, and local ordinances and change those that work against our goals.

Council Member Wacha applauded City staff for its efforts. Council Member Mahayni agreed. He stated that it is important to note that responses may reflect individual desires and not necessarily focus on the "greater good" of the community.

"BLUE ZONE" PROJECT: Public Relations Officer Susan Gwiasda reported that, on October 7, 2011, hundreds of Ames residents participated in the "Start Somewhere Walk" as part of the Iowa Healthiest State initiative. The "Start Somewhere Walk" was the kick-off to a bigger goal of Governor Branstad of becoming a healthier community and ultimately a healthier state.

Health Promotions Coordinator Stephanie Downs stated that Iowa insurance company Wellmark had partnered with healthcare consultant Healthways to help communities take steps to become better places to live. Those companies are working together to offer ten Iowa cities the opportunity to become “Blue Zones Demonstration Sites.” Ms. Downs defined “Blue Zones” as a phrase coined to represent communities around the world where residents lived to the age of 100 at ten times the average rate. Analysis had suggested that the long life spans were the result of implementing nine similar lifestyle practices.

According to Ms. Downs, being selected as a Blue Zones Demonstration Site does not include any type direct funding. The communities selected are provided with an array of consultants who do a comprehensive assessment of the City’s state of well-being, and offer recommendations on permanent environmental and policy changes to make the healthy choice the easy choice. A video presentation was shown to further explain the “Blue Zones Project.”

Ms. Gwiasda reported that there are multiple steps to proceeding with an application for Blue Zones Demonstration Site status. Submitting a “Statement of Interest” allows a community to be invited to apply for the Program. It is very important that the cities making application show community support. According to Ms. Gwiasda, at preliminary meetings, support had been demonstrated from organizations that the Blue Zones application lists as critical, as well as others in the community including the Ames Chamber of Commerce, United Way, Ames Community School District, Mary Greeley Medical Center, McFarland Clinic, Iowa State University, Youth and Shelter Services, and Story County Public Health. Ms. Downs explained that the application is due on October 28. Submitting a Letter of Intent doesn’t mean that the City will be named a “Blue Zone.” On November 23, select applicants will be invited to submit a Blue Zones Project application. That application is due on January 4, 2012. Finalists will be selected and notified on February 10, 2012.

Mayor Campbell reported that many persons in the community have called the Mayor to inquire whether Ames would be participating in the “Blue Zones” Project. The City would initiate the project, but would then “pass the baton” to other organizations in the community to further the effort. The Mayor pointed out that there is an extreme amount of competition to be named one of the ten “Blue Zone” communities.

At the inquiry of Council Member Orazem, Ms. Downs replied that staff time will be required to work with consultants if the City is named one of the ten communities. It is unknown whether any funding will be required of cities named as “Blue Zones.” There will be a need for some office space, and another agency has already stepped up and volunteered to provide that.

Ms. Downs noted that Iowa State University has already designated a strong interest in the Program. Students have been integral to the process thus far.

Ms. Gwiasda explained the bluezoneproject.com site where individuals can pledge their support. Ames is not on the board yet. Council Member Mahayni recommended that the City “get the word out” about that site.

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 11-499 directing the Mayor to submit a Letter of Intent for the “Blue Zones” project on behalf of the City. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

ORDINANCE CORRECTING LEGAL DESCRIPTIONS IN ORDINANCE NO. 4073: Moved by Mahayni, seconded by Davis, to pass on first reading an ordinance correcting the legal descriptions listed in Ordinance No. 4073.
Roll Call Vote: 5-1. Voting aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting nay: Goodman. Motion declared carried.

Moved by Mahayni, seconded by Davis, to suspend the rules necessary for the adoption of an ordinance.
Roll Call Vote: 5-1. Voting aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting nay: Goodman. Motion declared carried.

Moved by Mahayni, seconded by Wacha, to pass on second and third readings and adopt ORDINANCE NO. 4091 correcting the legal descriptions listed in Ordinance No. 4073.
Roll Call Vote: 5-1. Voting aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting nay: Goodman. Ordinance declared adopted, signed by the Mayor, and hereby made a portion of these minutes.

ORDINANCE AMENDING SECTION 23.401(3)(b) OF THE MUNICIPAL CODE TO RESTRICT DOUBLE-FRONTAGE LOTS IN RESIDENTIAL ZONING DISTRICTS ONLY:
Moved by Davis, seconded by Goodman, to pass on second reading an ordinance amending Section 23.401(3)(b) of the *Municipal Code* to restrict double-frontage lots in residential zoning districts only.
Roll Call Vote: 6-0. Motion declared carried unanimously.

ORDINANCE AMENDING AND UPDATING 2011 DESIGNATED SNOW ROUTES: Moved by Davis, seconded by Goodman, to pass on third reading and adopt ORDINANCE NO. 4089 amending and updating the 2011 Designated Snow Routes.
Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

COUNCIL COMMENTS: Moved by Orazem, seconded by Goodman, to refer to staff the request of the Hunziker Youth Sports Complex to construct additional parking lots at the Complex. using rock-surfacing materials
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Larson, seconded by Goodman, to refer to staff, for preparation of a memo, the e-mail from Ted MacDonald, 3302 Foxley Drive, Ames, requesting that the speed limit on Bloomington Road be reduced to no more than 35 miles-per-hour from Fletcher on the east all the way out to the city limits, and to more fully address pedestrian safety along Bloomington west of Stange.
Vote on Motion: 6-0. Motion declared carried unanimously.

HUMAN RESOURCES: Moved by Davis, seconded by Larson, to hold a Closed Session as provided by Section 20.17(3), *Code of Iowa*, to discuss collective bargaining strategy.
Roll Call Vote: 6-0. Motion declared carried unanimously.

Moved by Davis, seconded by Mahayni, to return to Regular Session.
Vote on Motion: 6-0. Motion declared carried unanimously.

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

Diane Voss, City Clerk

Ann H. Campbell, Mayor