

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

**AMES, IOWA**

**NOVEMBER 14, 2006**

The regular meeting of the Ames City Council was called to order by Mayor Ann Campbell at 7:00 p.m. on November 14, 2006, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Doll, Goodman, Mahayni, Popken, and Rice. *Ex officio* Member Buske was also present.

**ABSTRACT OF VOTES FOR SPECIAL ELECTION:** Moved by Mahayni, seconded by Rice, to adopt RESOLUTION NO. 06-447 accepting the Abstract of Votes for November 7, 2006, Special Election.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

**OATH OF OFFICE TO COUNCIL MEMBER LARSON:** Mayor Campbell administered the Oath of Office to Jami Larson, newly elected Ward 2 Council Member.

Council Member Larson took his seat at the Council dais.

**PROCLAMATION FOR NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK:** Mayor Campbell proclaimed November 12 - 18, 2006, as National Hunger and Homelessness Awareness Week. Accepting the Proclamation were City Housing Coordinator Vanessa Baker Latimer and sponsoring agencies, the Assault Care Center, Bethesda Lutheran Church, First United Methodist Church, Emergency Residence Facility, Good Neighbor, Mid-Iowa Community Action, and Youth and Shelter Services.

**CONSENT AGENDA:** Council Member Rice asked that Item No. 8 pertaining to changes to Emergency Snow Removal; Item No. 13 regarding funding the FACES celebration; and Item No. 14, approval of the Central Iowa Waste Management Association 2006 Comprehensive Plan, be pulled for separate consideration

Moved by Goodman, seconded by Rice, approving the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving minutes of the regular meeting of October 24, 2006
3. Motion approving renewal of the following beer permits and liquor licenses:
  - a. Class B Native Wine - Kitchen, Bath & Home, 201 Main Street
  - b. Class C Beer - Southgate Express, 110 Airport Road
  - c. Class C Beer & B Wine - Wheatsfield Cooperative, 413 Douglas Avenue
  - d. Class C Liquor - Legends American Grill, 119 Stanton Avenue, Ste. 701
  - e. Class C Liquor - Reign, 2522 Chamberlain Street
  - f. Class B Liquor - Country Inn & Suites, 2605 SE 16<sup>th</sup> Street
4. Motion approving encroachment permit for an awning at 230 Main Street
5. Motion authorizing Mayor to write a letter to the Iowa Department of Economic Development expressing no objections to Regena Therapeutics, Inc., relocating to Iowa City/Coralville
6. Requests from Main Street Cultural District:
  - a. RESOLUTION NO. 06-448 approving suspension of parking enforcement for the Central Business District on weekdays from 5-6:00 p.m. and all day on Saturdays beginning November 17 through December 30 and all day on Friday, November 24, 2006
  - b. RESOLUTION NO. 06-449 approving waiver fees for electricity for holiday lighting on downtown buildings, street poles, in Tom Evans Plaza, and in Bandshell Park from November 17 through December 31, 2006

- c. Motion approving placement of red flags on City light poles from November 17 through December 26, 2006
7. RESOLUTION NO. 06-450 approving appointment of Yolanda Eskridge-Nyass to fill vacancy on Human Relations Commission
  8. RESOLUTION NO. 06-451 approving submittal of application to IDED for CEBA funds on behalf of Quality Attributes
  9. RESOLUTION NO. 06-454 approving agreement with IDOT for Shared Use Path (Grand Avenue from Murray Drive to 20<sup>th</sup> Street)
  10. RESOLUTION NO. 06-455 approving cessation of negotiations for loan agreement in the amount of \$15,000 with Frontline BioEnergy, LLC
  11. RESOLUTION NO. 06-456 approving plans and specifications for Unit No. 7 Condenser Tubes Replacement Project; setting November 29, 2006, as bid due date and December 12, 2006, as date of public hearing
  12. RESOLUTION NO. 06-457 approving plans and specifications for Unit 7 Turbine Generator Overhaul; setting November 29, 2006, as bid due date and December 12, 2006, as date of public hearing
  13. RESOLUTION NO. 06-458 approving plans and specifications for Electric Services GT1 Gas Engine Inspection Project; setting November 29, 2006, as bid due date and December 12, 2006, as date of public hearing
  14. RESOLUTION NO. 06-459 approving plans and specifications for Electric Services Electric Generator (GT1) Inspection Project; setting November 29, 2006, as bid due date and December 12, 2006, as date of public hearing
  15. RESOLUTION NO. 06-460 awarding contract to WS Industrial Services of Council Bluffs, Iowa, for Specialized Cleaning Services, including grit blasting, hydro blasting, detonation blasting, and vac truck services for Electric Services in an amount not to exceed \$232,500
  16. RESOLUTION NO. 06-461 approving payment and award contract for Chemical Treatment Services and Supplies for the Power Plant with Nalco Company of Peoria, Illinois
  17. RESOLUTION NO. 06-462 approving contract and bond for Installation of Air Classifier and Conveyors
  18. RESOLUTION NO. 06-463 accepting completion of Sidewalk Replacement and Improvements for the Ames Public Library
- Roll Call Vote: 6-0. Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

**CHANGES TO CHAPTER 22 PERTAINING TO EMERGENCY SNOW REMOVAL:** Public Works Director John Joiner explained that it had recently been brought to the staff's attention that there are locations where snow removal is designated to occur that are no longer applicable as high-priority areas. The proposed changes stem from minor adjustments to routes traveled by CyRide buses. The requested ordinance would modify Section 22.9, Snow Routes.

Moved by Mahayni, seconded by Goodman, to direct the City Attorney to draft changes to Chapter 22 pertaining to Emergency Snow Removal.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**FACES CELEBRATION FUNDING:** Assistant City Manager Sheila Lundt explained that the City's Human Relations Commission would not be the coordinating agency for FACES 2006. This year's celebration will be sponsored by *Breaking Down the Barriers* and will occur in March, instead of October; the date will be March 24, 2007. There will be food vendors, booths, and entertainment. The event will be held in the City Hall Gymnasium and Auditorium.

Moved by Popken, seconded by Mahayni, to adopt RESOLUTION 06-452 approving release of funds from Human Relations Commission to fund the FACES celebration.

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

**CENTRAL IOWA WASTE MANAGEMENT ASSOCIATION 2006 COMPREHENSIVE PLAN UPDATE:** Public Works Director John Joiner explained that the Resource Recovery System is governed by the Ames City Council in accordance with an approved 28E Agreement with the unincorporated areas of Story County, all of the cities in Story County except Collins and Sheldahl, and Iowa State University. In the late 1980's, the members of the Resource Recovery System 28E Agreement joined with the Boone County Landfill and its members to form the Central Iowa Waste Management Association. The Comprehensive Plan provides for the Resource Recovery System to use the Boone County Landfill for disposal of solid waste that cannot be processed into Refuse Derived Fuel. The Association is required to submit to the Iowa Department of Natural Resources (DNR) updates to the Comprehensive Plan every four years.

Mr. Joiner said this update examines the current solid waste disposal system and alternatives to improve the system. The major element for the upcoming four years will be to review the system of handling construction and demolition waste. Also another element of the update is to indicate to the DNR the progress made toward the 50% waste diversion goal. The Plan describes the City's glass crushing and collection program as well as other recycling efforts.

Moved by Rice, seconded by Mahayni, to adopt RESOLUTION 06-453 approving the Central Iowa Waste Management Association 2006 Comprehensive Plan Update.

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

**PUBLIC FORUM:** Debbie Lee, 214 S. Maple Avenue, Ames, requested that, during budget time, the City consider funding programs that support the stability of core neighborhoods. She provided a memo to be distributed to the City Council from residents of the Oak-to-Riverside Neighborhood listing their concerns for older neighborhoods. In summary, with the construction of many new apartment buildings over the past few years and a decline in Iowa State enrollment, residents are observing negative changes in their neighborhoods. Many single-family properties are in very poor condition, and these homes and aging apartment buildings in older neighborhoods are now in competition with new apartment buildings. Many neighborhood residents feel that absentee property owners have been enabled by city government to amass rental income for years without maintaining their properties. Neighborhood residents are also concerned that money from city housing programs designed to assist central neighborhoods will be spent on houses outside those areas because the program rules disqualify many of the central neighborhood properties. Ms. Lee said that they are also concerned that affordable housing non-profit groups will determine that available properties are in too poor a condition to qualify for rehabilitation projects. These residents also question the apparent City support for continued new housing construction when there is a pool of unutilized housing developing in the central areas of Ames. Specific requests for action to be taken by the City Council were:

1. Increase monetary support for rehabilitation and conversion of rental properties to owner-occupied homes in urban core and University-impacted neighborhoods.
2. Encourage/subsidize homebuyers to purchase properties in urban core and University-impacted neighborhoods.
3. Study housing supply and demand. Consider existing housing stock when evaluating whether or not to issue permits for new construction. If housing supply exceeds demand, develop programs to facilitate conversion to alternative land uses (green spaces, for example).

4. Encourage modernization and/or replacement of aging apartment buildings.
5. Work with neighborhood residents to design plan for Lincoln Way between Oak and Riverside Avenues.
6. Develop plans to address situations where lot sizes are smaller than current standards and houses on these lots are possibly beyond rehabilitation.
7. Assess rental property owners to provide money to rehabilitate their deteriorated properties.
8. Enact codes related to maintenance of basic structural integrity: windows, gutters, siding, roofs, fences, sidewalks.
9. Create a “landlord standards” document outlining what tenants can expect from landlords and require this document to be presented to tenants and signed by both landlord and tenant. Create a “tenant standards” document outlining expected tenant conduct, and require this document to be presented to tenants and signed by both landlord and tenant. Establish a “good tenant” and a “good landlord” class.
10. Review assessed values in older neighborhoods to determine if they match reasonable current sale values.

Angela Moore, Director of the Main Street Cultural District, 526 Main Street, Ames, thanked the City for its support for the holiday activities. The festivities kick off on November 17 with the tree-lighting ceremony in Bandshell Park.

Joe Rippetoe, 419 Pearson, Ames, reminded the City Council that at their meeting of August 22, 2006, he had presented three reasons not to change the Land Use Policy Plan (LUPP) in exchange for the promise by Bucky Wolford that he would drop his lawsuit pending against the City. According to Mr. Rippetoe, to date, 12 weeks later, Mr. Wolford has not dropped his lawsuit. Mr. Rippetoe alleges that someone acting in good faith would have dropped the pending litigation, and allowing the Wolford Master Plan to move forward without doing so is a breach of the City Council’s fiduciary responsibility. Mr. Rippetoe urged the City to remove the Master Plan from the Planning and Zoning Commission’s agenda for November 15.

**HEARING ON 161-kV TRANSMISSION LINE CONDUCTOR:** Mayor Campbell opened the public hearing. Electric Services Director Donald Kom explained the project. There being no one else wishing to speak, the hearing was closed.

Moved by Popken, seconded by Mahayni, to adopt RESOLUTION NO. 06-464 approving final plans and specifications and awarding contract for Bid No. 1 to General Cable of Suffern, NY, in the amount of \$915,375 plus refundable reel deposits in the estimated amount of \$74,400, and for Bid No. 2 to RESCO of Ankeny, IA, in the amount of \$144,813.80.  
 Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

**HEARING ON ZONING TEXT AMENDMENT RELATING TO LANDSCAPING REQUIREMENTS FOR SURFACE PARKING LOTS:** The hearing was opened by the Mayor. Planner Jeff Benson reminded the City Council that they had directed staff to revise the ordinance pertaining to landscaping requirements for surface parking lots in order to promote

flexibility and innovation in master planned projects. No one else asked to speak, and the hearing was closed.

Moved by Rice, seconded by Popken, to pass on first reading a zoning text amendment to the ordinance relating to landscaping requirements for surface parking lots.  
Roll Call Vote: 6-0. Motion declared carried unanimously.

**HEARING ON VACATING EASEMENTS IN WAL-MART'S SUBDIVISION, 1<sup>ST</sup> ADDITION (continued from 10/24/06):** The Mayor announced that the hearing was open. She closed same after no one requested to speak.

Moved by Mahayni, seconded by Doll, to adopt RESOLUTION NO. 06-465 vacating public utility easements in Wal-Mart's Subdivision, 1<sup>st</sup> Addition.  
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

**DOWNTOWN FACADE IMPROVEMENT PROGRAM:** City Manager Steve Schainker explained that the City's Capital Improvements Plan (CIP) includes a Downtown Facade Improvement Program, which intended to improve the exteriors of buildings in Downtown by providing no-interest loans to property owners for facade alterations. The objective of the guidelines is to promote a common look for the buildings in the area that is consistent with the historical character of Downtown. Mr. Schainker pointed out that this Program is designed to meet one of the City Council's priorities: "encouraging innovative and attractive development."

Main Street Cultural District representatives have suggested that the Program be converted from a no-interest loan format to a grant format as a means to increase participation. The revised Program would allow for a maximum of a \$15,000 grant per project, if matched dollar-for-dollar, for eligible building alterations that are in accordance with design guidelines approved in 2001.

Moved by Rice, seconded by Popken, to approve the revisions to the Downtown Facade Improvement Program immediately to convert from a no-interest loan to a grant program.

Council Member Goodman said he believed that keeping the amount at \$15,000 as a grant is a bit aggressive; he suggested the amount of each grant be set at \$7,500.

Council Member Mahayni asked if the applications for this program would be handled on a first-come first-served basis. Mr. Schainker pointed that in the years that the current Program has been in place, only three businesses have applied for funds. He is not anticipating that there will be that many applications.

Main Street Cultural District Director Angela Moore advised that she has heard from some businessowners who may be interested in the revised Program. She stated that the property owners who have previously made renovations to their Downtown businesses have spent well in excess of \$15,000.

Council Member Doll asked if this Program would include rear facade improvements. Mr. Schainker said that might be something that the Downtown businessowners want to explore; however, he felt that it was premature for the City to open that up at this point without design

guidelines governing rear facades. He reminded the Council that the City had worked with Will Page to develop the standards governing Downtown front facades.

Moved by Goodman to amend the motion to direct staff to work with the Historic Preservation Commission about expanding the Facade Program into the Campustown Area. His reasoning

was that if the City was making funds available through a grant, rather than a loan, other commercial areas in the community should be eligible to take advantage of the Program.

Assistant City Attorney Judy Parks recommended that the Council not include a different geographic area in the motion since it was not posted on the Agenda that way.

Council Member Mahayni reiterated that Will Page had been retained to help establish design guidelines for this Program for the Downtown, and there is a theme that the City is attempting to pursue; there is no theme in terms of the other commercial areas. Council Member Doll said that there have been some studies done recently by ISU that have suggested good themes for Campustown.

Motion to amend withdrawn.

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

Moved by Goodman, seconded by Doll, to direct staff to work with the Historic Preservation Commission about expanding the Facade Program in the Campustown Area to see what it would take to do that in the absence of historical design guidelines; or, if it is decided that historical guidelines are necessary, what that would involve.

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

**GROWTH IN APARTMENT UNITS:** Mr. Schainker stated that, for the past few years, many citizens have raised concerns regarding the growth in apartment units in the City. The City Council had asked three specific questions: (1) Are there too many apartments in Ames? (2) Have other communities attempted to establish specific goals for multi-family residential units versus single-family residential units in their cities? (3) Is the tax abatement incentive provided to apartment developers commensurate with the extra costs incurred to meet the higher development standards?

Mr. Schainker provided the following response to the Council's questions:

Question 1. According to research performed by City Manager Intern Lisa Underhill-Schmidt, there were 11,257 rental units and 8,320 owner-occupied units in the City as of January 1, 2006. According to the City's vision reflected in the Land Use Policy Plan, it was projected that multi-family units would account for 55% of all new housing units constructed after 1995. The City is now at 58% rental units and 42% owner-occupied.

Question 2. Research efforts did not identify many communities that had established policies to balance the number of single-family, owner-occupied residential units with multi-family rental units. The few cities that had attempted to do so found that implementation and enforcement of those policies had proven to be extremely difficult.

Question 3. Fox Engineering was retained to perform an analysis to determine if the tax benefits offered exceeded the extra costs incurred to meet the City Council's desired outcome, i.e., to entice apartment developers to provide brick exterior, landscaping, and underground parking in excess of the amounts required in the Municipal Code.

According to Mr. Schainker, the original analysis made the following observations:

- The cost incurred by an apartment developer to provide the extra amenities is approximately one-half of the value of the tax abatement granted by the City Council to the developer.

- There are natural economic incentives, other than tax abatements, for the developer to increase the density of a project by utilizing underground parking.

Mr. Schainker advised that after the analysis was made, Fox Engineering was contacted by the developer of Sunset Beach, who alleged that there were errors in the report. Fox Engineering then recalculated the areas of brick, masonry, and steel; revised its report; and provided the changes to the City today. Based on their re-analysis, it was determined that approximately 80 to 100% of the tax incentive covers the cost of upgrading to masonry siding. It was also concluded that the landscaping requirement was fairly nominal in some cases. Concerning underground parking, while it costs more, it is often an economic decision by the property owner; rather than buying expensive land to add surface parking; underground parking increases the density. Mr. Schainker pointed out that every project is different and it is difficult to come up with a specific answer to this question.

City Manager Schainker summarized that the current percentage of rental units in Ames (58%) is only slightly higher than the percentage anticipated in the LUPP; however, during the last ten years, the percentage of new rental units built has totaled 66% of the total units. He also concluded from Fox Engineering's report that the City's incentives to apartment developers exceed their costs for meeting quality upgrades to building exteriors and landscaping. Mr. Schainker told the Council that the issue of incentivizing apartments was brought before them some time ago. They could have decided not to use the incentive approach, but mandated brick and landscaping as part of design guidelines. He suggested that the City use a more comprehensive approach to stabilizing the City's neighborhoods, and possibly the City Council would want to devise a tax abatement program that is utilized to upgrade existing apartments and convert rental units back to single-family homes.

The Council was told that the number of units that actually took advantage of the Multi-Family Residential Tax Abatement Program was 300 of the over 11,000 rental units. Mr. Schainker emphasized that the other Tax Abatement Program matrix is for Campustown; that has certain masonry requirements. However, that is a different area where higher density and structured parking were desired.

Scott Renaud, Fox Engineering, 1601 Golden Aspen Drive, Ames, explained that there are a lot of factors that come into play. There are also many variations in products. He believes that, for the majority of the projects, the City is getting good return (80 to 100%) on the value of the tax abatement granted. There is a natural incentive to build as dense as possible if buildings are going to be torn down and rebuilt. The problem that he sees with that is that the aesthetic issue is not dealt with, e.g., landscaping, etc. Iowa Code requires certain things when new buildings are constructed, and the only thing that the Council can incentivize is the visual impact of the building. He believes that you can tell the difference in the buildings where the tax abatement has been utilized; the brick does make a visual difference, and he believes that the City is getting good return for its investment.

City Manager Schainker told the Council that they will have to determine, from this information, if any action is warranted to intervene in the market to slow down the growth in apartment construction. City staff is suggesting that the City Council consider the following actions:

1. Eliminate the Urban Revitalization Multiple-Family Residential Tax Abatement Program.

Mr. Schainker said that the Council may want to contact the affected owners/developers prior to discontinuing the Program.

2. Rather than using the incentive approach to obtain the type of exterior and landscaping upgrades desired for apartments, make the upgrades mandatory in the Municipal Code.

The current strategy allows apartment developers to construct a building without the preferred upgrades; they do so without the benefit of a tax abatement incentive. Mandating upgrades might result in slowing down the construction of new apartments in the City.

3. In place of the current program that encourages the construction of new apartments, create a new tax abatement program to entice owners to upgrade existing apartments in our neighborhoods.

Mr. Renaud explained that offering tax abatement is not as effective for renovation as it is for new construction.

Mayor Campbell asked if the City Council wanted to direct the staff to discuss the alternatives with those who are rental property owners/developers. Council Member Doll agreed that should be done and he would like owners of small rental homes to be included. He would like to see if there is some middle ground -- alternatives other than keeping the abatement program as it currently exists and eliminating it altogether.

*Ex officio* Member Buske said that the thing that concerned him the most was the increasing percentage of rental units since 1996 (66%). He believes that there should be some way to slow the growth of the number of large multi-family units.

Council Member Mahayni sees this is an issue of equity: small rental units versus large rental units. The smaller units suffer the most and affect the residential neighborhoods much more than the larger buildings. He recommended that some of the amenities related to design now qualifying for tax abatement be integrated in the design guidelines and mandated.

Council Member Popken feels that the City may be encouraging "demolition by neglect."

Council Member Goodman said that he cannot prove that the product is better because the Council is incentivizing it. He said the use of brick does not integrate the building into the neighborhood.

Moved by Goodman to direct staff to eliminate the tax abatement program.  
Motion failed for lack of a second.

Mayor Campbell again suggested that the City Council direct staff to schedule another round-table discussion with affected property owners to discuss the elimination of or changes to the tax abatement program. Council Member Popken said he has difficulty understanding who the affected property owners are. City Manager Schainker said input could be requested from apartment developers. He felt that it would be best to talk to the people who would be impacted by the elimination of this Program.

Council Member Goodman pointed out that there seemed to be consensus among the Council that the City is incentivizing development that they do not believe should be incentivized. He sees this Program as a grant program and believes that all apartment developers would want the Program to remain. Mr. Goodman said what the Council needs to determine is if they believed it was a good idea to provide incentives for large multi-family development now in Ames.

Moved by Rice, seconded by Goodman, to eliminate the Urban Revitalization Multiple-Family Residential Tax Abatement Program.

City Manager Schainker pointed out that if the City Council would take away tax abatement and not add design guidelines, buildings would be built to the lowest common denominator. Council Members Popken and Mahayni expressed concerns about not having control over the design of new buildings; the tax abatement program has allowed the City to require the projects to comply with the City's design guidelines. Mr. Mahayni suggested that a moratorium on tax abatement be put in place to allow time for staff to establish design guidelines to be mandated. City Manager Schainker again explained that the risk of eliminating the tax abatement program would be that the aesthetics of the building may be lost. Council Member Mahayni stressed that he would like staff to investigate the issue of design guidelines in general – look at the whole picture – not only for apartments, but for other rental properties within a specific size, e.g., duplexes, four-plexes, etc., in terms of rehabilitating them and improving aesthetics. The Mayor suggested that staff be requested to devise design guidelines for Council's approval. Council Member Goodman said that he is concerned about the amount of time it takes to establish design guidelines. It would involve different areas of town, different developers, different neighborhoods, and all their desires; it would be a very complicated endeavor.

Moved by Popken, seconded by Larson, to amend the motion to integrate the requirements for brick and landscaping for high-density developments into the Code at the same time that the Urban Revitalization Multiple-Family Residential Tax Abatement Program is eliminated. Vote on Amendment: 4-2. Voting aye: Larson, Mahayni, Popken, Rice. Voting nay: Doll, Goodman. Motion declared carried.

Vote on Motion, as Amended: 5-1. Voting aye: Goodman, Larson, Mahayni, Popken, Rice. Voting nay: Doll. Motion declared carried.

Planner Jeff Benson clarified that City Council was then directing staff to prepare a Zoning Ordinance change that would require brick and landscaping for multiple-family buildings in whatever zoning districts that they are allowed. He said that the Tax Abatement Program can be eliminated by a Council motion, but a resolution would be necessary to modify an existing Urban Revitalization Plan; that requires public notice and hearing. City Manager Schainker clarified that, by the Council's action tonight, they were eliminating the Multi-Family Residential Tax Abatement Program, not the Campustown one.

Moved by Rice, seconded by Mahayni, to direct staff to create a new tax abatement program to entice owners to upgrade existing rental units in City neighborhoods.

Council Member Goodman stated that he would not support the motion because the market has not had an opportunity to respond to the lack of a tax abatement program.

Vote on Motion: 5-1. Voting aye: Doll, Larson, Mahayni, Popken, Rice. Voting nay: Goodman. Motion declared carried.

Moved by Mahayni, seconded by Goodman, to direct staff to look into devising more comprehensive exterior building design guidelines for high-density multi-family rental units.

Council Member Mahayni would like other cities surveyed to see what guidelines they have in place.

Vote on Motion: 5-1. Voting aye: Doll, Goodman, Mahayni, Popken, Rice. Voting nay: Larson. Motion declared carried.

The meeting recessed at 8:49 p.m. and reconvened at 8:53 p.m.

**PRELIMINARY PLAT FOR NACIN RURAL SUBDIVISION:** Planner Seana Perkins reminded the City Council members that they had waived Subdivision Ordinance requirements for residential subdivision landscaping standards, water supply, sanitary sewers, and storm water

management for the four-lot subdivision at their October 24, 2006, City Council meeting. Covenants regarding assessments and rural water have been signed by the Nacins.

Moved by Doll, seconded by Rice, to adopt RESOLUTION NO. 06-466 approving the Nacin Rural Subdivision with the following stipulations:

1. Prior to Final Plat approval by the City of Ames, the property owners shall create a conservation easement, or other agreement as approved by Story County, to prohibit construction activities within the designated Natural Area, as identified on Lot 4 of the Preliminary Plat; and,
2. According to Municipal Code Section 23.302(7)(b), the Final Plat must be submitted to the Planning and Housing Department for approval within one year from the date of City Council approval of the Preliminary Plat.

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

**CRITERIA FOR LIQUOR LICENSE RENEWALS:** Police Chief Loras Jaeger reminded the Council members that, at their October 17, 2006, they had directed him to schedule a meeting with applicable representatives, including health service and Mary Greeley Medical Center personnel, to establish criteria regarding alcohol violations in liquor-licensed establishments.

Chief Jaeger advised that two meetings were held with the Beer Permits and Liquor License Renewal Team. He said that there was agreement on the following criteria:

1. The number of Fire Code violations, such as over-occupancy, during the 12-month renewal period.
2. The total number of citations issued and arrests made during the 12-month renewal period.

Chief Jaeger explained that bars in the Campustown Area have various maximum occupancy numbers. It would be difficult to set a specific number of violations that would automatically move the City Council to not renew a license because of this.

3. Level of cooperation between the bar managers and police. This would include, but not be limited to, addressing issues police officers observe that are causing criminal activity or have the potential to cause criminal activity; all doors of the establishment staffed or monitored by cameras, strobe, alarm, etc.; the use of ID swipe devices.
4. The number/percent of employees from the bar attending the monthly Police ID Training during the 12-month renewal period. The target would be 100% of employees attending the training.
5. Nuisance calls in and around the bar that were not called in by the bar, but observed or reported to the police.

Lieutenant Huff explained that police will continue to encourage bar management to call early if they observe problems brewing.

6. The number of fake, altered, or loaned driver's licenses or ID cards obtained by bar

employees and then turned into the police during the 12-month renewal period.

Commander Jim Robinson distributed the Liquor License Renewal Criteria Form that has been devised by the Police Department. For establishments that have had several violations, this Form will be provided to the City Council as part of their packet when that establishment is requesting renewal of their beer permit/liquor license. Chief Jaeger said that the Police Department will provide a recommendation as to whether they feel the renewal should be granted.

Council Member Mahayni suggested that, on the form, the percentage of employees attending Police ID Training be provided, rather than the number.

Council Member Goodman, referring to additional precautions taken by the business, asked to add a question to the form asking if incentives are provided to the door-men/door-women.

Chief Jaeger explained additional suggestions discussed by the Criteria Team.

Moved by Goodman, seconded by Doll, to approve the six recommendations developed by the Beer Permits and Liquor License Renewal Team as criteria for renewal of a beer permit and/or a liquor license and direct the Police Chief or designee to hold quarterly meetings with Ames bar owners/managers and other interested parties.

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

**ORDINANCE CHANGING THE COMPOSITION OF UTILITY RETIREMENT BOARD:**

City Treasurer Roger Wisecup explained that the City Council, in the past, has expressed a desire to be removed from the Utility Retirement Board membership entirely since it is now a defined benefit plan.

Moved by Goodman, seconded by Popken, to pass on first reading an ordinance changing the composition of the Utility Retirement Board.

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

**ORDINANCE REZONING PROPERTY LOCATED IN SUNSET RIDGE SUBDIVISION FROM “RH” (RESIDENTIAL HIGH DENSITY) TO “FS-RL” (SUBURBAN RESIDENTIAL LOW DENSITY) AND FROM “CVCN” (CONVENIENCE COMMERCIAL NODE) TO “FS-RL” (SUBURBAN RESIDENTIAL LOW DENSITY):**

Moved by Popken, seconded by Rice, to pass on second reading an ordinance rezoning property located in Sunset Ridge Subdivision from “RH” (Residential High Density) to “FS-RL” (Suburban Residential Low Density) and from “CVCN” (Convenience Commercial Node) to “FS-RL” (Suburban Residential Low Density).

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

**ORDINANCE ESTABLISHING PARKING REGULATIONS ON WILDER AVENUE, HARTFORD DRIVE, TABOR DRIVE, AND WESTFIELD ROAD:**

Moved by Goodman, seconded by Popken, to pass on second reading an ordinance establishing parking regulations

on Wilder Avenue, Hartford Drive, Tabor Drive, and Westfield Road.

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

**COMMENTS:** Council Member Popken asked staff to respond to the request for Good Neighbor Emergency Assistance, Inc., for funding support. Assistant City Manager Lundt explained that this request would most appropriately be addressed by the ASSET board. The letter was received by the ASSET Administrative Team, who met with representatives of Good Neighbor Emergency Assistance, Inc., and the decision was reached that ASSET would work with Good Neighbor for the next year to meet the process criteria (i.e., units of service, identifying clients, an audit be performed, etc.). Good Neighbor Emergency Assistance, Inc., would then be in a

position to request funding a year from now.

Moved by Popken, seconded by Rice, to direct the City Manager to contact Wolford Development to ascertain the status of the lawsuit and report back to the City Council.  
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Doll, seconded by Popken, to forward the letter from Iowa State University regarding an outdoor aquatics facility to the Parks and Recreation Commission.  
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Mahayni, seconded by Larson, to direct staff to organize a workshop to discussing what the City can do in terms of improving, sharing, and receiving public input.  
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Rice, seconded by Goodman, to approve Pat Brown's request and place the report on sustainable neighborhoods on a future agenda.  
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Rice, seconded by Popken, to refer to staff the following three issues to be addressed by the Student Affairs Commission: restrooms in Campustown, cleaning up the Campustown Area, and non-alcohol nights in particular bars.  
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Goodman, seconded by Doll, to direct the City Manager to consult with groups affected by policies governing the time of day when fireworks are set off (e.g., Ames Jaycees, ISU Athletic Director, Iowa Games Director, and other organizations that have requested fireworks permits).  
Vote on Motion: 6-0. Motion declared carried unanimously.

After receiving a complaint about the poor weather on "free leaf disposal day" last Saturday, Council Member Goodman asked for a response from staff. Director John Joiner explained that an extra day had already been added last spring, the cost was \$9,000. Each fall "free leaf disposal day" costs the City approximately \$4,000 - \$5,000. The Resource Recovery Plant received one complaint about the process, and that was approximately one week ago: a citizen was concerned that leaves had not yet fallen off the trees yet. The Mayor pointed out that there are four "free leaf disposal days" in the fall.

Council Member Goodman gave a summary of his trip to Ames Sister City Kosshu, Japan.

**ADJOURNMENT:** Moved by Doll, seconded by Goodman, to adjourn the meeting at 10:00 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor