

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

AMES, IOWA

JULY 28, 2015

SPECIAL MEETING OF THE AMES CONFERENCE BOARD

The regular meeting of the Ames Conference Board was called to order by Chair Ann Campbell at 5:30 p.m. on July 28, 2015. Present from the Ames City Council were Amber Corrieri, Tim Gartin, Matthew Goodman, Chris Nelson, and Peter Orazem. Ames City Council Member Gloria Betcher was brought in telephonically as it was not practical for her to attend in person. Story County Board of Supervisors present were Paul Toot and Rick Sanders. Representing the Ames School Board were Rodney Briggs and Bill Talbot. Gilbert and United Community School Districts were not represented.

MINUTES OF FEBRUARY 24, 2015, MEETING OF THE CONFERENCE BOARD: Moved by Goodman, seconded by Sanders, to approve the Minutes of the February 24, 2015, meeting of the Ames Conference Board.

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

DISCUSSION ON BUDGET AMENDMENT: City Assessor Greg Lynch explained his request to change a half-time position in his office, which was approved for the 2015/16 Budget, to a full-time position. Mr. Lynch stated that after the Appraiser position was posted, they received only eight applications. None of those applicants had any experience in assessment; the position remains vacant. The workload in the City Assessor's Office continues to increase. In addition, they have fallen behind partly because of the appraiser position that has not yet been filled since last November and an Information Systems Analyst position that has been vacant since April.

Mr. Lynch referenced a recent survey pertaining to staff levels in Assessor's Offices. Based on their parcel count for January 1, 2015 (which was 20,445), his office should have a staff of at least 8.22 employees. According to Mr. Lynch, if the half-time position were to be changed to full-time, the Ames City Assessor's Office would have seven permanent employees. He noted that would still be lower than the 8.22 shown in the Survey. Mr. Lynch advised that the impact on this year's Budget would be minimal (\$2,285) due to the anticipated salary savings resulting from the vacancies. The impact on next year's budget, if approved, would be \$57,000.

Moved by Nelson, seconded by Clinton, to approve the request to change a half-time position in the City Assessor's Office to a full-time position.

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

ADJOURNMENT: Moved by Corrieri, seconded by Clinton, to adjourn the Ames Conference Board meeting at 5:45 p.m.

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

REGULAR MEETING OF THE AMES CITY COUNCIL

The Regular Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 5:52 p.m. on July 28, 2015, in the City Council Chambers in City Hall, 515 Clark Avenue. Present were Amber Corrieri, Tim Gartin, Matthew Goodman, Chris Nelson, and Peter Orazem. Council Member Gloria Betcher was brought in telephonically as it was not practical for her to attend in person. *Ex officio* Member Sam Schulte was also present.

PROCLAMATION FOR NATIONAL HEALTH CENTER WEEK, AUGUST 9-15, 2015:

Mayor Campbell proclaimed August 9 - 15, 2015, for National Health Center Week. Accepting the Proclamation were representatives of Primary Health Care, namely, Linda Hanson, Clinic Director for Story County, and Amy Walsh and Angie (last name not given), who are nurses with the organization. According to Ms. Hanson, the Community Health Care Center for Ames is the Primary Health Care Center located in West Ames.

Moved by Nelson, seconded by Corrieri, to approve the following items on the Consent Agenda.

1. Motion approving payment of claims
2. Motion approving minutes of Regular Meeting of July 14, 2015, and Special Meeting of July 21, 2015
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for July 1-15, 2015
5. Motion authorizing Mayor to sign Waiver of *Iowa Code* Section 306.23 expressing no interest in purchasing land being offered by Iowa Department of Transportation
6. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor – Sportsman’s Lounge, 123 Main Street
 - b. Class E Liquor, C Beer, & B Wine – AJ’s Liquor II, 2515 Chamberlain Street
 - c. Class B Beer – Pizza Ranch of Ames, 1404 Boston Avenue
7. Motion approving new Special Class C Liquor License for HuHot Mongolian Grill, 703 South Duff Avenue, Suite #105
8. Motion approving new Class C Liquor License & Outdoor Service for VenuWorks, Fisher Theater
9. Motion approving new Class C Liquor License & Outdoor Service for VenuWorks, Scheman Building
10. Motion approving new Class C Liquor License & Outdoor Service for VenuWorks, CY Stephens Auditorium
11. Motion approving new Class C Liquor License, Outdoor Service, & Catering Privilege for Cyclone Experience Network, Jack Trice Stadium
12. Motion approving Encroachment Permit for sign at 232 Main Street
13. Motion approving Encroachment Permit for sign at 2300 Lincoln Way
14. Motion approving Encroachment Permit for mailbox at 2001 Indian Grass Court
15. Motion approving Encroachment Permit for two signs at 2420 Lincoln Way
16. Motion approving 5-day (August 10-August 14) Special Class C Liquor License for Gateway Market MLK at Reiman Gardens, 1407 University Boulevard
17. Motion approving 5-day (August 7-August 11) Class C Liquor License for Dublin Bay Pub at CPMI Event Center, 2321 North Loop Drive
18. Motion approving 5-day (August 1-August 5) Class C Liquor License for Olde Main at ISU Alumni Center, 420 Beach Avenue
19. RESOLUTION NO. 15-450 approving appointment of Mary Beth Oostenbrug to fill vacancy on Human Relations Commission
20. Requests from Main Street Cultural District for MusicWalk on September 3, 2015:
 - a. Motion approving Blanket Temporary Obstruction Permit and Blanket Vending License for MSCD from 3:00 p.m. to 9:00 p.m.
 - b. RESOLUTION NO. 15-452 approving waiver of fees for electricity usage from 3:00 to 9:00 p.m., waiver of parking meter fees and enforcement in MSCD from 3:00 to 6:00 p.m., closure of 14 parking spaces along Main Street from 3:00 to 9:00 p.m. for food vendors, and waiver of fee for Blanket Vending License

21. Request for Captain Midnight's Run for Cystic Fibrosis on September 4, 2015:
 - a. RESOLUTION NO. 15-453 approving closure of Bloomington Road, from Roy Key Avenue to Hoover Avenue, and portion of Roy Key Avenue, from Bloomington Road to Top-O-Hollow Road, from approximately 7:00 to 7:45 p.m.
22. Requests for Bike Night for Main Street Cultural District on Friday, August 28, 2015:
 - a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License
 - b. Motion approving 5-day Special Class C Liquor License and Outdoor Service for August 27-31
 - c. RESOLUTION NO. 15-454 approving closure of Douglas Avenue from Main Street to Fifth Street
 - d. RESOLUTION NO. 15-455 approving closure of 6 metered parking spaces on Douglas Avenue for MSCD from 12:01 to 11:30 p.m. on Friday, August 28
 - e. RESOLUTION NO. 15-456 approving closure of 115 metered parking spaces on Main Street and 8 more spaces on Douglas Avenue from 5 p.m. to 11:30 p.m. on Friday, August 28
 - f. RESOLUTION NO. 15-457 approving waiver of fee for blanket Vending License
23. RESOLUTION NO. 15-458 approving preliminary plans and specifications for Ash Pond Rehabilitation; setting August 13, 2015, as bid due date and August 25, 2015, as date of public hearing
24. RESOLUTION NO. 15-459 approving contract for Ash Pond Slope Stability Study
25. RESOLUTION NO. 15-460 approving preliminary plans and specifications for GT1 Combustion Turbine - Generator Preaction Sprinkler System, Carbon Dioxide System, and Fire Alarm Upgrade; setting August 26, 2015, as bid due date and September 8, 2015, as date of public hearing
26. RESOLUTION NO. 15-461 approving preliminary plans and specifications for Power Plant Fuel Conversion - Uninterrupted Power Supply (UPS) System; setting August 26, 2015, as bid due date and September 8, 2015, as date of public hearing
27. RESOLUTION NO. 15-462 approving preliminary plans and specifications for Power Plant Fuel Conversion - Electrical Installation General Work; setting September 9, 2015, as bid due date and September 22, 2015, as date of public hearing
28. RESOLUTION NO. 15-463 approving preliminary plans and specifications for 6th Street Bridge over Squaw Creek; setting September 15, 2015, as bid due date and September 22, 2015, as date of public hearing
29. RESOLUTION NO. 15-464 approving contract and bond for Unit #7 Crane Repair
30. RESOLUTION NO. 15-465 approving Change Order Nos. 1 and 2 to engineering services agreement for ISU Research Park Phase III Design Services with Shive-Hattery of West Des Moines, Iowa, in an amount not to exceed \$76,250
31. RESOLUTION NO. 15-466 approving Change Order No. 2 to Sargent & Lundy, LLC, of Chicago, Illinois, in an amount not to exceed \$174,000 for engineering services for conversion of Power Plant from Coal to Natural Gas
32. Lime Sludge Disposal:
 - a. RESOLUTION NO. 15-467 accepting completion of Year 2 Contract with Wulfekuhle Injection and Pumping, Inc.
 - b. RESOLUTION NO. 15-468 awarding Contract to Wulfekuhle Injection and Pumping, Inc., for Year 3
33. North Growth Area Utilities Extension Project:
 - a. RESOLUTION NO. 15-469 approving Change Order No. 1 in the amount of -\$69,948.48
 - b. RESOLUTION NO. 15-470 accepting completion
34. RESOLUTION NO. 15-471 accepting completion of 1200 Amp Switchgear for Vet Med Substation Feeder Extension Project

35. RESOLUTION NO. 15-472 accepting completion of Vet Med Substation Feeder Extension Project
36. RESOLUTION NO. 15-473 accepting completion of GT2 Control Room and Shop Preaction Sprinkler System and Fire Alarm Upgrade
37. RESOLUTION NO. 15-474 completion of Controls and Relaying Panels for Dayton and Stange Substations

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

ENDORSEMENT OF IOWA ECONOMIC DEVELOPMENT AUTHORITY APPLICATION FOR FINANCIAL ASSISTANCE FOR XPANXION, LLC: Ron Hallenbeck, 3119 Burnham Drive, Ames, spoke as a representative of the Ames Economic Development Commission (AEDC). He explained that XPANXION started in 2011 with three employees. The company provides software development and testing operations. At that time, they did receive assistance in the form of a low-interest loan from the state for 20 employees. The City did not participate in the local match at that time; AEDC handled the local match. According to Mr. Hallenbeck, XPANXION has now paid off everything and has grown to include 41 employees. The company has now applied for economic development assistance for a project that includes consolidating offices from four suites across two buildings to a single location that will accommodate both the current workforce and the addition of 45 new full-time high-quality jobs. The Iowa Economic Development Authority has tentatively agreed to provide incentives to the company, which includes a no-interest loan. A condition of the state assistance is a local match in the form of a \$36,000 no-interest loan with half forgivable. Funding for the local match will be half from the City and half from the Ames Economic Development Commission.

Moved by Corrieri, seconded by Gartin, to adopt RESOLUTION NO. 15-451 approving endorsement of the Iowa Economic Development Authority application for Financial Assistance for XPANXION, LLC, with local match in the form of no-interest loan.

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

PUBLIC FORUM: Dan Breitbarth, 444 Welch, Ames, introduced himself as the new Student Body President at Iowa State University. He shared two issues on which he believed the Student Body and the City would be collaborating, i.e., ensuring everything was moving forward on the Kingland Systems development and looking at the transportation infrastructure network in around the University Campus. Mr. Breitbarth also named two other issues that he believed are important to ISU students, which were creating a more sustainable community and collaborating on recyclables initiatives.

ENTREPRENEURSHIP WORKSHOP: Management Analyst Brian Phillips reported that, during its 2015 Goal-Setting Session, the City Council had directed staff to plan a workshop regarding entrepreneurship. The purpose of the workshop would be to discuss the existing entrepreneurship environment in Ames, identify successes and assets in the Ames community, and understand what role the City can play in fostering the entrepreneurial environment in the future. The Council allocated funds in the FY 2015/15 Budget to host the workshop. According to Mr. Phillips, staff had been working on the framework for the proposed workshop and asked for specific direction on the following items:

1. Consulting Organization. Staff is proposing that a key component involve guidance from an organization with experience in local public policy that fosters entrepreneurship. Staff had contacted the Kauffman Foundation from Kansas City, Missouri, which advised that it could provide a staff person to outline national trends transferable to Ames in creating entrepreneurial environments. Because the Foundation is an endowed foundation, the expert could be provided at no cost to the City.
2. Other Experts. Staff is proposing inviting key leaders from Iowa State University to discuss the importance of entrepreneurship to it as well as policies or activities that could be undertaken by the City to help encourage entrepreneurship. Additionally, several local entrepreneurs would be invited to share their experiences in developing their businesses in Ames.
3. Location and Timing. City staff proposed hosting the workshop in the Scheman Building at the Iowa State Center. Rates for a convention room at the Scheman Building range from \$450 to \$775 for the use of the Benton Auditorium. An additional \$250 fee would apply for the use of a projector in the Auditorium. Staff also proposed allocating an additional \$500 for refreshments and any contingency costs. Because of the number of schedules that must be coordinated, staff proposed hosting it in November 2015; that appears to be the earliest date that would work.
4. Invitees. Staff will work to identify the final line-up of speakers and participants between now and when the workshop is held. As a starting point, staff proposed that the Ames Economic Development Commission, Ames Chamber of Commerce, Ames Seed Capital coordinators, the Ames Community School District staff and board members, ISU Resesarch Park staff and board members, ISU Entrepreneur Club, and the DMACC Entrepreneurship Program staff.

Moved by Gartin, seconded by Goodman, to authorize staff to:

1. Spend up to \$1,600 from the City Council's FY 2015/16 Workshop Budget to secure a room in the Scheman Building.
2. Retain the services of the Kauffman Foundation to provide expert information regarding entrepreneurship issues.
3. Request the participation of representatives from the local entrepreneurial community and University leaders.

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

SETTLEMENT AGREEMENT PERTAINING TO BRECKENRIDGE V. CITY: City Attorney Judy Parks provided the background, including the land descriptions and current zoning designation and ownership history. She also provided information on other significant events, i.e., litigation and Administrative Appeals, the purchase negotiations with Iowa State University (ISU), and requests for settlement negotiations made by Breckenridge.

According to Ms. Parks, during discussions, there were certain issues that came out as very important elements, and the proposed Agreement covers those elements. Those were named as:

1. Preservation of the South Parcel. This would be accomplished through the cooperation of Iowa State University, which has agreed to purchase that Parcel and will close on that transaction by August 31, 2015.

2. Middle Parcel. Its density would be in the City's hands; its development is not covered in the Agreement. There is a great need for family housing in the City. This would be one way to provide an opportunity for families to enter into home ownership in Ames that is not of a rental nature.
3. North Parcel. This would be designed for a mixed-use commercial/residential designation. The specific zoning is not called out, but there are some requirements and some limitations incorporated into the Settlement Agreement, to-wit:
 1. Three hundred fifty (350) beds would be allowed on the North Parcel; that number could increase up to 422 if three additional lots, on which Breckenridge has options to purchase, are acquired.
 2. Commercial space totaling 15,000 square feet would be required.
 3. Buildings shall be no higher than three stories.
 4. The property would be made eligible for urban revitalization tax abatement consistent with the Council's efforts to obtain more than the minimum amenities like those that have been required for other buildings along Lincoln Way that have had significant redevelopment.

According to Ms. Parks, approval of the settlement will still require other future actions by the City Council, which include following all statutory steps. City Attorney Parks emphasized that the Settlement Agreement is not a specific project approval. A Land Use Policy Plan (LUPP) change will be necessary, the North Parcel will need to be rezoned, a Plat of Survey and site plan approvals will need to happen. Ms. Parks advised that one of the steps that would need to occur is to follow through with the rezoning. If a Protest is filed to the rezoning, it would require five votes (a super majority) of the City Council. If the rezoning ultimately was not approved, the City could be subject to a breach of contract action. She said that that type of action is possible on the hundreds of contracts entered into by the City. The Council members were told by Ms. Parks that that will be a decision they will have to make. She noted that the possible Settlement Agreement had been made public so that the Council could hear from their constituents, and public input would be taken at this meeting.

Council Member Goodman stated that he did not remember a contract where Council had committed to taking certain action in the future. Ms. Parks noted that there had been, and one was the rezoning of Scenic Valley Subdivision, where the Council had committed to a certain zoning designation. She said, however, a significant difference between that one and this is that no Protest was filed with that one. She reiterated that, in the case of the North Parcel, if a Protest were to be filed, five votes would be required. It is not a given, but it is anticipated, that a Protest will be filed in this case.

Christina Helfers, 223 Hilltop Road, Ames, read a statement prepared by her husband, Tyler Helfers, who could not be present at this meeting. In his statement, Mr. Helfers stated that he and Christina purchased their home last November knowing full well that there was an ongoing dispute between Breckenridge and the City over development of the Old Middle School property and that there was the potential for dramatic changes in the neighborhood. He has concerns over the increased traffic flow, which he does not believe has been adequately dealt with. The second issue is that affordable housing would be built on the Middle Parcel. It is not so much that he is opposed to that as much as he would like to know more about it. He is unsure whether that was what was needed now for Ames and for this neighborhood. Mr. Helfers added in his letter that he stands behind the Council's

decisions about lowering the density for the area in question as long as it was done in good faith, and he believes that the Council members make their decisions around what they believe is best for Ames.

Ms. Helfers stated that she personally has concerns about traffic and how the land was divided. She also commented that she is wondering what other compromises will be made if there is not enough parking for 422 beds. It was pointed out by Ms. Helfers that a lot of college students already live on the southwest side, and already many families do not want to live there.

Mayor Campbell pointed out that tonight, the Council is looking at only the Agreement that deals with the issues that were highlighted by City Attorney Parks. The other issues, i.e., parking and drainage, etc., will be dealt with under other processes that are yet to come.

Michael Petersen, 3302 Morningside Street, Ames, advised that he is a member of the College Creek/Old Ames Middle School Neighborhood Association. He commended Breckenridge for offering to sell the South Parcel to Iowa State University and the Middle Parcel to the City. Mr. Petersen voiced his personal concerns over the possible loss of the peace and quiet for residents of Wilmoth, Tripp, Hilltop, and Franklin Streets when the North Parcel is occupied by 422 students. According to Mr. Petersen, Breckenridge has proven that it cannot be trusted. He expressed his reservations about Breckenridge adhering to the terms of any Agreement. Mr. Petersen does not agree with offering any tax abatement to Breckenridge, as he feels that it is not the responsibility of the taxpayers of Ames to subsidize the development or ensure that Breckenridge can proceed with its business proposal for high-density student housing. Breckenridge was not invited to come to Ames. He also believes that there will be traffic problems and problems caused by partying and the lack of trash control. It was stated by Mr. Petersen that the neighborhood residents had worked hard to retain RL zoning on all three parcels and do not want to give that up. He does not accept the terms of the proposed Settlement Agreement and urged the Council not to approve it. According to Mr. Petersen, to accept the Agreement would be giving in to bullying and intimidation by the developer and would set a precedent for other developers to follow. He asked what would happen to the Breckenridge development when ISU student housing declines; it would not be suitable for single-family housing.

Sharon Guber, 2931 Northwestern Avenue, Ames, reviewed the actions that had occurred since the School District sold the three Parcels in question. She reviewed the goals of the Land Use Policy Plan. Per the testimony of Ms. Guber, currently, with the RL zoning, on all parcels, there would be a total of 362 total residents on all three Parcels or 14 residents/acre. Under the proposal, 422 residents would be allowed on the North Parcel and three optional parcels and approximately 145 residents would be allowed on the Middle Parcel; that equates to 567 total residents (47 residents/acre with 422 on the North Parcel). Ms. Guber made a comparison of the proposed development to the other Aspen Heights properties. She also showed pictures of what single-family housing in Ames looks like next to large apartment buildings, e.g., The Grove, Luverne Apartments. Ms. Guber expressed her fears that properties around the North Parcel will be sold or used as rentals after the student housing is built. She asked how apartment buildings are repurposed when they are no longer occupied.

Joanne Pfeiffer, 3318 Morningside Street, Ames, thanked the City Council for all the work it had done in attempting to resolve the issues surrounding the Breckenridge development proposal that has affected the College Creek/Old Ames Middle School Neighborhood. She gave a presentation entitled "Save the Neighborhood," which spoke to the quality of life, safety, noise control, walkability, connectivity, and values of the surrounding neighborhoods. Ms. Pfeiffer is concerned about the possible density of the neighborhoods, which could result in the possible fleeing of the current

homeowners, an increased number of rentals in the neighborhood, and deterioration of the neighborhoods surrounding the development. She asked the Council to reject the proposal.

Warren Madden, Senior Vice-President of Business and Finance for Iowa State University (University), stated that the University has been involved in conversations about the settlement proposal. It has not been a party to the settlement negotiations; however, is named as it relates to the sale of the South Parcel by Breckenridge to Iowa State University. Mr. Madden advised that both parties have agreed to a purchase price, the Board of Regents had approved the purchase at its last meeting in June, and the University is prepared to move forward to acquire the South Parcel. He noted that the University's Letter of Intent is not contingent upon approval of the Settlement Agreement. The normal closing transactions still need to occur; however, it is believed that the sale of the real estate will be complete by August 31, 2015, as outlined in the proposed Settlement Agreement. Mr. Madden stated the University's intentions for the South Parcel. The bicycle trail will remain at its current location. It is the opinion of the University that a small parcel located on the north side of the Creek would best be added to the Middle Parcel, and if the Settlement Agreement is approved, the University would have discussions with the City to get that small section added to whatever the City decides to do on the Middle Parcel. Mr. Madden offered that he believes the proposal is a reasonable settlement. Iowa State University supports it and is prepared to implement its piece; however, this is a decision of the City Council. Mr. Madden offered that he is a member of the CyRide Board of Directors. He noted that one of the issues of development of this area is the impact on public transit. Speaking personally, he believes that if there is going to be higher density development, having it on the North Parcel adjacent to Lincoln Way is a better solution than some of the other alternatives that would have potentially impacted the public transit activity along State Street.

Sharon Riley, 218 - 14th Street, Ames, advised that she represents member organizations of the Mid-Iowa Organizing Strategy (AMOS) group. According to Ms. Riley, there are many Ames families struggling to afford housing in Ames. It is becoming increasingly difficult for those with limited resources to find housing in Ames. Many simply cannot afford to live in Ames and are forced to move to other communities. In Ms. Riley's opinion, Breckenridge settlement is an opportunity to do something big for Ames. The Middle Parcel will allow for affordable housing to be located near a major transit corridor and be walkable to medical clinics, grocery stores, and restaurants. She supports the City's purchase of the Middle Parcel for affordable housing and believes it would be a good use of Community Development Block Grant (CDBG) funds. Ms. Riley urged the Council to vote yes on the Settlement Proposal as a Smart Choice and provide a way for all people of all income levels to have a place to call home.

Sue Ravenscroft, 455 Westwood, Ames, noted that the word "compromise" had been used a lot in the discussions about the Breckenridge development. Ms. Ravenscroft said she sees compromise as an arrangement where all parties get something and give something up. She does not see the proposal as a compromise. Neighbors are sacrificing a great deal and getting nothing. Breckenridge gains and gives up nothing. She agreed that the City badly needs affordable housing; however, it should promote affordable housing without sacrificing adjacent neighborhoods. Ms. Ravenscroft expressed concerns over the density of the complexes, which would have no space for buffers for the adjacent neighborhoods. Another concern of Ms. Ravenscroft is that Breckenridge has provided no drawings of what the development will look like because they don't have any. She believes that there certainly will be traffic problems and that the values of adjacent homes will go down. Ms. Ravenscroft believes that the Council, if it approves the Settlement Agreement, would be sacrificing the very values that are placed on public participation and important civil processes. Signing the proposed Settlement

Agreement sends a message to developers that if they don't like the City's process, they should take the City to court. It encourages developers to threaten court action if they don't get what they want. Ms. Ravenscroft urged the Council to follow the goals of the LUPP. In her opinion, Breckenridge has sacrificed nothing and gained a lot.

Ken Platt, 3614 Woodland Street, Ames, said that all of the pertinent issues that he had have been raised. The thing that bothers him the most is that the City would be locking itself into an untenable situation. He reiterated the statistics formerly given about Copper Beech compared to what Breckenridge is proposing. Mr. Platt believes that the vast majority of students are really great citizens; however, a small minority create problems. He is very concerned that there will be a concentration of nearly 500 students on only eight acres and asked what that will do to the residents who are adjacent to that area. He asked the Council to consider what that will do to the quality of life for the neighborhoods immediately adjacent to the proposed development and across Lincoln Way to the neighborhoods on the north side. Mr. Platt does not believe that the proposed Settlement Agreement is a compromise. He doesn't want to tie the hands of the community, who would have no more right to question. Mr. Platt also offered his opinion that, if the project goes through and the City has not already found a developer for the Middle Parcel, no developer will want to develop it as affordable housing. Mr. Platt suggested that the City pay Breckenridge for the actual value of its property without the proposed high-density development. He urged the City Council not to approve the proposed Settlement Agreement. If no Agreement can be reached, he suggested that the land remain zoned RL.

Sharon Stewart, 437 Hilltop Road, Ames, said the reason that the City is in this situation is that a company bought land that was not zoned for the development that it planned with the intention that it would get what it wanted. When that was not the case, it sued the City; they now use the lawsuit as leverage. Ms. Stewart believes that the lawsuit does not have a lot of leverage. In Ms. Stewart's opinion, having the South Parcel sold to the University is an advantage. If the Settlement Agreement does not move forward, she sees Breckenridge attempting to pull out of its agreement to do that. She also said she wonders what will happen if there are future discrepancies between the City and Breckenridge concerning the South Parcel. She sees the biggest "carrot" of the proposal being the sale of the Middle Parcel to the City for affordable housing. Ms. Stewart expressed her many concerns over the North Parcel. One primary concern expressed was that by consolidating all three parcels on the North Parcel, there is one property owner remaining, and she hopes that appropriate consideration would be given to that one property owner. Pertaining to the commercial space, she believes that 15,000 square feet is too small and the language governing it is too vague. She questioned whether Breckenridge could occupy it or if it would have to rent it to other commercial entities. It was also asked by Ms. Stewart if the commercial space would have to face Lincoln Way. She would like the bike trail to be addressed as part of the Settlement Agreement. Ms. Stewart specifically asked that Tripp Street not be extended, which would greatly increase the amount of traffic going through the neighborhood. Ms. Stewart raised the issue of the previous behavior of Breckenridge in violating Code; they have earned her distrust.

Sarah Cady, 2812 Arbor Street, Ames, stated that, in general, she is in favor of the proposal. She sees it as workable with additional details about the specific development of the Middle Parcel and the layout of the North Parcel. Pertaining to the Middle Parcel, Ms. Cady said that she is in favor of the plan for the Middle Parcel; there is a real need for affordable housing in Ames. Regarding the North Parcel, she is generally supportive of intensification and mixed use along the transit corridors. Ms. Cady sees it as a better proposal as the previous proposal would have allowed over 500 people on the Middle and North Parcels without any transit access and with egress only on State Avenue. Ms.

Cady believes that the traffic concerns can be addressed through traffic-calming measures and additional signalization. She is concerned about 422 additional residents on the North Parcel, but thinks it could contribute to the lively environment of Campustown. Ms. Cady said that she has concerns about additional developments in West Ames as a whole. She is in favor of the bike path that parallels Lincoln Way; the current shared use path is inadequate and bicycle traffic often conflicts with vehicular traffic. Ms. Cady believes that it is critical to consider the bike path as part of the Settlement Agreement and the residential development.

Jason Paull, 3310 Tripp Street, Ames, identified himself as a resident of the College Creek/Old Middle School Neighborhood. He said that he and his wife purchased their home one and one-half years ago; it is near the North and Middle Parcels. The proposed Settlement Agreement offers things that are important to the community, i.e., affordable housing on the Middle Parcel and environmental protection on the South Parcel. According to Mr. Paull, there are over 200 homeless children in Ames. The large tract of land comprising the Middle Parcel offers the possibility of reasonably priced homes that could give children and their families a place to live and continue in the Ames School District. Additionally, being in a neighborhood that is walkable to commercial areas is good for families. Mr. Paull asked the Council to vote in favor of the proposal.

Dale VanderSchaaf, 2602 Tyler, Ames, said he was speaking as a representative of AMOS and Story County Community Housing (SCCH). Mr. VanderSchaaf advised that the SCCH Board voted in favor of the Settlement Proposal. He acknowledged that it was not an easy task to come to this point. The proposal does offer a great opportunity to offer affordable housing. Mr. Vanderschaaf noted that having property available for development of affordable housing has been an impediment. He said that he can appreciate the concerns that have been expressed. Mr. VanderSchaaf urged the City Council to support the proposal. He believes that it would be a missed opportunity if it were not approved and believes that great things can be done for the community on the Middle Parcel.

Victoria Szopinski, 3710 Ross Road, Ames, advised that she had been involved in a lot of conversations on this topic. She raised three points - predictability, tax abatement being called a settlement, and citizen involvement - that she did not believe had been adequately addressed. The Council agreed that neighborhoods deserve predictability. Ms. Szopinski noted that the City and School District had entered into an agreement in 2007 so that when school property was sold, it would be zoned low density; that gave neighborhoods predictability. According to Ms. Szopinski, the research that was done at the time of the lawsuit showed that the City's action was legal. Szopinski stated that, as a municipality, the City has an insurance policy where if it goes into a settlement situation, the insurance policy covers the costs of the lawsuit. In the event that the City were to lose, the lawsuit is still covered by the insurance policy. Ms. Szopinski does not agree with tax abatement being offered for high-density development. She sees this as setting a precedent and wants to understand that a little bit better. Pertaining to citizen participation, Ms. Szopinski noted that this issue brought together many individuals throughout the community, the detailed research done was amazing, and the numbers of citizens participating in discussions was impressive. Ms. Szopinski does not want the Settlement Proposal to be the answer as to why citizens do not get involved in the future. She said she recognizes that people are tired of this issue, but that is not the reason to settle. Ms. Szopinski asked the Council to reject the proposal. A lot of time has been spent on this issue, and she asked that the Council put more time into it.

Fred Bradner, Sunrise Neighborhood Association, Ames, noted that what happens on one side of the City affects other parts. He noted that predicability for his neighborhood has come through conversations with Hospital-Medical representatives and the City, through honest intentions of good

people sitting down and having conversation. Mr. Bradner pointed out that positive things can be achieved without dirtying up the process. This issue is indeed unique, but what happens this time will affect the whole city.

Carol Stuve, 218 Hilltop, Ames, said that one issue that had not been addressed was the quality of work by the Breckenridge Group. She referenced several incidents she found from Web sites, newspapers, and news reports that showed the quality of Breckenridge's work is bad. According to Ms. Stuve, there is actually a lawsuit against Breckenridge pending in Columbia, Missouri. Similar construction issues in other Breckenridge developments have been reported in other states. Crime is another issue in Breckenridge developments. Ms. Stuve said there is another lawsuit pending concerning the promised cap on utility costs, which did not get honored by Breckenridge. Her concern is lowered property values and even being able to sell her home in the future. Ms. Stuve believed that Breckenridge will be another case of an absentee landlord and the effects that will come from that.

Brian Torresi, DavisBrown Law Firm, Ames, representing Breckenridge, expressed his assurances that the Settlement Proposal is definitely a compromise. Mr. Torresi said that Breckenridge has a legitimate case that the Ames City Council acted unconstitutionally. He pointed out that Breckenridge had asked for 900 -1000 beds on three parcels. On the North Parcel, there will be 350 beds. Breckenridge will own three parcels that are already zoned RH. Regardless of what happens with the Settlement Agreement, Breckenridge will be allowed to build at least 422 beds. According to Mr. Torresi, Breckenridge does not build commercial space, but it recognized its value to the community, and it agreed to build the commercial space. In reference to the ten years of a declining tax abatement, Mr. Torresi pointed out that the property in question has been tax-exempt for years, so the amount of taxes that will be paid will be a lot more than what it is getting now, which is nothing. He noted that \$550,000 for the Middle Parcel is not even close to its value. It was pointed out that it cost Breckenridge \$700,000 to tear the old Middle School down. Mr. Torresi said that there has been three years of public participation in the entire process. He sees the Settlement Agreement as truly a compromise; there is nothing more for Breckenridge to give. According to Mr. Torresi, Breckenridge has acted in good faith. It wants to be a good community member. He urged that the public read the Settlement Agreement, as a lot of the speakers' concerns are addressed in that document.

Charlie Vatterott, Aspen Heights, 1301 South Capital Texas Highway, Austin, Texas, stated that there has been an abundance of public input. This has been a very collaborative effort towards a solution that works for everyone involved. Mr. Vatterott recognized Sarah Cady for her detailed research on the proposed development. Pertaining to the concerns about overall density, he said that Breckenridge currently could build on all three parcels, spread out the development, and lower the density. According to Mr. Vatterott, Breckenridge is trying to work with the community. One of the issues was that the community wanted this to be low-density to bring more students into the School District; it is getting that. The community wanted the South Parcel to go to Iowa State University, and that is going to happen. Mr. Vatterott said that it has been tough for Breckenridge, and it cannot give any more. Much of the South Parcel is going to be buffered. He is confident, and he hopes that the City is confident that it has come to the point that it can make this work.

Lauren Faeth, 321 Hilltop, Ames, said he and his family purchased a home in the then-nice-quiet neighborhood that was close to the Ames Middle School. Since then, Tripp Street has been opened up, the Middle School has been torn down, and they are now faced with student rental housing that will be built next to them. Mr. Faeth referenced comments made by developer Dickson Jensen at a previous Council meeting as to why this development should not move forward, and he urged the City

Council to read those comments. In Mr. Faeth's opinion, Breckenridge should not be trusted; it will try to twist the language to be in its favor. He does not believe that Breckenridge is operating in good faith. Mr. Faeth sees any tax abatement for Breckenridge amounting to taking money from citizens "at gunpoint" to support an out-of-state corporation; that is not a good path to go down. Mr. Faeth stated that he was told by one of the Council candidates running for office during the last election that it was the "City's responsibility to ensure that Breckenridge makes a profit." He does believe that the City wants citizen participation, but rather wants its residents to go away so they can take care of their special interest groups. Others in the City have struggled and the City never offered a tax abatement. Mr. Faeth urged the City Council to "have a spine" and vote no for the proposed settlement.

Planning and Housing Director Diekmann pointed out that the site plan will address both the apartment and mixed-use components. The site plan process does not contain any waivers for procedures. It will include landscape separations, placement of buildings, access points to the site, all utilities available to the site, parking requirements.

Council Member Goodman noted that this was the first time that Council had taken public input on the Settlement Agreement. He felt that he had heard issues and concerns at this meeting that had not been brought out in the past. Mr. Goodman asked legal counsel if specific questions about the Settlement Agreement should be raised in Closed Session. City Attorney Parks said that if Mr. Goodman's questions concerned strategy in the litigation process, they should be asked in a Closed Session. If his questions involve site plan issues, those could be asked now publicly.

Council Member Orazem acknowledged that the University had come up with a very generous offer for the South Parcel. With the University coming up with an offer for the South Parcel, the City began to think of ways to take the Middle Parcel out of the mix. It came up with the possibility of using CDBG funds and making the land available for affordable housing. The tax abatement was a matter of taking what the City had offered to other developers in the Campustown area and extending that offer to the North Parcel as a way to lessen the number of beds and get some commercial use. The abatement was there specifically because it needed to be made feasible for Breckenridge to consider parting with roughly 11 acres. The City does not have another tract of 11 acres available for affordable housing. Mr. Orazem also noted that the offering of tax abatement to developers in similar situations is not new. Planning and Housing Director Diekmann explained that Council will have discussions about what the qualifying criteria are for tax abatement.

Council Member Goodman commented that he was in support of the compromise in general; however, he did not plan for the issues that had come from the public at this meeting. He suggested that the Council have one more Closed Session to discuss the City's strategy.

Council Member Gartin said he would like to ask legal counsel a few more questions to see if some of the issues could be allayed. Specifically, he brought up the issue of more noise complaints and how it could relieve the police of additional work. City Attorney Parks stated that it did come up at an earlier meeting, and Chief Cychosz said that the police find it easier to contain those types of issues when they are in apartment complexes. They would rather see developments built in conventional apartment housing style rather than spread out over single-family housing.

Addressing the issue of bike paths raised by Council Member Gartin, Director Diekmann said that the ideas about additional or different bike paths will be part of the Long-Range Transportation Plan and are being evaluated by the Ames Area Metropolitan Planning Organization. It is not a site plan issue, and it is unknown how the bike path will be incorporated in the site plan at this time.

Council Member Gartin asked Mr. Diekmann to address the issue of density, specifically comparing the proposed Breckenridge development to other recent developments. Director Diekmann stated that the recent development west of HyVee is more dense; it has 260 beds on four acres. Another development on South Fourth Street will have 518 beds on eight acres; thus, making it more dense. Copper Beech is a different style, i.e., townhomes; it is less dense.

Mayor Campbell pointed out that it is possible that the North Parcel will not be able to contain 422 beds. Director Diekmann concurred, stating that the developer is responsible for meet the City's development standards; it might not be possible to reach 422 beds.

Council Member Betcher cited her concerns about empty commercial space. She wanted to know if the criteria for Urban Revitalization require filled commercial space before tax abatement is granted and if the tax abatement criteria state that the commercial space must be occupied.

Council Member Goodman raised again his concern as to whether some of his questions should be discussed in Closed Session.

Mayor Campbell suggested that the Council take a recess to allow Council Member Goodman to confer with legal counsel on his questions.

The meeting recessed at 8:12 p.m. and reconvened at 8:30 p.m.

Moved by Goodman, seconded by Nelson, to table this issue
Vote on motion: 3-3. Voting aye: Betcher, Goodman, Nelson. Voting nay: Corrieri, Gartin, Orazem.
The Mayor voted nay to break the tie. Motion failed.

Moved by Orazem, seconded by Gartin, to adopt RESOLUTION NO. 15-475 approving the Settlement Proposal between the City of Ames and Breckenridge Group Concerning Land Located at 321 and 601 South State Avenue and 205 South Wilmoth.

Council Member Gartin asked about Iowa State's role in purchasing the South Parcel and how it affects the settlement. City Attorney Parks said the only thing is that the sale of the South Parcel to the University has to be completed by August 31, 2015. She noted that Iowa State representatives have stated that it will be completed by that time.

Council Member Goodman commented that, in general, he is a supporter of the Agreement. He noted that there are some good things that will come out of this, i.e., it allows for intensification of the Lincoln Way Corridor, it provides land for affordable housing, and the South Parcel will remain as green space. He said that he hopes to come to a better understanding of the tax abatement. Mr. Goodman pointed out that there had been almost three years' worth of conversation on this issue, and the City had come a long ways since the initial development request; i.e., Breckenridge wanted almost 1,000 beds of rental housing, it will now get up to 422 beds and perhaps not that many depending on its requirement to follow all Ames building standards.

Council Member Betcher stated her main concern with the Agreement is the extension of the tax abatement to properties that are currently not part of the North Parcel; specifically, Breckenridge does not yet own the three smaller lots, and they are not part of the North Parcel. She is not in favor of incentivizing the purchase of properties that do not need to be purchased and which will leave one

low-density parcel within a high-density parcel. She likes the idea of mixed use and that the Middle Parcel would be available for affordable housing.

Council Member Gartin referred to the great amount of collaboration that had occurred to get to this point. He particularly called out Sharon Guber for the deliberative process that she led citizens through. Mr. Gartin also publicly thanked Iowa State University for coming to the City's aid. Because of the University, the South Parcel will be a beautiful piece of ground into perpetuity. He also thanked the developer's attorney and believed that he did act in good faith on behalf of his client. Mr. Gartin believes the Settlement Agreement is a compromise.

Council Member Corrieri commented that the Settlement Agreement did not represent a perfect deal where everyone would get what they want. She assured everyone that the concerns of the neighborhood and the goals of the City were always at the forefront of Council's discussions in Open and Closed Sessions.

Council Member Nelson shared his opinion that the Settlement Agreement meets a lot of the goals of the Council: the South Parcel being retained as green space and buffering the University's agricultural operations, the Middle Parcel offering affordable housing, and a lowered number of beds on the North Parcel.

Roll Call Vote: 4-2. Voting aye: Corrieri, Gartin, Nelson, Orazem. Voting nay: Betcher, Goodman. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

UPDATE ON INDOOR AQUATICS CENTER: City Attorney Steve Schainker provided an update on the conversations regarding replacing the Municipal Pool with an Indoor Aquatics Center. It has included discussions with the Ames Community School District as to whether to build one facility to meet the needs of the School District and community or to build two separate facilities, one to meet School District needs and one to meet the recreational needs in the community. Mr. Schainker summarized the three public input sessions that had been held. At the end of each session, attendees were asked to complete a short questionnaire. He brought the Council's attention to the results of those questionnaires. Also pointed out were the results of the 2014 Citizen Satisfaction Survey.

As the next step, City Manager Schainker stated that it is important for the City and School District to determine if it is in the best interest for all parties to construct a combined or separate facilities. The School District has been working with an architect to develop information regarding its two pool options. The City believes it is now time to contract with a consultant to obtain data regarding capital costs, operating expenses, and revenue projections for various alternatives that serve Ames citizens' recreational needs. According to Mr. Schainker, City staff intends to contract with Water's Edge Aquatic Design, which was the consultant on the Furman Aquatic Center. Funding in the amount of \$9,500 study will come from Municipal Pool CIP funds, which currently has a balance of approximately \$130,000.

Council Member Orazem asked if Iowa State University had been asked to partner in an agreement for an indoor aquatics center. City Manager Schainker said that might be an option for the School District to use Iowa State's facilities.

ANNEXATION OF 5500-240TH STREET: City Planner Charlie Kuester stated that the City has had a growth strategy that for years had prioritized the Southwest as a desirable area for growth. That

later changed, in 2011, from a Priority Growth Area to an Allowable Growth Area. Amendments to the Land Use Policy Plan (LUPP) in 2011 further differentiated Southwest I as an Incentivized Growth Area, for which the Capital Investment Strategy of the LUPP identified ways in which the City may contribute to the costs of development.

Mr. Kuester advised that the City had received an Annexation Petition filed on behalf of the Douglass Rex McCay Trust and the Wanda Chaffin McCay Trust. The acres included in the Petition total 258, which are located in the Southwest Allowable Growth Area. The McCay property equates to 251.28 acres on the south side of U. S. 30 west of South Dakota Avenue. Because the McCay property surrounds two other properties, an additional 6.72 acres would need to be annexed in order to avoid creating an island. John Moore owns one of those properties and Katherine Frame owns the other. The McCays want to sell their home (located on the south side of 240th Street). A prospective buyer wishes to purchase a portion of the McCay property with the existing house, but not the entire developable area of the parcel. In order for that to occur, Mr. McCay would have to prepare a subdivision plat for approval by the City. It was explained how this approach differs from most annexation requests that have been filed in recent years. Although no development is currently proposed, City staff stated that the costs associated with any necessary rural water territory transfers would be borne by the property owner. Staff also believes that a waiver of the right to withdraw would be needed for the annexation to secure the City's investment in time to proceed with the process, and Mr. McCay has indicated his willingness to sign such agreements.

After being questioned by Council Member Gartin, Planning and Housing Director Diekmann stated that, although the properties are located in the Southwest Allowable Growth Area that had once been identified as a Priority Growth Area, the area currently is not served by City infrastructure and significant sewer line extensions are needed into the Area. The water service would need to be extended south under Highway 30 to serve the site in the future. Part of the Area is within the Xenia service territory and part is within the City's. The City believes the service provider is unclear; the City believes that the McCay land is in the City's service territory, but Xenia disagrees. The City has water available on the north side of U. S. 30 at several locates that would need to be extended south under Highway 30 to serve the site in the future.

Council Member Goodman recalled the past issue concerning the sewer line being installed along Worle Creek. He noted that, in response to concerns expressed by property owners along Worle Creek regarding potential environmental impacts of a sewer line within the Creek area, the Council approved a concept for two sanitary sewer lines to be constructed connecting to the southeast near Dartmoor Lane. In hindsight, he wished he would not have supported that concept. He urged the other Council members to learn more about what was done in the past.

According to Director Diekmann, typically, when an annexation request is submitted, especially one this size, the Council has directed City staff to meet with other property owners to gauge their interest in joining the annexation. Since this area has had a longstanding interest by the City for annexation for residential development, maximizing the opportunity would be prudent at this time. Mr. Diekmann believes that the outreach to others in the area could occur in the next six weeks.

Moved by Nelson, seconded by Corrieri, to accept the Petition for Annexation from Doug and Wanda McCay and direct staff to seek other owners in the Southwest Allowable Growth Area who may wish to seek annexation.

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

Moved by Goodman, seconded by Corrieri, to request staff to make available to Council the history of the sewer extensions and budget along Worle Creek.

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

DEVELOPER'S AGREEMENT FOR DAYTON PARK LLC IN TIF DISTRICT ON SOUTH BELL AVENUE: The City and Dayton Park, LLC, entered into a Development Agreement on February 4, 2009, in order to establish an Urban Renewal Area and Tax Increment Finance District (TIF) for the construction of the Ames Community Development Park, 4th Addition. This development created 14 lots for industrial development and completed the connection of S. Bell Avenue between E. Lincoln Way and SE 16th Street.

Mr. Diekmann outlined the requirements of the developer that were set out in the Development Agreement. He recalled that one of the requirements, i.e., to build a second speculative building within 12 months of the occupancy of the first speculative building, was not met. Council approved an amendment to the Agreement on July 22, 2014, to account for the late completion of the second building and to require construction of the next required building by December 31, 2014, as a consideration for accepting the late completion of the second speculative building. The developer completed the second speculative building last summer and submitted plans for construction of the third building; however, did not start or complete construction prior to December 31, 2014. The developer recognizes that he is currently not in compliance with the Development Agreement and has proposed an amendment to Agreement to change the term for construction of the third speculative building. The developer has now offered a financial consideration to address the noncompliance as he works towards construction of the required third speculative building. The offer is that the developer (1) will make a payment in lieu of taxes this year of \$11,340, based upon the minimum building valuation of \$350,000, (2) will create a minimum assessment agreement of \$350,000 retroactive to January 1, 2015, for property tax payment in September 2016, and (3) will complete construction of the third speculative building by December 31, 2015.

It was noted that if the Amendment to the Agreement is accepted by the City Council, each subsequent speculative building will continue on the original Development Agreement schedule of requiring an additional speculative building 12 months after the prior building is no longer considered speculative. There are four lots remaining after construction of the third speculative building to be completed as potential speculative building sites.

Options available to the City Council were defined by Director Diekmann.

Council Member Goodman asked to know the value of the building that the developer has to have completed by December 31, 2015. Director Diekmann stated that it was probably in the \$1,000,000 range.

Council Member Goodman said it was his opinion that the developer is waiting on its investment until they have someone to buy the building; thus, he feels that the City is shouldering the burden. Council Member Betcher stated her agreement with Mr. Goodman's statement. She thought the City's goal was to have an empty building waiting for when someone needs the space. This seems to be a conflict between the City's definition of a spec building and what the developer is doing.

Chuck Winkleblack, Hunziker and Associates, 105 S. 16th Street, Ames, explained that two parcels were combined and he had been working with staff to build on Lot 1. Then the whole thing fell apart.

As soon as he found out that the proposed tenant was not coming, he started working with staff to reconfigure the shell of the building since he does not know what will want to go in there. Mr. Winkleblack said it is not his intent to have a contract signed before the building is built; there is a definite need for buildings to be ready when the need arises.

Council Member Gartin said this was a difficult issue for him. He is sympathetic to the situation as described by Hunziker & Associates, but he is wanting to uphold the City's agreement.

Moved by Goodman, seconded by Corrieri, to accept the developer's offer of \$11,340 as a payment of taxes in lieu of tax, to create a minimum assessment district, and to complete the third building by December 31, 2015, and direct staff to prepare an amendment to the Development Agreement to be signed by the developer.

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

STAFF REPORT ON DEER MANAGEMENT: Chief Chuck Cychosz commented that an aerial count of deer is generally conducted by the Department of Natural Resources under a cost-sharing arrangement with the City. This was the first year that there had not been an aerial survey. Appropriate aircraft was not available on days with weather suitable for the count. Densities exceeding 30 deer/square mile are generally thought to be the most likely to have human/deer conflict at a level where intervention is warranted. According to Chief Cychosz, there has been a shift in recent years where the higher concentrations of deer are now in West Ames.

According to Chief Cychosz, last year, hunting was allowed on private property if there were three or more acres available and hunting was supported by adjacent property owners. Because of the broad array of views in the community, the special Urban Deer Task Force had proposed that two classes of private property hunts be created: [1] hunts on wooded or agricultural tracts (reviewed by the Police Department and approved if the property meets the program criteria, and [2] residential locations reviewed by the Police Department and publicized in a manner that would seek additional input from other residents in the neighborhood. Chief Cychosz advised that there were a couple of private wooded/agricultural tracts approved for hunting, but there were no residential properties approved for hunting last year. During 2014, there were 34 tags purchased. The Urban Deer Task Force did not meet this year since there was no aerial deer count to consider. Information regarding collisions and hunter activity was shared by e-mail and Task Force participants were invited to vote on five items continuing the status quo. The Council was told by Chief Cychosz that comments from the Task Force members continue to illustrate the broad range of public attitudes toward deer and deer hunting. The recommendations and votes of the Task Force members were shared by Chief Cychosz. A majority of the Task Force members supported the continuation of hunting in designated City locations.

Chief Cychosz shared the staff's recommendations for locations, dates, and times for deer hunting in the non-park/public areas, park land areas, and private property areas. He also stated that the Iowa Department of Natural Resources (Iowa DNR), Special Urban Deer Task Force, Parks and Recreation Commission, staff members within parks and Recreation, the Police Department, and Animal Control support the continuation of the Urban Deer Management Ordinance and rules.

At the inquiry of Council Member Orazem, Chief Cychosz stated that 48 deer were killed in collisions with automobiles. There were 12 harvested through the Deer Management Program.

Moved by Goodman, seconded by Corrieri, to approve bow hunting within the Non-Park/Public Areas, Parkland Areas, and Private Property Areas as recommended by staff.

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

FAA GRANT FOR AIRPORT TERMINAL BUILDING PROJECT SITE WORK: Traffic Engineer Damion Pregitzer gave a brief overview of this issue. On June 23, 2015, the City received bids for the site work portion of the project. The low bidder came in with a bid of \$772,299.10, and staff used that bid to file the required grant application paperwork with the Federal Aviation Administration (FAA) for the City's \$450,000 in federal entitlement funds. The FAA Central Region staff in Kansas City reviewed the application, provided concurrence of the receipt of bids, and approved the entitlement funds for this fiscal year. The site work bid came in \$202,000 over the latest project estimate. In addition, the most recent estimate for the Terminal construction project reflects a need for \$547,500 more than anticipated. As a result, the City and Iowa State University have agreed to each contribute an additional \$250,000 along with a commitment to reduce the size of the Terminal to yield the remaining \$250,000 of needed savings to finance the site work and Terminal construction. Mr. Pregitzer reminded the Council that this information initially came before the City Council on July 14, 2015. At that meeting, the Council had directed that the City and Iowa State University share in funding the additional \$749,500 and that staff look for ways to possibly reduce the size of the Terminal Building. According to Mr. Pregitzer, the City has until August 16, 2015, to decide on awarding the bid to the low bidder for the site work project; however, approval of the Grant and submittal to the FAA is required by July 31, 2015, in order to receive the federal funds in this fiscal year. Approving the Grant at this time will ensure that federal funds will be available for the site work should Council later choose to award this bid. The approval will also facilitate the private sector beginning hangar construction this year. Rejecting the grant will result in the funds not being available until next fiscal year and would result in a delay in the completion of the site work along with the corresponding construction of the hangar by the private sector by approximately one year.

City Manager Schainker emphasized that should the City use the federal grant funds, the FAA would then expect continued progress towards design and construction of a new terminal building where the site work was performed. The building would need to at least provide space for minimum services including FBO office space, a lobby area, and a line crew facility.

Moved by Nelson, seconded by Orazem, to approve the FAA grant for Phase 1 (site work only) of the airport Terminal Building project.

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

HEARING FOR 2014/15 DOWNTOWN STREET PAVEMENT IMPROVEMENTS: Mayor Campbell opened the public hearing. There was no one wishing to speak, and the Mayor closed the hearing.

Moved by Goodman, seconded by Nelson, to adopt RESOLUTION NO. 15-477 approving final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$1,206,258.00.

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

HEARING FOR 2014/15 SANITARY SEWER REHABILITATION (MANHOLE

REHABILITATION - BASINS 1 & 5): The public hearing was opened by the Mayor. She closed same after no one came forward to speak.

Moved by Nelson, seconded by Gartin, to adopt RESOLUTION NO. 15-478 approving final plans and specifications and awarding a contract to Save Our Sewers, Inc., of Cedar Rapids, Iowa, in the amount of \$1,622,502.06.

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

HEARING FOR CONTROL ROOM INSTALLATION GENERAL WORK CONTRACT FOR POWER PLANT: The Mayor opened the Public Hearing. No one asked to speak, and the hearing was closed.

Electric Services Director Kom told the Council that no bids were received. Contact has been made with 11 different vendors in an attempt to find out why none of them bid the project.

Moved by Goodman, seconded by Nelson, to accept the report of no bids and direct staff to re-bid at a later date.

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

HEARING FOR MECHANICAL INSTALLATION GENERAL WORK CONTRACT FOR POWER PLANT: The Public Hearing was opened by Mayor Campbell. The hearing was closed after no one requested to speak.

Moved by Corrieri, seconded by Nelson, to accept the report of bids and delay award of the contract. Vote on Motion: 6-0. Motion declared carried unanimously.

HEARING ON REZONING PROPERTIES AT 519, 525, AND 601 - 6TH STREET: Mayor Campbell opened the public hearing. No one asked to speak, and the hearing was closed.

Moved by Corrieri, seconded by Goodman, to pass on first reading an ordinance rezoning properties at 519, 525, and 601-6th Street from Residential Medium Density (RM) with Single-Family Conservation Overlay District (O-SFC) to Residential Medium Density (RM).

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

HEARING ON REZONING WITH MASTER PLAN OF PROPERTY AT 5400 GRANT AVENUE: Justin Dodge, Hunziker & Associates, 105 S. 16th Street, Ames, expressed excitement about this project. He said that this property overlooks Ada Hayden, and there has been tremendous interest expressed. His one concern is that one developer would be responsible for the left-turn lane. All its competitors who have developed property or will develop property in the area would not be required to contribute toward that improvement.

Moved by Corrieri, seconded by Nelson, to pass on first reading an ordinance rezoning property at 5400 Grant Avenue from Agricultural (A) to Suburban Residential Low Density (FS-RL) contingent upon a signed Rezoning Agreement prior to the third reading of the Ordinance.

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

It was noted by City Manager Schainker that development of the site will require approval of a Conservation Subdivision subsequent to approval of the rezoning request.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 15-479 to require a signed Rezoning Agreement with conditions of:

1. Developer is responsible for frontage and intersection access improvements at time of subdivision
2. A single pedestrian access be provided from Hayden's Crossing into Ada Hayden Heritage Park at the location shown on the Master Plan
3. A minimum of a 30-foot wide buffer of undevelopable open space be established between Hayden's Crossing and the City-owned park land to the east and south.

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

ORDINANCE MAKING A ZONING TEXT AMENDMENT TO CHAPTER 29 TO CREATE THE RESEARCH PARK AND INNOVATION ZONING DISTRICT: Moved by Nelson, seconded by Gartin, to pass on second reading an ordinance making a Zoning Text Amendment to Chapter 29 to create the Research Park and Innovation Zoning District.

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

ORDINANCE REVISING CHAPTER 5 PERTAINING TO INFRASTRUCTURE IMPROVEMENTS: Moved by Goodman, seconded by Corrieri, to pass on second reading an ordinance revising Chapter 5 pertaining to infrastructure improvements.

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

ORDINANCE REVISING CHAPTER 22 PERTIANING TO INFRASTRUCTURE IMPROVEMENTS: Moved by Goodman, seconded by Corrieri, to pass on second reading an ordinance revising Chapter 22 pertaining to infrastructure improvements.

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

COUNCIL COMMENTS: Moved by Corrieri, seconded by Gartin, to refer to staff the letter from Chuck Winkleblack asking that staff be directed to initiate a Minor Amendment to the Land Use Policy Plan for a piece of land on the southern edge to town (formerly known as the Reyes property).

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

Moved by Orazem, seconded by Gartin, to ask the Mayor to write a letter of support at the request of David Fisher supporting that the FAA raise the fee that they charge for every ticket from \$4.50 to \$8.50 with the funds being used to help the Des Moines Airport.

Mayor Campbell indicated that she would share the letter with the City Council. It was noted that there are no City funds being requested.

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

Moved by Goodman, seconded by Corrieri, to refer to staff the requests of Asa Wentzel-Fisher and Linda Jansen to name the Skate Park in memory of Georgia Tsushima, an Ames High School alumnus and skateboarder.

It was noted that Ms. Jansen also requested that helmets be made mandatory at the Skate Park.

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

Ex officio Council Member Schulte commented that, in light of the comments made about students during the Breckenridge discussion, he looks forward to fostering relationships between students and the developers.

ADJOURNMENT: Moved by Goodman, seconded by Corrieri, to adjourn the meeting at 9:44 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor