

**REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL**

AMES, IOWA

JULY 23, 2013

Mayor Ann Campbell called the Regular Meeting of the Ames City Council to order at 7:06 p.m. with Council Members Jeremy Davis, Matthew Goodman, Jami Larson, and Peter Orazem present. Council Members Victoria Szopinski and Tom Wacha were absent. *Ex officio* Member Alexandria Harvey was also present.

Mayor Campbell announced that the City Council would be working from an Amended Agenda. An item had been added under Permits, Petitions, and Communications to include a request for a 5-Day Class B Beer Permit by Hy-Vee at the CPMI Event Center.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of July 9, 2013
3. Motion approving Report of Contract Change Orders for July 1 - 15, 2013
4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class E Liquor, C Beer, & B Wine – AJ’s Liquor II, 2515 Chamberlain Street
 - b. Class B Beer – Pizza Ranch of Ames, 1404 Boston Avenue
 - c. Class C Liquor & Outdoor Service – Olde Main Brewing Co., 316 Main Street
5. Motion accepting report from staff regarding Final Plat for Somerset Subdivision, 25th Addition
6. RESOLUTION NO. 13-329 approving Investment Report for quarter ending June 30, 2013
7. RESOLUTION NO. 13-330 approving COTA Fall 2013 Special Project Grant Contracts
8. RESOLUTION NO. 13-331 approving preliminary plans and specifications for 2010/11 Storm Water Facility Rehabilitation Program - Spring Valley Subdivision (Utah Drive/Oklahoma Drive) and 2012/13 Flood Response and Mitigation (Clear Creek Landslide - Utah Drive); setting August 21, 2013, as bid due date and August 27, 2013, as date of public hearing
9. RESOLUTION NO. 13-332 approving preliminary plans and specifications for Unit 8 Generator Repairs/Re-Wedging Stator; setting August 14 , 2013, as bid due date and August 27, 2013, as date of public hearing
10. RESOLUTION NO. 13-333 awarding contract to RESCO of Ankeny, Iowa, in the amount of \$76,349.85 for Furnishing 1/0 Aluminum Cable for Electric Services Department
11. RESOLUTION NO. 13-334 awarding contract to Mitsubishi Electric Power Products of Warrendale, Pennsylvania, in the amount of \$169,131.75 for Furnishing SF6 Circuit Breakers
12. RESOLUTION NO. 13-335 awarding contract to Hamby-Young of Aurora, Ohio, in the amount of \$52,552.84 for Substation Electrical Materials Bid No. 1 – 69kV Switches
13. RESOLUTION NO. 13-336 awarding contract to RESCO of Ankeny, Iowa, in the amount of \$66,160.70 for Substation Electrical Materials Bid No. 2 – Instrument Transformers
14. RESOLUTION NO. 13-337 awarding contract to Fletcher-Reinhardt Company of Bridgeton, North Dakota, in the amount of \$11,273.52 for Substation Electrical Materials Bid No. 3 – Lightning Arresters
15. RESOLUTION NO. 13-338 awarding contract to Galvanizers, Inc., of West Fargo, North Dakota, in the amount of \$2,189.62 for Substation Electrical Materials Bid No. 4 – Steel Structures
16. RESOLUTION NO. 13-339 approving contract and bond for 2012/13 Arterial Street Pavement Improvements (State Avenue)
17. RESOLUTION NO. 13-340 approving Change Order No. 3 with Abatement Specialties of Cedar Rapids, Iowa, for Library Renovation and Expansion Abatement Work in the amount of \$5,803.00

18. RESOLUTION NO. 13-341 approving Change Order No. 1 with Garney Construction of Gardner, Kansas, for WPC Ultra Violet Disinfection Project in the amount of \$124,080.96
19. RESOLUTION NO. 13-342 accepting final completion of public improvements for Ringgenberg Park Subdivision, 3rd Addition
20. RESOLUTION NO. 13-343 accepting final completion of WPC Facility Basin Liner Replacement Project
21. RESOLUTION NO. 13-344 approving final completion of Motor Control Center Replacement at WPC
22. RESOLUTION NO. 13-345 approving Plat of Survey for Satterwhite property located between Emma McCarthy Lee Park and Munn Woods
23. RESOLUTION NO. 13-346 approving Final Minor Plat for SE Corner of U.S. Highway 30 and Interstate Highway 35 Subdivision (56722-241st Street)
24. RESOLUTION NO. 13-347 approving Final Minor Plat for Woodbridge Subdivision, Plat 2
Roll Call Vote: 4-0. Resolutions/Motions declared adopted/carried unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

PUBLIC FORUM: No one came forward to speak, and the Mayor closed Public Forum.

5-DAY CLASS C LIQUOR LICENSE FOR OLDE MAIN BREWING COMPANY:

Moved by Davis, seconded by Larson, to approve a 5-Day Class C Liquor License for Olde Main Brewing Company at Reiman Gardens, 1407 University Boulevard.

Vote on Motion: 4-0. Motion declared carried unanimously.

5-DAY CLASS B BEER PERMIT FOR HY-VEE AT CPMI EVENT CENTER: Moved by Davis, seconded by Larson, to approve a 5-Day Class B Beer Permit for Hy-Vee at the CPMI Event Center, 2321 North Loop Drive.

Vote on Motion: 4-0. Motion declared carried unanimously.

FRIDAY AFTERNOON CELEBRATION ON AUGUST 30, 2013: Liz Jeffrey and Kim Hanna, representing the Campustown Action Association, described some of the activities that will be occurring in Welch Lot T as part of the Celebration. Ms. Hanna put out a call for volunteers to help set up for the event.

Moved by Larson, seconded by Davis, to approve the following requests from Campustown Action Association for Friday Afternoon Celebration on August 30, 2013:

- a. Motion approving Blanket Temporary Obstruction Permit and Blanket Vending License
- b. Motion approving 5-Day Class B Beer Permit with Outdoor Service

Council Member Goodman advised that his name was listed on the application on behalf of the Campustown Action Association for the 5-Day Beer Permit; however, he has no financial interest. He asked City Attorney Judy Parks if that constituted a conflict of interest for him. Acknowledging that two members of the Council were absent, Mayor Campbell noted that the motions would require only three votes to pass (a majority of those present); only the closure of Parking Lot T would require four votes because it is a Resolution. Ms. Parks recognized Mr. Goodman's disclosure in that he stood to receive no financial gain by the granting of a 5-Day Beer Permit. She stated that it would not constitute a conflict of interest; however, the appearance of such would be present. She recommended that Mr. Goodman abstain from voting on Items a. and b.

Vote on Motion: 3-0-1. Voting aye: Davis, Larson, Orazem. Voting nay: None. Abstaining due to the perception of a conflict of interest: Goodman. Motion declared carried.

Moved by Davis, seconded by Larson, to adopt RESOLUTION NO. 13-348 approving closure of Welch Lot T from 7:00 a.m. to 10:00 p.m.; waiver of parking meter fees; and waiver of the fee for Blanket Vending License.

Roll Call Vote: 4-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

ISU RESEARCH PARK TRAFFIC AND PEDESTRIAN CROSSING EVALUATION:

Transportation Engineer Damion Pregitzer advised that, on January 22, 2013, the City Council had referred to staff a letter from Steve Carter, President of the Iowa State University (ISU) Research Park. The letter asked the City to study three areas of concern related to traffic and pedestrian safety and operations along affected sections of University Avenue and Airport Road. According to Mr. Pregitzer, the concerns are broken into two areas surrounding the Research Park: (1) At the pedestrian crossing where North Loop connects to Airport Road, and (2) At two intersections along University (Airport Road and the westbound off-ramp of Highway 30).

According to Mr. Pregitzer, staff gathered data for a week. He commented that the area is very “well-behaved” as far as speed data goes. Evaluations based upon three feet/second were made to estimate timing. Mr. Pregitzer brought the Council’s attention to the table referring to Pedestrian Wait Times. He acknowledged that a pedestrian experiences increasing delay when crossing Airport Road as traffic volumes increase during the peak hours of the day. Only two hours for a typical work day were found to have high levels of average delay, i.e., 4:00 and 5:00 PM.

It was also stated by Mr. Pregitzer that staff met on several occasions with ISU Research Park staff jointly with WebFilings management who have knowledge of their staffing and transition to their new facility that is currently under construction at the southeast corner of University Boulevard and Airport Road. Their areas of concern were: speed and volume of traffic. Mr. Pregitzer stated that both the speed and volume of traffic would indicate safety benefits from adding flashing lights to the existing signs and pavement markings to increase drivers’ awareness of pedestrians using the crosswalk.

Mr. Pregitzer advised that delays are occurring at the four-way stop at Airport Road and University and at the two-way stop on the Highway 30 westbound off-ramp. He said that the delays are occurring during the peak hours of the day, especially in the morning, when people are making two left-hand movements to enter the Research Park. One of the solutions suggested was to signalize Airport Road and University. According to Mr. Pregitzer, based on the data and the peak-hour warrant analysis, the Airport Road/University intersection did not meet any of the Federal criteria for a traffic signal. Therefore, staff was not recommending that the intersection be signalized at this time. The Council’s attention was brought to the data showing two of the data are being met, but all criteria must be met before an intersection is signalized. Mr. Pregitzer acknowledged that there is noticeable congestion occurring, but not enough to meet the threshold.

Council Member Goodman questioned whether City staff had ever had discussions with WebFilings about staggered start times for its employees to alleviate some traffic congestion. Mr. Pregitzer said that the City had not.

Steve Carter, Director of the ISU Research Park, thanked the City staff for the thorough job done in evaluating the traffic and safety issues. Mr. Carter advised that representatives from the Research Park

has had ongoing discussions with Webfilings regarding transportation issues. He said that Webfilings has allowed some people to work from home and has staggered some employees' hours, but it needs to have a full staff present at various times of the day. Mr. Carter advised that the Research Park is seeing much more bicycle traffic than ever before.

Mr. Pregitzer advised that staff was recommending that push-button flashing beacons be installed. He noted that as the Research Park changes, the flashing beacons can be removed and used at another location, so the City would not lose any of its investment in that treatment.

At the inquiry of Council Member Orazem, Mr. Pregitzer advised that there is nothing that suggests that compliance would be achieved if the speed limit were lowered. However, the flashing beacons would serve as a means to slow down traffic. It would be dangerous to give the impression that people are going to slow down because there was a lowered speed limit sign when there was nothing about the roadway that would encourage them to do so.

Moved by Goodman, seconded by Larson, to adopt RESOLUTION NO. 13-353 directing staff to install push-button flashing beacons on Airport Road, with the funding source being Available Balance in the Road Use Tax Fund.

Roll Call Vote: 4-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes

HEARING ON 2012/13 WATER SYSTEM IMPROVEMENTS WATER MAIN REPLACEMENT #3 (CENTER AVENUE): Mayor Campbell opened the public hearing. There being no one wishing to speak, the hearing was closed.

Moved by Davis, seconded by Goodman, to adopt RESOLUTION NO. 13-349 approving final plans and specifications and awarding a contract to Ames Trenching & Excavating, Inc., of Ames, Iowa, in the amount of \$118,078.00.

Roll Call Vote: 4-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON 2013 SOFTBALL FIELD FENCING & LIGHTING SOUTH RIVER VALLEY PARK PROJECT: The hearing was opened by Mayor Campbell. No one asked to speak, and the hearing was closed.

Moved by Goodman, seconded by Davis, to accept the report of bids.

Vote on Motion: 4-0. Motion declared carried unanimously.

HEARING ON WOODVIEW DRIVE SANITARY SEWER AND WATER MAIN PROJECT: The public hearing was opened by the Mayor. She closed same after no one asked to speak.

Moved by Davis, seconded by Larson, to adopt RESOLUTION NO. 13-350 approving final plans and specifications and awarding a contract to Keller Excavating, Inc., of Boone, Iowa, in the amount of \$215,822.00.

Roll Call Vote: 4-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON REZONING PROPERTY LOCATED AT 4130 LINCOLN SWING (Continued from June 25, 2013): City Planner Karen Marren brought the Council's attention to the Contract Rezoning Agreement that had been drafted by the City Attorney as a result of the discussion that had occurred at

the City Council meeting held June 25, 2013. She noted that the request was to rezone the south portion of the existing mobile home park from Low-Density Residential to High-Density Residential. Ms. Parks pointed out that the applicant, Alex Galyon, had signed the Agreement.

The Mayor asked if there was anyone who wished to provide input on this item.

Alex Galyon, co-owner of GW College Park, said that he is seeking to have the .62-acre portion (out of a total of 3.77 acres) of land rezoned from Low-Density to High-Density. There is currently split-zoning on the property located at 4130 Lincoln Swing, which would preclude any of the property from being developed as High-Density Residential. Mr. Galyon noted that the Contract Rezoning Agreement requires the owners of the Park to give all tenants six months' notice before terminating their occupancy. He noted that, under Iowa law, the Park owners would only be required to give a minimum of two months' notice to the tenants, and no notice is required to those who are renting their mobile homes from him.

After no one else requested to speak, Mayor Campbell closed the hearing.

Moved by Davis, seconded by Larson, to adopt RESOLUTION NO. 13-351 approving the Contract Rezoning Agreement.

Roll Call Vote: 4-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Davis, seconded by Goodman, to pass on first reading an ordinance rezoning property located at 4130 Lincoln Swing from Residential Low Density "RL" to Residential High Density "RH."

Council Member Goodman said he was not sure if all the mobile home owners and tenants knew what had transpired since the hearing was continued on June 25, 2013. He noted that, if additional input from those owners and tenants is received, it could influence the Council's vote on the third reading.

Roll Call Vote: 4-0. Motion declared carried unanimously.

AMENDMENT TO LEASE FOR VEENKER GOLF COURSE MAINTENANCE BUILDING IN MOORE MEMORIAL PARK: Building Official Seana Perkins recalled that the Board of Regents of Iowa State University had entered into a lease agreement with the City to allow for the construction of a maintenance building in Moore Memorial Park. The lease did not specify the permitting process that is required for the site, but it generally stated that the University did agree to comply with all applicable laws, regulations, and ordinances. The Lease specified that the premises would be used by the University solely as a golf maintenance building for Veenker Golf Course equipment and vehicles, and storage for tools, equipment, and other items necessary for the operation of Veenker Golf Course and the maintenance of its grounds. During the review process, the City Attorney determined that there are uses within the maintenance building that are not currently specified within the lease: the two offices and break room on the main level floor plan are not included in the lease agreement. Although these rooms do not change the occupancy of the building, the City Attorney has stated that she would not advise the inclusion of the office and break room spaces because they are clearly outside the terms of the lease. According to Ms. Perkins, City staff had been in contact with ISU to discuss options to accurately represent the uses that are proposed for the maintenance building and future uses that may occur.

According to Ms. Perkins, City staff believes that the office and break room uses are secondary to the primary maintenance usage of this building. The oversight of not including these uses within the lease document can be remedied by amending the Lease.

Moved by Davis, seconded by Larson, to direct staff to draft an amendment to the Lease to clarify proposed uses and future ancillary uses within the Veenker Golf Course Maintenance Building in Moore Memorial Park.

Vote on Motion: 4-0. Motion declared carried unanimously.

2014/15 ASSET PRIORITIES: Assistant City Manager Melissa Mundt noted that, at the July 9, 2013, meeting, the City Council had discussed the volunteers' recommended changes to the ASSET priorities and provided some recommended changes.

The volunteers reviewed the recommendations made by the City Council and suggested the following 2014/15 Priorities be approved as follows:

1. Meet basic needs, with emphasis on low- to moderate-income:
 - Housing cost offset programs, including utility assistance
 - Sheltering
 - Quality childcare cost offset programs, including daycare and State of Iowa licensed in home facilities
 - Food cost offset programs, to assist in providing nutritious perishables and staples
 - Transportation cost offset programs for the elderly and families
 - Legal assistance
 - Disaster response
2. Meet mental health and chemical dependency needs
 - Provide outpatient emergency access to services
 - Provide crisis intervention services
 - Provide access to non-emergency services
 - Ensure substance abuse preventions and treatment is available in the community
3. Youth development services and activities
4. Removed - related to awareness funding assistance

Ms. Mundt brought the Council's attention to the revised Mid-Year and Annual Report for Outcome Progress form that had been placed around the dais. She noted questions that had been included on the form in response to comments made by Council members. It was recommended by Ms. Mundt that the City Council members attend the ASSET meeting to be held at 5:00 p.m. on August 15, 2013. City volunteers have been encouraged to discuss their concerns about data availability at that meeting and to request that ASSET consider ways to provide the data that is necessary to answer questions about needs. That meeting is not a Joint Funders' meeting, but an informational meeting. The Joint Funders' meeting will be held in September.

The ASSET funding process will begin on August 28, 2013 for 2014/15. ASSET volunteers will then begin their agency visits to discuss services and gather information in preparation for the hearings and work sessions in January, 2014.

Moved by Goodman, seconded by Davis, to adopt RESOLUTION NO. 13-352 approving the above-listed 2014/15 ASSET priorities.

Roll Call Vote: 4-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

2012 CARBON FOOTPRINT REPORT: Management Analyst Brian Phillips and Fleet Services Director Paul Hinderaker presented the highlights of the Report. Mr. Phillips reminded the Council members that they had adopted a goal of reducing the CO2 from City operations by 15% from their average 2001-2006 levels by the year 2014. Three sectors are being monitored: (1) Building, (2) Fleet, and (3) Street Light. Charts were shown on Natural Gas Usage, Electricity Usage, and CO2 Emissions.

According to Mr. Phillips, the City is close to achieving its carbon reduction goal in the Building Sector. Adjusted natural gas consumption was down 33.8% in 2012. However, because natural gas is much less carbon-intensive than electricity, that decrease equates to only a small reduction in the City's overall carbon footprint. It was noted, that, on a cost basis, the City's 2012 natural gas bill was nearly half of what it was in 2007 (a \$60,000 savings). Adjusted electrical consumption was down 10% in 2012. Because electrical consumption is much more carbon-intensive than natural gas consumption, the changes in CO2 output closely mirror the electrical consumption in each building. Combined and converted to tons of CO2, the Building Sector CO2 was down 13.1% in 2012.

Mr. Phillips advised that the Fleet Sector continues to see increased demand as the City grows. CyRide ridership sees new highs each year, and the miles driven by both the CyRide and non-CyRide fleets in 2012 were the second-highest ever. Total non-CyRide Fleet emissions are up 11.7% this year to 1,871 tons of CO2. However, since the number of miles driven is also higher, the non-CyRide Fleet is 0.7% more efficient than its baseline. This is a reduction from the peak efficiency seen in 2011. Technical problems caused the police car fleet, which consumes considerable amounts of fuel, to be unable to use E85 fuel. The carbon output of the fleet was higher as those cars were on a more carbon-intensive fuel for the year; however, the newly ordered police cars should be able to use E85.

Regarding the Street Light Sector, which contains the City's miscellaneous energy consumers (sirens, bookmobile sites, parks, traffic signals, streetlights, and the aquatic center), Mr. Phillips stated that this Sector continues to contribute a greater amount to the carbon footprint. The steady growth in this Sector can primarily be attributed to increased street lighting infrastructure as the City grows. The Street Light Sector is up 8.4% in CO2 compared to the baseline.

Notable projects in 2012 were listed as: (1) installation of lower-consumption fluorescent lights in City Hall, Parks & Recreation office, Parks Maintenance building, and the Animal Shelter; (2) the Resource Recovery Plant received new LED lighting throughout the building; (3) the Animal Shelter received two new air conditioning units and a water heater; (4) Fire Station 1 received two new on-demand water heaters to replace a failing standard water heater; (5) Electric Distribution had three of its four heat pumps replaced with energy-efficient models; (6) the 20-year-old cooling units for the City Hall computer server room were replaced with new energy-efficient models. In addition, an energy study of the Ames/ISU Ice Arena was completed, and the City Council authorized a series of projects to improve the efficiency of that space, which are scheduled for FY 2013/14. Mr. Hinderaker noted that, in 2012, staff retained a consultant to develop an Energy Management Plan to help the City transition from installing new energy-efficient equipment to using that equipment in the most-efficient ways possible. The Plan will develop energy

conservation procedures for all City facilities and address ways to best use the unique equipment in specialized facilities. The result will be a reduction in energy consumption while maintaining the level of service that the City's customers expect and deserve.

Mr. Phillips explained the next steps needed to be taken in the next two years if the City is going to meet its goal of reducing its carbon footprint by 2014.

FOLLOW-UP REPORT ON CITY WIFI SERVICE: Information Services Manager Stan Davis presented a follow-up report to provide answers to questions raised by the City Council at its July 9, 2013, meeting.

Mr. Davis advised that the City owns the endpoint equipment. If the Council chooses, the service could be turned off and the equipment left in place for some period of time. He said that the equipment is five years old and would likely need to be replaced in the near future if the service was continued.

Also in response to the question of the cost of eliminating two locations and maintaining the other two, Mr. Davis stated that the current contract includes a fixed cost of \$1,200/year and a variable cost of \$750/location. If the service is continued, the contract would need to be renewed; the rates may vary, but will likely be similar. If service to Campustown Court and Tom Evans Plaza were to be maintained, the cost would be \$2,700/year under the current contract.

Moved by Davis, seconded by Orazem, to direct that the City not continue the service to the pilot locations.

Vote on Motion: 3-1. Voting aye: Davis, Larson, Orazem. Voting nay: Goodman. Motion declared carried.

ORDINANCE REVISING PARKING REGULATIONS ON BURNHAM DRIVE: Moved by Larson, seconded by Goodman, to pass on first reading an ordinance revising parking regulations on Burnham Drive.

Roll Call Vote: 4-0. Motion declared carried unanimously.

ORDINANCE TO CORRECT TABLE 29.808(2) PERTAINING TO USES IN THE DOWNTOWN SERVICE CENTER: Moved by Davis, seconded by Goodman, to pass on second reading an ordinance to correct Table 29.808(2) pertaining to uses in the Downtown Service Center zone.

Roll Call Vote: 4-0. Motion declared carried unanimously.

ORDINANCE REZONING PROPERTY LOCATED AT 921-9TH STREET (FORMER ROOSEVELT ELEMENTARY): Moved by Goodman, seconded by Davis, to pass on third reading and adopt ORDINANCE NO. 4155 rezoning property located at 921 9th Street (former Roosevelt Elementary) from Government/Airport (S-GA) to Urban Core Residential Medium Density (UCRM).

Roll Call Vote: 4-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

COUNCIL COMMENTS: Citing the need for building lots, Mr. Larson expressed his frustration

over the lack of progress in the City's attempts to negotiate a reasonable settlement with Xenia Rural Water regarding land west of George Washington Carver.

Moved by Larson, seconded by Goodman, to request that the City Council receive a status report on negotiations with Xenia Rural Water at its August 13, 2013, meeting; direct that the City Attorney explore what the ramifications would be if the City were to proceed to annex and install infrastructure to provide water service to the area west of George Washington Carver, and provide that report to the City Council at its August 13, 2013, meeting.

Vote on Motion: 4-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Davis to adjourn the meeting at 8:24 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor