

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

APRIL 22, 2014

The Regular Meeting of the Ames City Council was called to order at 7:04 p.m. on April 22, 2014, in the City Council Chambers in City Hall, 515 Clark Avenue pursuant to law with Mayor Pro-Tem Matthew Goodman presiding and the following City Council members present: Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem. Mayor Ann Campbell was absent.

PROCLAMATION FOR ARBOR DAY: April 25, 2014, was proclaimed as Arbor Day by Mayor Pro-Tem Goodman. On behalf of Ames Trees Forever, John Jacobson, Dave Brotherson, and Bill LeGrange accepted the Proclamation.

PROCLAMATION FOR WATER PLANT OPEN HOUSE: Mayor Pro-Tem Goodman read a Proclamation for the Water Plant Open House, which will be held on April 26, 2014. Accepting the Proclamation was the City's Water and Pollution Control Director John Dunn.

PROCLAMATION FOR NATIONAL PRESERVATION MONTH: May 2014 was proclaimed as National Preservation Month by Mayor Pro-Tem Goodman. Accepting the Proclamation was Kim Hanna, representative of the City's Historic Preservation Commission.

PRESENTATION OF 2014 HISTORIC PRESERVATION MONTH: Kim Hanna presented the 2014 Historic Preservation Award to Craig Marrs, owner of property at 313 - 5th Street, for the replication of the original 1934 awnings to the building.

Mayor Pro-Tem Goodman announced that the City Council would be working off of an Amended Agenda. A revision had been made to Item No. 24 to indicate that the Class B Beer Permit & Outdoor Service Area would be a 5-Day License, not a 6-Month License.

CONSENT AGENDA: Council Member Orazem asked to pull Consent Item No. 11 (approval of the appointment of *ex officio* student liaison to City Council) for separate discussion.

Moved by Corrieri, seconded by Betcher, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of April 8, 2014, and Special Meeting of April 17, 2014
3. Motion approving Report of Contract Change Orders for April 1-15, 2014
4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class C Liquor w/Outdoor Service – Perfect Games, 1320 Dickinson Avenue
 - b. Class C Beer – Swift Stop #2, 3406 Lincoln Way
 - c. Special Class C Liquor – Great Plains Sauce & Dough, 129 Main Street
5. Motion directing staff to prepare ordinance pertaining to fats, oils, and grease
6. Motion approving application for participation in Department of Justice Office of Justice Programs Bulletproof Vest Partnership Program
7. RESOLUTION NO. 14-190 approving appointment of Deb Schildroth as alternate representative to Central Iowa Regional Housing Authority (CIRHA)
8. RESOLUTION NO. 14-191 approving Investment Report for quarter ending March 31, 2014
9. RESOLUTION NO. 14-192 approving contracts with various organizations for FY 2013/14 and FY 2014/15 City Council Grant Program
10. RESOLUTION NO. 14-193 approving 28E Agreement for Flood Warning System with Iowa State University, Iowa Department of Transportation, and Story County, subject to approval by other entities

11. RESOLUTION NO. 14-194 waiving Purchasing Policies and Procedures and awarding sole source contract to Mid-American Signal of Kansas City, Kansas, for Wavetronix Traffic Data Collectors in an amount not to exceed \$175,000
12. RESOLUTION NO. 14-195 waiving Purchasing Policies and Procedures and approving the purchase of computers and networking equipment for the Public Library from Dell Marketing LP for \$89,404.76 using Library Renovation and Expansion Project bond funds
13. RESOLUTION NO. 14-196 awarding contract to Murphy Tractor and Equipment of Altoona, Iowa, for Wheel Loader Without Bucket in the amount of \$146,529 with Buy-Back Guarantee
14. RESOLUTION NO. 14-197 awarding contract for FY2015 hauling and related services for Resource Recovery Plant to Waste Management of Ames, Iowa, in the amount of \$.3941 per mile per ton
15. RESOLUTION NO. 14-198 approving Change Order No. 2 in the amount of \$50,000 with W-S Industrial Services, Inc., of Council Bluffs, Iowa, for Specialized Cleaning Services, including Grit Blasting, Hydro Blasting, Detonation Blasting, and Vac Truck Services for Power Plant
16. RESOLUTION NO. 14-199 approving Change Order No. 2 in the amount of \$15,000 with Bodine Services of Clinton, LLC, of Clinton, Iowa, for Specialized Wet/Dry Vacuum, Hydro Blast, and Related Cleaning Services for Power Plant
17. RESOLUTION NO. 14-200 certifying completion of 2013/14 Resource Recovery Primary Shredder Replacement (Phase II)
Call Vote: 6-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

APPOINTMENT OF *EX OFFICIO* MEMBER STUDENT LIAISON TO CITY COUNCIL:

Council Member Orazem explained that he had requested that this item be pulled in order to formally introduce Lissandra Villa, as the newly appointed *ex officio* Member.

Moved by Orazem, seconded by Betcher, to adopt RESOLUTION NO. 14-189 approving appointment of Lissandra Villa to the position of *ex officio* student liaison to the City Council.

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

Mayor Pro-Tem Goodman invited Ms. Villa to take her seat at the dais.

PUBLIC FORUM: Richard Deyo, 505-8th Street, Ames, Iowa, stated that he would like to be able to reserve a meeting room in City Hall for his birthday party. He noted that the City policy does not allow anyone except non-profit agencies to reserve meeting rooms. Mr. Deyo asked that the policy be changed so that he could reserve a conference room to host his birthday party in City Hall.

Jim Black, 3416 Valley View Road, Ames, Iowa, identified himself as a Co-Chair of the Ames 150 Steering Committee. He asked that the City recognize members of the Steering Committee and subcommittees as City volunteers and that their activities be considered City events. This would not cover street vendors or for-profit businesses. Mr. Black noted that all of the Ames 150 events would be held on City property and will be open to the public at no charge. The Steering Committee had been informed that it would probably not be able to purchase liability insurance; therefore, it is also requesting that the City provide liability coverage for the Ames 150 volunteers. Mr. Black asked that this request be referred to City staff.

Sheila Lundt, Co-Chair of the Ames 150 Steering Committee, advised that 150 trees would be planted by over 70 volunteers in City parks and green spaces on Saturday, April 26, 2014. Eighteen trees do not have sponsors, and information was given by Ms. Lundt on how to sponsor one.

No one else came forward to speak, and Public Forum was closed by Mayor Pro-Tem Goodman.

REQUEST FOR WAIVER OF PARKING METER FEES FOR SPACE 44 ON KELLOGG AVENUE FOR DEMONSTRATION OF “BLOCCUPIED” INTERACTIVE ART INSTALLATION: Ryan Francois, 119 Stanton Avenue, Ames, explained his interactive art installation being proposed to be located at Space 44 on Kellogg Avenue. He asked that the parking meter fees for that Space be waived for four days (from April 24 - 27, 2014).

Council Member Betcher shared that the Council members had received an e-mail asking that some shade be worked into the design. Mr. Francois noted that the project would be constructed in late April and would only be in place for four days; therefore, it more than likely will not be too warm. If the project becomes more permanent, he agreed that shade would be a good addition to the design.

Moved by Corrieri, seconded by Nelson, to adopt RESOLUTION NO. 14-201 approving the request from Ryan Francois for waiver of parking meter fees for Space 44 on Kellogg Avenue from April 24-27, 2014, for demonstration of “bloccupied” interactive art.

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

5-DAY CLASS B BEER PERMIT & OUTDOOR SERVICE FOR ZYLSTRA HARLEY DAVIDSON: Moved by Corrieri, seconded by Betcher, to approve a 5-Day (April 25-29) Class B Beer Permit & Outdoor Service for Zylstra Harley Davidson, 1930 E 13th Street.
Vote on Motion: 6-0. Motion declared carried unanimously.

AWNING ENCROACHMENT FOR 2300 LINCOLN WAY: Moved by Orazem, seconded by Nelson, to approve a request from Opus Development Company for an Encroachment Permit for an awning at 2300 Lincoln Way.
Vote on Motion: 6-0. Motion declared carried unanimously.

MASTER PLANS FOR 601 STATE AVENUE AND 205 WILMOTH AVENUE: Mayor Pro-Tem Goodman announced that this item only pertained to whether Master Plans will be required for the two addresses in question. As such, no discussion as to the type of development would be held.

Planning and Housing Director Kelly Diekmann stated that, on April 3, 2014, Breckenridge Group had submitted two applications for rezoning for the properties at 205 S. Wilmoth Avenue (North Parcel) and 601 State Avenue (South Parcel). He advised that the *Municipal Code* requires that, prior to making an application for a Floating Zone Suburban Low-Density or Medium-Density Rezoning, the City Council must determine whether it wishes to have a Master Plan prepared to accompany the rezoning request. According to Mr. Diekmann, the applicant had requested that both rezoning petitions be reviewed by the City Council for Master Plan determinations even though it is only required for the FS-RL or FS-RM rezoning requests.

Director Diekmann reviewed when a Master Plan may be required by *Code*. He informed the Council that, based on the applications submitted and the criteria for determination of a Master Plan, the North Parcel request to a Low-Density Residential Zone did not appear to meet the criteria for requiring a Master Plan. Staff did not feel that a Master Plan was needed for that Parcel. However, on the South Parcel, the requested FS-RL Zone would permit both single-family and attached-style housing units. The property also contains areas of floodplain, a conservation easement, LUPP greenways, wooded areas, and areas of increased slope. Based on the size of the lot, setting, and context, some additional consideration with a Master Plan prior to subdivision of the property was

warranted. Therefore, it was being recommended by City staff that a Master Plan be required for the property at 601 State Avenue (South Parcel).

Moved by Betcher, seconded by Corriero, to determine that a Master Plan is required for 601 State Avenue (South Parcel) Rezoning Application and that a Master Plan is not required for 205 S. Wilmoth (North Parcel) Rezoning Application.

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

SOUTH ANNEXATION INITIATION: Planning and Housing Director Diekmann pointed out that the City Council was being asked to initiate the pending annexation request by ISU Research Park, ISU Foundation, Hunziker Apartments, Reyes, and RDJ Holdings, LLC. The Council Action Form (CAF) for this item initially offered three options to proceed with defining the boundaries of the annexation that included varying degrees of additional non-consenting territory. However, this afternoon, City staff received a request from Verle Burgason (Burgason Enterprises, LLC) indicating a desire to join the annexation. Mr. Diekmann emphasized that Mr. Burgason had only indicated a desire to annex his property; however, staff had not yet received an annexation application. It was also noted by Director Diekmann that the Burgason property includes a 9.72-acre parcel outside the growth area of the City. That parcel could be annexed, but likely only after an amendment to the Ames Urban Fringe Plan and Land Use Policy Plan. As a result of the recent request, staff prepared an Option 4.

City Planner Charlie Kuester clarified that the City had received two annexation Petitions for several properties south of the city limits. One petition contained approximately 204 acres and was submitted to accommodate the proposed expansion of the ISU Research Park. In addition, the Reyes application for approximately 20 acres of land is intended for residential development south of the existing Wessex Apartment complex. Applications had been submitted for properties owned by the ISU Research Park, ISU Foundation, and Hunziker Apartments, LLC. It was noted by Mr. Kuester that, at its March 25, 2014, meeting, the City Council combined those two petitions into a single annexation request. Council also had directed staff to speak with other property owners in the area to gauge their interest in joining the annexation and to consider including additional non-consenting properties under the 80/20 Rule to create more uniform boundaries, as allowed by Chapter 368.7 of the *Iowa Code*. It was reported that City staff had spoken with, written, or met with several of the affected property owners in the growth area. Until this afternoon, none of those property owners had indicated an interest to join in the voluntary annexation process.

Each of the options was explained by Planner Kuester, as follows:

Option 1: Non-consenting property owners are limited to only those necessary to avoid creating islands.

This option would result in a total annexation of 224.20 acres, of which 92.7% are consenting and 7.3% are non-consenting.

Option 2: Includes all the properties as Option 1, but also includes the three Christofferson properties and three additional properties along 530th Avenue (University Boulevard).

This option would result in a total annexation of 254.54 acres of which 81.7% are consenting and 18.3% are non-consenting.

Option 3: Includes all the properties as Option 1, however, emphasizes the importance of 530th as the University Boulevard extension by including as many properties as possible with frontage

on that future city street.

This option would result in a total annexation of 256.36 acres of which 81.1% are consenting and 18.9% are non-consenting

Option 4: The annexation of the Burgason property would require the inclusion of the Reyes, Christofferson, Skaarshaug, Englund, and Harold properties in order to avoid creating an island. This would include all properties lying west of the former railroad tracks. Three properties - Fuchs, Morrison/Jones, and Cammack, et al - could not be included in Option 4 as their inclusion would exceed the 20% of area of non-consenting owners, as allowed by *Iowa Code*.

This option would include only the land necessary to avoid creating islands.

Steps necessary to be taken since this would not be a 100% voluntary annexation were explained to the City Council by Planner Kuester. A consultation with the Story County Supervisors and Washington Township Trustee designees would need to occur prior to the Public Hearing. Mr. Kuester said that staff was asking Council to direct staff to finalize an option at this meeting so as to keep on schedule to make the July City Development Board meeting. He informed the Council that staff was recommending Option 4, but with a fallback position. Option 2 was being recommended by staff for the fallback position.

Council Member Orazem asked to know the process for paving a road if property owners on one side of the road would be not annexed. Planner Kuester said that, although nothing had been submitted, he had been told that the ISU Research Park was proposing a paved street. Director Diekmann advised that a State RISE Grant from the Department of Transportation would pick up 80% of the costs, and the City would be asked for the other 20% of the match for the Grant. Public Works Director John Joiner said that one side of the road would be in the County, so a Working Right-of-Way Permit would need to be agreed to by the County. A Shared Maintenance Agreement would also be needed, or the City would just agree to maintain the roadway.

Council Member Gartin asked what factors that the City Council should be considering in deciding whether the annexation should be initiated. Planner Kuester pointed out that the Land Use Policy Plan (LUPP) and Urban Fringe Plan show an area beyond those for which applications have been received being annexed. Mr. Kuester explained the benefits of bringing in the Burgason property now.

Mr. Gartin asked to know the projected use of the properties in question. Director Diekmann advised that all of the properties are clearly designated for future residential use. All properties come in zoned Agricultural until development rights are requested. It was also shared by Mr. Gartin that he was struggling with weighing the relevance of the City's need for residential development to the property owners rejecting annexation. Director Diekmann explained that individual City Council members would have to decide if now was the time to execute the plan for further residential development or if the City should wait based on the owners' desires for a more rural-type setting.

Council Member Betcher asked what the effect would be if the Reyes application were withdrawn, but the Burgasons made application to join the annexation. Director Diekmann advised that the Reyes property would not have enough territory to annex by itself in the future.

Council Member Orazem asked what role Xenia Rural Water plays in the proposed annexation. Planner Kuester explained that if the property is currently served by Xenia Rural Water, the property owner could decide to remain a customer of Xenia Rural Water. As their systems fail, development

occurs, or they want to connect to the City, the property owner would be responsible for the disconnection fees to Xenia.

Council Member Nelson asked if it would be possible to only act on the application for the ISU Research Park. Director Diekmann stated that it would be very difficult to bring in the land on the other side of the road in the future; an island may not be created. The Burgason parcel would have to come in first.

At the request of Council Member Betcher, Planner Kuester pointed out which parcels contained homesteads.

At the inquiry of Council Member Goodman, Director Joiner explained the planned extension of water and sanitary sewer if the properties were annexed.

Dan Fox, 3581 - 530th Avenue, Ames, noted that the 80/20 Rule allows the City to bring in up to 20% of the properties involuntarily; it doesn't require it. He advised that none of the property owners who are not party to the annexation petitions want to be annexed. Mr. Fox added that the area is currently a very rural setting, and those property owners want it to remain that way.

Moved by Gartin, seconded by Orazem, to approve Option 4 with the fallback as Option 2.

Director Diekmann pointed out that the fallback option would be used if no application is submitted for the Burgason property by April 28, 2014, staff would proceed with Option 2 as the defined boundary and start consultation based off of that.

Council Member Corrieri shared that she would prefer Option 3 as the fallback, as there is a risk that the Reyes Family might withdraw their Annexation Petition.

Council Member Gartin reiterated that this was a very difficult decision for the Council. Council Member Goodman agreed and stated that, for him, it was more about broader principals.

Vote on Motion: 5-1. Voting aye: Betcher, Gartin, Goodman, Nelson, Orazem. Voting nay: Corrieri. Motion declared carried.

DEVELOPMENT AGREEMENT FOR AMES COMMUNITY DEVELOPMENT PARK, 4TH ADDITION (Tabled from March 25, 2014): Director Diekmann described the design standards that had been incorporated as covenants for new development. The covenants with the Developer's Agreement specify a wide range of materials that are acceptable, but limits the front facade to no more than 60% corrugated metal. The exact language was shared with the City Council. According to Mr. Diekmann, the building was approved through a Minor Site Development Plan review in October 2013 with an indication of the use of white metal panels for the exterior finish. Staff did not request additional details about the type of materials at the time of approval.

Mr. Diekmann addressed the Development Agreement, for which an amendment had been requested. He recalled that the Agreement, among other things, required the developer to construct a series of speculative buildings. The developer did not meet the requirement to construct the second speculative building within 12 months of the occupancy of the first (by July 23, 2013). The Council, at its December 17, 2013, meeting, directed staff to prepare an amendment to the Agreement to grant a one-time extension to require the second speculative building to be completed by June 1, 2014, to obtain a Letter of Credit (rather than a mortgage), and to assess the developer \$12,000 as consideration for non-performance (failure to meet the time line for completion of the second

speculative building), and to grant an extension. Dayton Park, LLC, on January 28, 2014, offered amended terms to the Development Agreement, and the City Council agreed to require completion of the second building by July 1, 2014, and to accelerate the construction of the third speculative building to be completed by December 31, 2014.

Council Member Betcher asked if there was any guarantee that the design covenants would be enforced on the third building, since it would be constructed by the same developer as the second building.

Council Member Gartin requested to involve the developer in the discussion.

Chuck Winkleblack, 105 S. 16th Street, Ames, noted that the building is constructed with steel, which specifically is allowed by the design covenants. He stated that the developer is not blatantly not following the covenants for industrial buildings in the area in question. Mr. Winkleblack pointed out that the lots are smaller, and the buildings are being designed for those that the market has shown are in demand. According to Mr. Winkleblack, the Building Permit for Building No. 2 was around \$800,000.

Council Member Betcher believes that the steel on the front of Building No. 2 has ridges, and to her, that makes it corrugated steel. Mr. Winkleblack said that it is difficult to build a 10,000 square foot building in an industrial area and not make it look like an industrial building. The building has a perimeter concrete footing. According to Mr. Winkleblack, the City had specifically stated that it did not want office buildings constructed in the Industrial Park.

Council Member Goodman asked Mr. Winkleblack if there was anything that would not create a financial burden on the developer that would make the buildings more aesthetically pleasing. Mr. Winkleblack replied that the buildings were designed to meet the prospective market demands. He committed that he would be willing to work with City staff to find mutually agreeable future requirements. It was noted that the sentence in the Agreement pertaining to “truck docking” might be problematic due to the small lot size. Mr. Winkleblack also offered to have the developer’s architect provide a couple renderings. He specifically asked, however, that the City Council not decide on new standards in June and expect him to include those in a building that has to be started by July 1.

Council Member Orazem offered his opinion that the most attractive building is “one that has tenants in it.” He is more interested in getting the Park filled.

Council Member Betcher stated that she is not concerned about the beauty of the building, but was concerned about the language in the covenants and that the buildings be built to the specifications of the covenants. She requested that the language in the covenants be clarified. Council Member Gartin offered his opinion that the nature of the building is driving the type of construction materials.

Director Diekmann suggested that the City Council members table this item if they wished to edit Exhibit B looking at only the material finish on the building.

Council Member Gartin indicated his desire to not hold up the construction of Building No. 2. He preferred that Building No. 2 be allowed to go forward, and staff be directed to work with the developer on editing the language of the covenants pertaining to design.

Moved by Gartin, seconded by Nelson, to table to allow staff to work with the developer to find a

mutually agreeable improvement to the materials for front facades on future buildings.

Mr. Winkleblack noted that Hunziker Development Company does not own 100% of the lots. There would have to be 100% buy-in from the other owners. He preferred that any changes would be effective moving forward (for future buildings).

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

The meeting recessed at 9:00 p.m. and reconvened at 9:08 p.m.

MAXIMUM RESIDENTIAL DENSITIES: Director Diekmann advised that this item came about as a result of the Council's request for information comparing the maximum density standards for residential zoning districts. He presented a summary of the Residential Base Zones. Mr. Diekmann advised that the density range is a function of the minimum lot area required for each unit developed within the base zone and the size of the site.

City Manager Steve Schainker explained that the Floating Zones were initially created to promote more efficient growth in the New Lands area. The goal is to establish a vision for what the City wants to look like in the next 20 years.

Mr. Diekmann further explained that the Floating Suburban (FS) Residential Zoning Districts are somewhat different than the Residential Base Zones in that they contain a mandatory requirement to achieve minimum density while allowing for a wider range of uses. Each building type includes a minimum lot area per unit, but the mix of units results in variable maximum density ranges to be defined through the rezoning and subdivision review process. The Floating Zones Residential Summary was given by Mr. Diekmann.

Council Member Betcher asked how difficult it would be for staff to come back to cap the densities, if Council were to want that. Director Diekmann said it would be a straightforward zoning text amendment without much outreach; it would not be real time-consuming. Ms. Betcher expressed her specific concern about how much the FSRL "spills over" into the minimum range of the FSRM. To her, this seems inconsistent with the other zones and leaves a question as to what the maximum is; it is too ambiguous.

Moved by Betcher, seconded by Goodman, to ask staff to consider a range of options to cap the maximum densities and come back to Council with those options through the public hearing process.

Upon the inquiry of Council Member Orazem, Director Diekmann advised that when the Zoning Ordinance was revised in 2000, there was a strong emphasis of not creating non-conformities.

Mr. Winkleblack pointed out that developers never get up to the maximums as they struggle just to meet the minimums. They have to accommodate the parking requirements, setback requirements, etc. Developers do not have much flexibility due to the required minimum densities.

Council Member Gartin said he was hesitant assigning another project to staff if it does not have a meaningful impact on the City. Director Diekmann shared that it should not take a great deal of staff time.

Council Member Betcher stated that her main concern is the ambiguity; however, she believes that there are a lot of creative thinkers who are seeking to develop in Ames in various areas and it is not known whether they would ever meet the maximum density.

Vote on Motion: 5-1. Voting aye: Betcher, Corrieri, Gartin, Goodman, Orazem. Voting nay: Nelson. Motion declared carried.

MULTI-MODAL TRANSPORTATION SAFETY IN CAMPUSTOWN: City Manager Schainker noted the lateness of the hour and stated that this item could have been a workshop by itself since there is a lot of information to be presented. He told the Council members that they should not feel pressured to provide direction at this meeting.

Management Analyst Brian Phillips told the Council that staff had been directed in December 2012 to investigate ways to reduce bicycle-car and bicycle-pedestrian collisions in Campustown. He noted that staff had held discussions with Campustown Action Association (CAA), conducted surveys of bicyclists and business owners, and presented a report to the City Council on August 13, 2013. That report determined that removing car parking to accommodate bicycling infrastructure was the most viable way to address car/bike/pedestrian conflicts. The Council had been asked to weigh trade-offs between car parking and bicycling. It had directed staff to establish a task force to identify creative solutions to satisfy both the parking and bicycling needs.

Mr. Phillips reported that a task force consisting of representatives from CAA, Iowa State University (ISU) student body, Campustown business community, and Ames Bicycle Coalition. Potential solutions had been brain-stormed by the task force; after which, City staff had developed basic visualizations and preliminary comments for each proposal. The task force report had been discussed by the CAA and reviewed with a subcommittee of the Student Experience Enhancement Council (SEEC) at ISU. A copy of the report was also provided to representatives from Kingland Systems, the Opus Group, and Gilbane, Inc., which are presently involved in the three largest redevelopment projects in Campustown.

Eleven potential projects were described by Mr. Phillips, Operations Manager Corey Mellies, and Transportation Engineer Damion Pregitzer. City staff believed that the projects fell into three general groups: (1) Non-Infrastructure and Minor Infrastructure Projects, (2) Non-Incremental Infrastructure Projects, and (3) Street Alteration Projects.

Council Member Betcher noted that certain projects, e.g., sharrows, would affect parking in neighborhoods. She felt that an outreach process to the impacted neighborhoods would be crucial.

Geri Neal, 916 Ridgewood Avenue, Ames, spoke as a member of the Ames Bicycling Coalition (ABC). Ms Neal said that the ABC is a group that was formed to promote the advocacy of and education for the safety of bicycling. Ms. Neal said that members of the ABC were present at this meeting to offer their support to staff to come up with the best projects to improve bicyclists' safety in Campustown.

Daniel DeGeest, 4212 Phoenix Street, Ames, challenged the Council to not think this was about "bicycles versus parking." He believed that this can be done so everyone comes out a winner.

Mayor Pro-Tem Goodman asked if the Council would like to see any more information. He personally would like to see this come back to Council soon.

Moved by Corrieri, seconded by Orazem, to direct staff to come back to Council with additional detail on this in addition to information on sidewalk cafes at the second meeting in May (May 27).
Vote on Motion: 6-0. Motion declared carried unanimously.

PRE-PAY PARKING SMART CARD PROGRAM AGREEMENT WITH IOWA STATE

UNIVERSITY: Transportation Engineer Pregitzer said that this item had resulted from a request from the City Council on February 5, 2013, to see if it would be possible for the SmartCards issued by Iowa State University to be compatible with the City's meters. A few changes to the SmartCard System were needed to make that happen; however, the user will see very few changes. Mr. Pregitzer further advised that the City has the smaller number of users compared to Iowa State University. The City would hold at revenue-neutral with the goal of increasing usage. The start date for the combined ISU and City Smartcard system is proposed to be August 1, 2014.

Moved by Nelson, seconded by Orazem, to adopt RESOLUTION NO. 14-203 approving the Pre-Pay Parking Smart Card Program Agreement with Iowa State University.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

REQUEST TO PLACE CELLULAR ANTENNA ON CITY PROPERTY LOCATED ALONG BILLY SUNDAY ROAD: Management Analyst Brian Phillips explained that AT&T wireless contacted City staff expressing an interest in locating a cellular antenna on City property along Billy Sunday Road in Southeast Ames. The City owns three large properties in that area: a parcel on which the Animal Shelter is located, the Dog Park, and the land on which the Hunziker Youth Sports Complex (HYSC) is located.

Mr. Phillips asked for direction from the City Council on three key questions:

1. Is the City Council interested in pursuing any agreement with AT & T
2. If an antenna is pursued, where should it be located
3. What should be done with any potential rental revenues

According to Mr. Phillips, AT&T has indicated that its desired location is at the Dog Park.

City Manager Schainker pointed out that the City currently has an antenna lease at Homewood Golf Course. That lease totals \$2,420/month revenue for the City.

Council Member Corrieri shared that the HYSC brings 11,000 visitors/year to Ames. She would like for the revenues from the antenna, if located there, to be tied to capital improvements for the facility.

Council Member Orazem said that he believed the tower should be located where it is best to locate it. The point of the tower is that it should have a direct line of sight to other towers. Allocating the funding is a separate issue to him.

Mr. Phillips noted that placing the antenna at the HYSC would provide an opportunity for the Council to continue, reduce, or end its annual payments to the Complex, since the antenna would provide an alternative revenue stream. However, according to Mr. Phillips, HYSC would likely not be supportive of an antenna installation on that property if it meant the end of other City funding.

Council Member Gartin stated that he would like to have a notification process followed that would allow other entities to have a chance to have an antenna in Ames. City Attorney Parks advised that the *Iowa Code* requires any lease for a term of three years or longer to follow the same process as a conveyance. Mr. Gartin asked if there would be any value to the City opening this up for bids. He said he was struggling with the formality of a conveyance of fee-simple interest in the title versus a long-term lease and the City just giving it to the requesting party because they came to the City first. Council Member Gartin noted that what is at hand was a 30-year obligation, and he wanted to make sure that when entering into a long-term lease, it would be done in a transparent open way.

He suggested that the City follow a process that would open this up to all carriers. City Attorney Parks reiterated that the *Code* requires any lease for longer than three years to go through the same process as an outright conveyance; therefore, a public hearing would be held, and competitors could ask to be included too. Assistant City Manager Bob Kindred said that the challenge to opening it up after a request has been received is that timing is everything for these types of companies. There are often several companies sharing one tower. Mr. Phillips noted that this particular location happens to work for one carrier (AT&T); it might not work for other carriers' networks. He also stated that AT&T had indicated that, if allowed to locate its tower, it planned to share it with at least two other carriers. According to Mr. Phillips, the City's Zoning Code encourages co-location so as to reduce the number of towers in a certain area. Council Member Gartin noted that his concerns were alleviated after learning that there would be non-exclusive use.

Council Member Betcher asked if there were any sections of the Zoning Code that would prohibit placement in the Animal Shelter lot or the Dog Park property. Mr. Phillips answered that there are setback requirements and height limitations; however, it would depend on the specific proposal. Ms. Betcher shared that she would not like to see the tower located within the boundaries of the actual Dog Park recreation area.

Moved by Gartin, seconded by Orazem, that the City pursue antenna installation, negotiate with AT&T to ensure that its design meets the requirements of the existing zoning requirements for cellular antennas, and to ensure that that such an agreement provide for a non-exclusive use of the antenna area.

Mr. Phillips noted that it would be more simple for the staff if the antenna were to be located on either the Dog Park or the Animal Shelter property since it would not need to negotiate with a third party.

Council Member Goodman asked if the revenue had to go to the HYSC if it were located on that property. Mr. Phillips indicated that it did not mean that the revenue would be distributed to the HYSC; distribution of the revenue was not a consideration at this time.

Council Member Gartin said that he preferred not to decide on the location, but to leave that decision to the staff to negotiate.

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

Moved by Betcher, seconded by Goodman, to direct staff to consider only locating the antenna on the Animal Shelter property or the Dog Park property when negotiating with the carrier.

Vote on Motion: 3-3. Voting aye: Betcher, Goodman, Nelson. Voting nay: Corrieri, Gartin, Orazem. Mayor Pro-Tem Goodman voted nay to break the tie. Motion failed.

The motion was clarified that the Hunziker Youth Sports Complex site could be considered as a location for the antenna; however, it did not mean that staff would begin negotiations with the HYSC.

CITY HALL RENOVATION PHASE 2: Karen Server, Purchasing Manager, and Doug Houghton, Police Support Services Manager, were present. Mr. Houghton provided the history of the project. Ms. Server reviewed the Request for Proposals process followed by the City and the results. Based on the total scores and a unanimous decision by the evaluation committee, staff recommended that a contract be awarded to Walker Coen Lorentzen Architects of Des Moines, Iowa.

Moved by Orazem, seconded by Betcher, to adopt RESOLUTION NO. 14-204 awarding a contract to Walker, Coen Lorentzen Architects of Des Moines, Iowa, for City Hall Renovation Phase 2 in the amount of \$84,840 plus reimbursables up to \$6,000.

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

CONTRACT FOR MISO MARKET PARTICIPANT SERVICES: Electric Services Director Donald Kom said that this item involves a subscription for market-specific software that provides the necessary tools to electronically communicate and conduct transactions with the Midcontinent Independent Transmission System Operator (MISO) Energy Market. The contract provides Ames with the benefit of fixed pricing, continuity of integration and service, and reduced administrative burden.

Moved by Betcher, seconded by Orazem, to adopt RESOLUTION NO. 14-205 awarding a contract for MISO Market Participant Services to MCG Energy Solutions, LLC, of Minneapolis, Minnesota, in the amount of \$118,800 (plus applicable sales taxes to be paid directly by City to State).

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

CHANGE ORDER FOR COOLING TOWER REPAIRS: Director Kom explained that, upon routine inspection of Unit No. 8 Cooling Tower, staff discovered significant damage from continued use and extreme weather conditions this past winter. Numerous urgent repairs are required in order to restore the structural integrity of the Tower for use during the coming summer and winter. According to Mr. Kom, the action is being brought to the Council now because the overall cost of the project exceeded \$50,000. The City's Purchasing Policies require the City Council to approve all change orders that increase the dollar amount above \$50,000.

Moved by Corrieri, seconded by Nelson, to adopt RESOLUTION NO. 14-206 approving a Change Order in an amount not to exceed \$62,500 with GEA Heat Exchangers, Inc., for time and materials in Cooling Tower Repairs.

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

JOINT PRICING ZONE AGREEMENT WITH MIDAMERICAN ENERGY AND CEDAR FALLS ELECTRIC UTILITIES: Director Kom advised that the Agreement defines the method by which MISO transmission revenues are distributed among Ames, MidAmerican Energy, and Cedar Falls Utilities (representing Cedar Falls, Atlantic, Montezuma, Tipton, Eldridge, Pella, and IPPA Municipal Utilities).

Moved by Orazem, seconded by Betcher, to adopt RESOLUTION NO. 14-207 approving a Joint Pricing Zone Agreement with MidAmerican Energy and Cedar Falls Electric Utilities.

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

HEARING ON REZONING WITH MASTER PLAN FOR 3699 GEORGE WASHINGTON CARVER AVENUE: Mayor Pro-Tem Goodman opened the public hearing. There was no one who wished to speak, and the hearing was closed.

Moved by Nelson, seconded by Betcher, to pass on first reading an ordinance rezoning with Master Plan property located at 3699 George Washington Carver Avenue from Agricultural (A) to Suburban Low-Density Residential (FS-RL).

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

HEARING ON WATER POLLUTION CONTROL FACILITY ELECTRICAL TRANSFORMER REPLACEMENT PROJECT: The public hearing was opened by the Mayor Pro-Tem. He closed same after no one came forward to speak.

Moved by Corrieri, seconded by Nelson, to adopt RESOLUTION NO. 14-208 approving final plans and specifications and awarding contract to Baker Electric of Des Moines, Iowa, in the amount of \$109,411.

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

HEARING ON 2013/14 WATER SYSTEM IMPROVEMENTS PROGRAM - WATER SERVICE TRANSFER PROGRAM #1 (10TH STREET - DOUGLAS AVENUE TO GRAND AVENUE): The Mayor Pro-Tem declared the hearing open. It was closed after no one asked to speak.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 14-209 approving final plans and specifications and awarding a contract to J & K Contracting of Ames, Iowa, in the amount of \$81,447.

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

HEARING ON 2012/13 CONCRETE PAVEMENT IMPROVEMENTS #1 (WHEELER STREET - GRAND AVENUE TO ROY KEY AVENUE): The public hearing was opened and closed by Mayor Pro-Tem Goodman since no one requested to speak.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 14-210 approving final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$307,345.10.

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

HEARING ON 2013/14 CONCRETE PAVEMENT IMPROVEMENTS (KNAPP STREET - WELCH AVENUE TO LYNN AVENUE AND LYNN AVENUE - STORM STREET TO KNAPP STREET): Mayor Pro-Tem Goodman opened the public hearing. It was closed after there was no one who came forward to speak.

Moved by Nelson, seconded by Orazem, to adopt RESOLUTION NO. 14-211 approving final plans and specifications and awarding a contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$814,285.80.

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

HEARING ON NORTH GROWTH AREA UTILITY EXTENSION PROJECT: The hearing was opened by the Mayor Pro-Tem. No one requested to speak, and the public hearing was closed.

Moved by Corrieri, seconded by Betcher, to accept the report of bids.

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

HEARING ON VACATION OF OPEN SPACE EASEMENT AND STORM WATER FLOWAGE EASEMENT AT 3910 MARICOPA DRIVE: The Mayor Pro-Tem opened the public hearing. He

closed same after there was no one who asked to speak.

Moved by Corrieri, seconded by Orazem, to adopt RESOLUTION NO. 14-202 approving vacation of Easements.

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

ORDINANCE INCREASING SEWER RATES: Mayor Pro-Tem Goodman asked if anyone wished to speak on this item since first passage was being requested. No one requested to speak.

Moved by Corrieri, seconded by Orazem, to pass on first reading an ordinance increasing sewer rates by 8% effective July 1, 2014.

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

ORDINANCE ESTABLISHING WATER CONNECTION FEE DISTRICT WITH RESPECT TO CERTAIN PROPERTIES IN NORTHERN GROWTH AREA: Moved by Orazem, seconded by Corrieri, to pass on second reading an ordinance establishing Water Connection Fee District with respect to certain properties in Northern Growth Area.

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

ORDINANCE ESTABLISHING SANITARY SEWER CONNECTION FEE DISTRICT WITH RESPECT TO CERTAIN PROPERTIES IN NORTHERN GROWTH AREA: Moved by Orazem, seconded by Corrieri, to pass on second reading an ordinance establishing Sanitary Sewer Connection Fee District with respect to certain properties in Northern Growth Area

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

ORDINANCE CHANGING PARKING REGULATIONS ON TWAIN CIRCLE: Moved by Nelson, seconded by Orazem, to pass on second reading an ordinance changing parking regulations on Twain Circle.

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

POST-CONSTRUCTION STORM WATER ORDINANCE: Moved by Nelson, seconded by Corrieri, to pass on third reading and adopt the Post-Construction Storm Water ORDINANCE NO. 4174 as Chapter 5B of the *Municipal Code*.

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

ORDINANCE MAKING ZONING TEXT AMENDMENT TO CHANGE REQUIRED PARKING FOR OTHER OFFICE USES (EXCLUDING MEDICAL AND DENTAL OFFICES): Moved by Nelson, seconded by Orazem, to pass on third reading and adopt ORDINANCE NO. 4175 making a zoning text amendment to change required parking for other office uses (excluding medical and dental offices).

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

ORDINANCE AMENDING SECTION 23.407 PERTAINING TO STORM WATER MANAGEMENT REGULATORY STANDARDS: Moved by Corrieri, seconded by Orazem, to pass on third reading and adopt ORDINANCE NO. 4176 amending Section 23.407 pertaining to storm water management regulatory standards.

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

ORDINANCE AMENDING SECOND 23.502 PERTAINING TO STORM WATER

MANAGEMENT REGULATORY STANDARDS: Moved by , Corrieri, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4177 amending Section 23.502 pertaining to storm water management regulatory standards.

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

ORDINANCE AMENDING SECTION 29.406 PERTAINING TO STORM WATER

MANAGEMENT REGULATORY STANDARDS: Moved by Corrieri, seconded by Orazem, to pass on third reading and adopt ORDINANCE NO. 4178 amending Section 29.406 pertaining to storm water management regulatory standards.

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

ORDINANCE AMENDING SECTION 29.1502 PERTAINING TO STORM WATER

MANAGEMENT REGULATORY STANDARDS: Moved by Betcher, seconded by Nelson, to pass on third passage and adopt ORDINANCE NO. 4179 amending Section 29.1502 pertaining to storm water management regulatory standards.

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 Betcher, seconded by Orazem, to direct staff to place an item on the next agenda to discuss the proposal that was made by Jim Black, Co-Chair of the Ames 150 Steering Committee, concerning sanctioning all activities sponsored by the Steering Committee and subcommittees and naming them officially as City of Ames activities and allowing them to be covered under the City’s liability insurance, but not cover activities by private or for-profit agencies or street vendors.

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

Council Member Gartin referenced the past issue of cameras in Campustown, noting that former Council members had elected not to pursue it. However, the last VEISHEA has now given him reason to re-think it. Mr. Gartin believes that the Council owes it to the Ames Police Department to make a brief presentation on the merits of cameras in Campustown.

Moved by Gartin, seconded by Orazem, to direct staff to allow the City Council via an item on a future Agenda to take a fresh look at the placement of cameras in Campustown.

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

City Manager Schainker reminded the Council members that there are pending referrals for which staff is waiting for Council direction. One of the items dealt with parking for fraternities and sororities. Mr. Schainker noted that, now that spring is here, students may not be in Ames to provide input on this issue of fraternity/sorority parking. Council Member Nelson encouraged the Council to move forward with this based on the number of projects that are hanging out there. He noted that the fraternity and sorority corporation boards would primarily be interested and be able to provide input; however, if staff wanted to wait until fall, an entire construction season for those projects would be lost. Planning and Housing Director Diekmann reported that this project could not fit in with the Department’s schedule this spring. The first real opportunity to deal with it would be in Fall 2014. That project would require quite a bit of outreach to students and neighborhoods. Planning could not add a project in May; however, it could start working with those who are in Ames during the summer months with the completion of outreach in Fall 2014.

Council Member Betcher asked if the “bumping” of projects directed to Planning would require a workshop. She said that Council has not really dealt with the way it prioritizes projects. Planning Director Diekmann stated that what the Council had done last February was to set five months’ activities for the Planning Department; the rest of the issues were not going to be ranked into the work plan until after the LUPP overview on May 20, 2014.

Moved by Nelson, seconded by Gartin, to put Greek parking reductions on the list for staff to prepare a work plan and have it prioritized after the LUPP workshop.

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

Mr. Schainker said that two other pending issues, both dealing with signage, were not time-sensitive, and due to the lateness of the hour, could wait.

Moved by Nelson, seconded by Gartin, to place on a future Agenda the request of Denny Elwell for a real estate sign in the Planned Regional Commercial area.

Council Member Betcher shared that both of the signage requests seem to pertain to the Sign Ordinance. She indicated that she would be voting against the motion because she believes it is part of a bigger issue.

Vote on Motion: 4-2. Voting aye: Corrieri, Gartin, Nelson, Orazem. Voting nay: Betcher, Goodman. Motion declared carried.

CLOSED SESSION: Council Member Gartin asked City Attorney Parks if there was a legal reason to go into Closed Session. Ms. Parks replied in the affirmative.

Moved by Orazem, seconded by Betcher, to hold a Closed Session as provided by Section 21.5c, *Code of Iowa*, to discuss matters threatened to be or in litigation.

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

ADJOURNMENT: Moved by Orazem to adjourn the meeting at 12:24 a.m. on April 23, 2014.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor