

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

**AMES, IOWA**

**FEBRUARY 23, 2016**

**REGULAR MEETING OF THE AMES CONFERENCE BOARD**

The Regular Meeting of the Ames Conference Board was called to order by Chairperson Ann Campbell at 5:30 p.m. on February 23, 2016. Present from the Ames City Council were Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem. Story County Board of Supervisors was represented by Rick Sanders and Paul Toot. Representing the Ames School Board were Lewis Rosser and Bill Talbot. Gilbert and United Community School Districts were not represented.

**MINUTES OF JANUARY 12, 2016, MEETING OF THE CONFERENCE BOARD:** Moved by Sanders, seconded by Rosser, to approve the Minutes of the January 12, 2016, meeting of the Ames Conference Board.

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

**PUBLIC HEARING ON PROPOSED FY 2015/16 BUDGET FOR CITY ASSESSOR'S OFFICE:** Chairperson Campbell opened the public hearing. After no one came forward to speak, the hearing was closed.

Moved by Nelson, seconded by Sanders, to adopt the FY 2016/17 budget for the Ames City Assessor's Office.

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

**ADJOURNMENT:** Moved by Toot, seconded by Rosser, to adjourn the Ames Conference Board meeting at 5:32 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 5:37 p.m. on February 23, 2016, in the City Council Chambers in City Hall, 515 Clark Avenue. Present were Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem. *Ex officio* Member Sam Schulte was absent.

Mayor Campbell announced that the Council would be working off an Amended Agenda. The bidding due date and public hearing date had changed for Item No. 21: Ames/ISU Ice Arena Flooring Project. Also, added was a Closed Session to discuss collective bargaining strategy and ratify the contract with IUOE 235 (Power Plant).

**CONSENT AGENDA:** Council Member Betcher asked that Item No. 5 (Request from Healthiest Ames for Open Streets) and No. 7 (Application for 2016/17 Governor's Traffic Safety Bureau Enforcement Grant) be pulled for separate discussion.

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

1. Motion approving payment of claims
2. Motion approving Regular Meeting of February 9, 2016
3. Motion approving Report of Contract Change Orders for February 1-15, 2016
4. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:

- a. Class E Liquor, C Beer, & B Wine – Wal-Mart Supercenter #4256, 534 South Duff Avenue
  - b. Class C Liquor & Outdoor Service – Buffalo Wild Wings, 400 South Duff Avenue
  - c. Special Class C Liquor & Outdoor Service – Stomping Grounds, 303 Welch Avenue, #101
  - d. Class C Liquor – Sips/Paddy’s Irish Pub, 124 Welch Avenue
  - e. Class C Beer & B Native Wine – Casey’s General Store #2905, 3612 Stange Road
5. RESOLUTION NO. 16-074 approving appointment of Amelia Schoeneman to fill vacancy on Zoning Board of Adjustment
  6. RESOLUTION NO. 16-076 setting date of public hearing for April 12, 2016, for transfer of property and granting of Easements to Iowa Department of Transportation for I-35 improvements
  7. RESOLUTION NO. 16-077 waiving City’s Purchasing Policy requirement for formal bidding procedures and awarding a contract to Open Systems International, Inc., of Medina, Minnesota, for Monarch Diamond Support for Power Plant SCADA in the amount of \$98,056
  8. RESOLUTION NO. 16-078 approving purchase of one Mini-Bus from Hoglund Bus and Truck in the amount of \$81,153
  9. RESOLUTION NO. 16-079 awarding contract to RESCO of Ankeny, Iowa, for purchase of Distribution Transformers for Electric Services in accordance with unit prices bid
  10. RESOLUTION NO. 16-080 approving Change Orders for 2015/16 Airport Terminal Building and Hangar (Phase 1: Site Work) in a net reduction amount of \$28,469
  11. RESOLUTION NO. 16-081 approving Change Order No. 5 with Knutson Construction of Minneapolis, Minnesota, for New Water Plant Project - Contract 2, in the amount of \$21,790
  12. RESOLUTION NO. 16-082 accepting completion of Water and Pollution Control Facility Raw Water Pump Station Elbow Replacement Project
  13. RESOLUTION NO. 16-083 accepting completion of Water and Pollution Control Facility Screw Pump Repainting and Drive Replacement Project

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

**REQUESTS FROM HEALTHIEST AMES FOR OPEN STREETS ON SUNDAY, APRIL 24:**

Council Member Betcher cited her concerns about closing Main Street all the way to Pearle Avenue since the accesses to the businesses west of Main Street would be closed off. She questioned why staff did not recommend going up Douglas instead, as had been done in the past. Ms. Betcher said she is particularly concerned that it would be difficult for people to access Wheatsfield Grocery if the intersection of Main and Pearle is closed. Council Member Bronwyn Beatty-Hansen commented that the parking lots to the south of the HyVee Drug Store would still be open. She felt that perhaps Wheatsfield could capitalize on the opportunity from increased pedestrian traffic down Pearle Avenue with possibly some vending outside the store.

Assistant City Manager Brian Phillips advised that they had activities and vendors around the library on Douglas Avenue in the past. However, parts of the demonstrations and activities were not well attended because attendees did not go around the corner from Main Street; that was the main reason for the organizers to ask to close that long stretch of Main Street.

KristenThompson, Healthiest Ames Events Coordinator, clarified that the intersection of Pearle and Main will not be closed; the barricades will be placed to the east of the intersection. The parking lot for HyVee Drug Store will be closed; however, it will still be accessible from the parking lot across the street south of that business. At the inquiry of Council Member Gartin as to why close such a long stretch of street closure was requested, Ms. Thompson noted that the main goal of Open Streets

is to encourage walking, biking, and other physical activity; to have only two blocks of Main Street closed actually seemed more like a street fair. Ms. Thompson reiterated that, in the past, when Douglas had been closed, people did not turn the corner to go up that street from Main Street; so they missed those activities being conducted on Douglas. It was also their intention to have the longer stretch of street closure to promote the continuous movement of people up and down the street.

Moved by Corrieri, seconded by Betcher, to approve the following requests from Healthiest Ames for Open Streets on Sunday, April 24:

- a. Motion approving blanket Temporary Obstruction Permit
- b. RESOLUTION NO. 16-072 approving street closure and suspension of parking enforcement for Main Street from Douglas Avenue to Pearlee Avenue from 8:00 a.m. to 6:00 p.m.
- c. RESOLUTION NO. 16-073 approving waiver of fee for electrical usage

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

**2016/17 GOVERNOR'S TRAFFIC SAFETY BUREAU ENFORCEMENT GRANT:** Council Member Betcher noted that the Grant was general in nature and wondered if it could work for areas around Campus, which has a high volume of pedestrian and vehicle traffic. Police Chief Cychoz responded that the Department chooses the locations based on crash data, citizen complaints, and to some extent, officer observations. He stated that this year, there was particular emphasis placed on pedestrian conflicts and specifically included Walk Smart and Bike Smart activities. Mr. Cychoz advised that the Police Department is very mindful of the conflicts in the area.

Moved by Betcher, seconded by Nelson, to adopt RESOLUTION NO. 16-075 approving submission of the application for 2016/17 Governor's Traffic Safety Bureau Enforcement Grant, and if awarded, authorizing participation by Police Department.

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

**PUBLIC FORUM:** Merlin Pfannkuch, 1424 Kellogg Avenue, Ames, said that in Ames, it is often talked about how much the City values citizen input. Mr. Pfannkuch believes that the City Council's approval of spending \$5.3 million to extend infrastructure across the Interstate is totally mind-boggling. He commented that he had sent an email this morning to Council Member Beatty-Hansen, but decided that he should read it at this meeting. Mr. Pfannkuch said that Ms. Beatty-Hansen has the wrong idea about this industrial area in that previous Councils have made no real decisions that bind the City to pursue this. In summary, Mr Pfannkuch acknowledged that the industrial area east of I-35 (or a business-industrial area) has been talked about for at least a decade, but the discussion had never, to his knowledge, dealt with the question of whether it was a good idea. He contends that the public has never been asked for input. Mr. Pfannkuch commented that Council Member Orazem, at the Council meeting held February 9, 2016, referenced a Council goal made in 2014, which was to pursue development in the Eastern Industrial Area. Council Member Orazem alleged that that comment was proof that the Council had never talked about this concretely, except at a more or less private meeting held where it can't be televised and the public can have no input even if they attend.

Mr. Pfannkuch further stated that never not in his 20 years following Council had he seen something not even in the CIP being stuck in at the absolutely last minute. He told the Council that this is a big deal - it equates to one-fifth the cost of the Library renovation, 12 CyRide buses, or 20 to 25 City

Managers for the year. He asked why the Council would listen to the Ames Economic Development Commission, as maybe it is right and maybe it's not. Mr. Pfankuch noted that the annexation process is so long that it couldn't be completed before August at the earliest. He asked why the Council could not delay the project in the budget for a year so the public could actually talk about it and have some input. He believes to put the money in the budget at this time was an absolutely ridiculous decision by the Council and could not stand up to any real examination. Mr. Pfankuch adamantly believes that the Council never talked about whether this is a good idea with the public. He specifically asked that this be removed from the Budget at this time.

Dan Breitbarth, Iowa State University Student Body President, said he wanted to come before the Council before the Lincoln Way Corridor Study gets underway. He encouraged the members of the City Council to consider all options that are brought before it and to listen to the students' voices and perspectives when making a decision as to what to do with Lincoln Way. Mr. Breitbarth noted that there are 36,000 individuals who are impacted by vehicular and pedestrian traffic on Lincoln Way. All options should be considered. Mr. Breitbarth said that he would be more than willing to appoint one, two, three, four, five, or more students to serve on a committee to give the students' perspective on the Lincoln Way Corridor Study.

Council Member Gartin asked Mr. Breitbarth for his opinion on how the City could best get student input. Mr. Breitbarth noted that open houses don't always work. Surveys do work to a certain extent, but they can only help so much. He suggested that having a student directly serving on any committee that would be making recommendations would be the best way; that person would then take the information back to the Student Government. Mr. Breitbarth suggested that a multiple of ways be used.

Council Member Orazem asked if the link for the on-line comment section had been sent to the Student Government. Public Relations Gwiasda clarified that there are two different Lincoln Way studies; one is the Lincoln Way Corridor Study, which has gone out and that site is live. The second one is the Lincoln Way Safety Study, which will be coming before the Council at its next meeting.

Ron Semler, 1404 Big Bluestem Court, Ames, spoke about a situation that had occurred for about six months in the cul-de-sac where he lives. He explained that an "old unsightly large motor home" (RV) was parked on the street in his neighborhood. People were living in it and continued to run its motor throughout the night with its noise and exhaust. Mr. Semler said the residents had confrontations with the owner and went to the Police. The Police told the residents to work it out. Mr. Semler said that the owner of the motor home also collected junk cars that were parked in the street. According to Mr. Semler, the RV had been parked in the parking lot of a condominium association until it blocked the garbage area. At that time, the owner of the motor home moved the vehicle onto the street in the Big Bluestem neighborhood. According to Mr. Semler, residents of Big Bluestem Court repeatedly called the police for help. The officer continually told the residents to work it out with the owner of the motor home. At one time, in order to meet the parking ordinance, the motor home owner had the vehicle towed a few feet. Another time, the motor home was actually towed for a parking violation; however, the owner paid the fine and tow charge and parked the RV back in the same spot on the street. Ultimately, the police had it towed away due to its non-operational nature. Mr. Semler requested an ordinance to prohibit this type of situation from ever happening again to any neighborhood. Mr. Semler said that the ordinance they were proposing would address: (1) motor homes, RVs, and bus parking on City streets, and (2) junk or wrecked vehicles parked on City streets. He noted that they had drafted a sample ordinance.

Bob Andrews, 1315 Big Bluestem Court, Ames, stated that the owner of the RV lives in another condominium association that faces Mortensen. It does have a parking lot, but Mr. Andrews assumes that there are rules prohibiting the parking of a RV there. The owner moved it onto the street, ran the generator throughout the night, and people were living in it. The residents of Big Bluestem Court worked through the Police Department. The police officer told the residents to work it out with the owner of the RV. The officer told Mr. Andrews that the only ordinance that would apply would be the parking ordinance. There is nothing on the books that prohibits people from living in a RV on the street. Sara from the Inspections Division was brought in. It ultimately was determined that the RV couldn't just be moved a few feet; it had to actually be driven.

Dan Olk, 1410 Big Bluestem Court, Ames, said that it was unusual that the situation could arise in the first place - i.e., living in a RV on the street, running a generator throughout the night. He felt that the Police did a fairly good job, and ultimately, the situation got resolved. Mr. Olk requested that there be "something put on the books" to ensure the situation doesn't occur again. He also noted the parking of several junk cars in the neighborhood that were owned by the owner of the RV. Mr. Olk said that a car belonging to the owner of the RV was parked in front of Mr. Olk's residence all summer long.

**RESIDENT SATISFACTION SURVEY POLICY QUESTIONS:** Susan Gwiasda, Public Relations Officer, stated that it was time for staff to get with the consultant at ISU to begin the process for the Resident Satisfaction Survey. As part of that Survey, there will be some space available if the Council were to desire to include a couple additional questions. She noted that she was not looking for the actual question, but just the topic, so that she can work with the consultant to craft the question(s). Typically, there is room for two to three questions, depending on how much explanation is necessary for the question. She asked the Council members to share their thoughts on topics.

Council Member Beatty-Hansen asked why an electronic survey is not done. Ms. Gwiasda answered that the City does not have e-mail addresses for all citizens. However, the City does have the physical addresses of all utility users; by using that database, everyone has an equal chance of getting a survey. In addition, all residents do not have the Internet.

Council Member Corrieri asked if it would be possible to ask residents how they feel about formula versus non-formula-retail in Campustown being incentivized. Council Member Nelson said that he would like to know that in the context of Main Street as well. Ms. Corrieri noted that non-formula retail would need to be defined. Susan will ask the consultants at Iowa State University (ISU) to see if that might work.

Council Member Orazem asked how difficult it would be for staff to process open-ended questions, e.g., "What would be the top three things that would make Ames cool?" He said he was curious as to what people might suggest. Ms. Gwiasda stated that the comments are compiled by ISU. It might come down to how much the Council wants to read. Mr. Orazem noted that it doesn't have to be related to government. Mayor Campbell said, that in the past, the Survey has been associated to the role of City government.

Council Member Gartin said that he had had inquiries from citizens about the speed of Internet access. He is not necessarily a proponent of the City providing Internet service, but it might be helpful to see if there is a broad concern about Internet access in Ames.

Council Member Betcher would like to see a question as to whether residents would be in favor of

using City-owned land to enhance private projects around the community, i.e., contributing or selling land at a reduced rate for private projects if it brings mixed-use and amenities that are desired in commercial areas in Downtown and Campustown. She clarified that it could be large flat parking lots or open green space for a plaza, for example.

Council Member Gartin asked if a question should be what attributes or amenities people would like to see in the Lincoln Way Corridor. City Manager Schainker noted that the consultants have begun to work on the Lincoln Way Corridor Plan and have public workshops scheduled. He felt it was best to leave that to the consultants at this time.

It was the consensus of the Council to work on including the three questions: (1) What would make Ames cool, (2) Whether residents would be in favor of using City-owned land to enhance private projects around the community if they bring mixed-use and amenities that are desired in Downtown and Campustown; and (3) How residents feel about formula versus non-formula-retail in Campustown and Main Street being incentivized.

**“PROTEST” ORDINANCES:** City Attorney Judy Parks noted that the Council had directed the City Attorney’s Office to investigate other Iowa cities’ ordinances addressing protestors. She gave a summary of the attempts of the City Attorney’s Office to retrieve information from other cities in Iowa.

Assistant City Attorney Mark Lambert said that, in most cities, there is very little - and often no - express regulation of protestors. According to Mr. Lambert, concerns about violating the First Amendment, which provides for freedom of speech and the right to peaceably assemble, are likely the reason that very few cities regulate picketing/protesting/demonstrating. Many of the responses received were really not on target with what Ames was asking. In summary, there were only two cities (Iowa City and Fort Madison) that had any sort of ordinance regulating protestors. Mr. Lambert noted many of the provisions of the ordinances. He stated that the City’s Legal Department questions whether some of the limitations in the Fort Madison ordinance would survive a constitutional challenge. Most of the provisions of the Iowa City ordinance are covered in Ames in other ordinances.

Dale Dyvig, owner of Dyvig’s Pet Shop, 412 Burnett Avenue, Ames, stated that he has had protestors in front of his store trying to discourage customers from coming into their store. He said that the protestors don’t want the Dyvigs to sell puppies. Mr. Dyvig advised that they buy from two kennels, which are registered and USDA- and state-inspected. He stated that they agree with getting pets from the Animal Shelter, but that is not for everyone and people should have a choice. According to Mr. Dyvig, the protestors bring large dogs that intimidate customers from coming into the store, they stand in front of parking meters and block the meters, they sit in chairs on the sidewalk in front of the business, and children who come with the protestors run across the alley, which is very dangerous due to the amount of traffic. Customers and other people drive by and don’t want to come in when they see the protestors. Mr. Dyvig noted that they have sent a petition to the City with over 300 signatures asking for an ordinance that protects the rights of business owners. Accord to Mr. Dyvig, his character has been questioned and untruthful comments have been made on Web sites. He felt that the City should adopt ordinances to protect all customers and business owners. He noted some of the things that he would like an ordinance to include, as follows:

1. The issuance of a permit for 30 days with a monetary value
2. The protestors have to provide proof of insurance similar to what he, as a business owner, has to

provide (\$500,000 general liability) to be allowed to put a table out in front of his business during Main Street promotions

3. The protestors cannot stand directly in front of the entrance to the business
4. The protestors cannot hand out pamphlets to vehicles driving by the business

Council Member Gartin asked how long the protests have been going on. Mr. Dyvig answered that they had been going on for approximately four years. He believed that it started as a personal issue, but had turned in to a personal vendetta. Council Member Gartin also asked if Mr. Dyvig had considered legal counsel. He noted that some of the items that Mr. Dyvig was requesting were out of the purview of the City Council.

Lauris Olson, 1705 Buchanan Drive, Ames, said that she was going to speak about First Amendment rights. One of the things that she had personally observed over the past 14 years was that the City had not taken long-term action on people standing on City sidewalks. She gave examples of other people standing on the sidewalk advertising services being offered by businesses and for fund-raising. Ms. Olson pointed out that the protestors are all using the same First Amendment rights to peaceably assemble and free speech, which is what Mr. Dyvig is asking to change just for his business. Ms. Olson asked if the City were going to ban dogs from the sidewalks in front of Dyvig's, would it also prohibit dogs from being at the Farmers' Market or the Octagon Arts Festival. She asked that the Council consider what other groups have exercised their First Amendment rights and urged that the Council carefully consider its actions.

Mindi Callison, 610-9th Street, Ames, said that she was the founder of "Bailing out Benji," which is the group that has been protesting in front of the pet shop. She stated that they have been protesting in front of the Dyvig's store for four and one-half years. No tickets have ever been issued. According to Ms. Callison, the Dyvigs have called the police "dozens of times," and almost every weekend for the first few years, but the officers have never found any violations occurring.

At the request of Council Member Orazem, Chief Cychosz advised that obviously, there is conflict. When called, the officer responding to the complaint has to determine whether or not there is a violation of obstructing traffic or access; that certainly is going to be a judgment call. It is probably intimidating to customers; that is probably the point of the protestors. The officer has to determine if there is a reasonable opportunity for traffic flow and pedestrian access. It is possible that some type of obstruction is occurring, but it has not been witnessed by the responding police officer. According to Chief Cychosz, officers are trying to find a reasonable balance of educating people about the ordinance and achieving compliance. Officers have not observed anything where they have felt that they had justification to cite anyone. Chief Cychosz advised that the ordinance is not specific to protests. The protestors would have to legitimately be violating an ordinance when the officer arrives at the scene to warrant the issuance of a citation.

Council Member Gartin noted that when the police officer arrives at the Dyvig's store, he or she is not finding any violations of ordinances occurring. However, that means that violations are not occurring at that time. Council Member Gartin suggested that perhaps Mr. Dyvig could install a camera to document the actions of the protestors. He also suggested that Mr. Dyvig contact an attorney to see if there is a cause of action involved. Mr. Gartin also addressed Ms. Callison, saying that if protestors violate the law, they should be cited. He doesn't want the officers to find a balance,

he wants a citation to be issued if any ordinance is violated. Mr. Gartin suggested that the protestors conduct their activities peaceably and obey the laws.

**POLICE VEHICLE PURCHASES:** Corey Mellies, Fleet Services Director, told the Council that, over the years, the standard police car has become smaller, while the needed room to house all of the features and equipment has increased. Last year, Fleet Services and the Police Department began to explore the feasibility of moving to the larger body style of the utility vehicles. Before making any final recommendations, it was important to determine differences between the standard sedan police car and utility unit in terms of purchase price, outfitting costs, safety, fuel mileage, and overall cost related to the 11 patrol cars in the City fleet. In order to make the analysis, a Ford Interceptor utility was purchased and put into service in May 2015 for a pilot study that continued until January 4, 2016. Mr. Mellies summarized the staffs' findings identified through the pilot program pertaining to: Safety, Purchase Price and Outfitting Costs, Fuel Mileage, and Resale Value.

Director Mellies also noted that patrol cars idle for an average of 62% of the engine on time. If idling could be reduced by 25%, this would result in an approximate increase in the utility miles per gallon (mpg) to 10.5 mpg. Assuming all 11 units have the same mpg, this would also equate to fuel savings of \$1,190/vehicle and a total savings of \$13,095 over the lifetime of all 11 units. According to Mr. Mellies, anti-idling also provides benefits in maintenance and longevity of the units due to the fact that they are not running the engine. Director Mellies advised that Fleet Services has researched two units for anti-idling. He described the units and the benefits and drawbacks of each. The estimated impact of installing idling devices on utility vehicles was pointed out by Mr. Mellies. The net difference in cost to purchase utility versus sedan vehicles for all 11 units would be \$14,207. It was explained that shifting from sedans to utility vehicles would cost an additional \$30,305; however, if idling units were installed, that cost would be reduced to \$14,207.

Noted that normally, the staff would not involve the Council in a discussion of the tools that are acquired to accomplish City daily functions. However, one of the Council's important objectives is to reduce the City's carbon footprint. That objective intersects with other City objectives, such as holding down costs where possible and providing equipment that meets Departments' operational and safety requirements.

**HEARING ON REZONING PROPERTY AT 217-6TH STREET:** Justin Moore, City Planner, explained the request of the United Church of Christ to rezone approximately 0.5 acres located at 217-6th Street from Neighborhood Commercial Zoning District to the Downtown Service Center (DSC) Zoning District. The request is being sought in an effort to proceed with future Church improvements that would not be permitted under the Neighborhood Commercial zoning due to the built-out site conditions. The DSC standards allow for minimum height and Floor Area Ratio requirements and allow for no setbacks and no parking required on site. It was noted that the Church was built in 1899 and has been zoned Neighborhood Commercial since 2000.

According to Mr. Moore, under the DSC District, religious institutions are allowed to operate with a Special Permit granted from the Zoning Board of Adjustment. There are currently two known religious institutions within DSC zoning. If the rezoning request is granted by the City Council, the Church would need to seek approval of a Special Use Permit for its planned addition.

Mr. Moore advised that the Planning and Zoning Commission recommended, at its January 20, 2016, meeting, rezoning this property from Neighborhood Commercial to Downtown Service Center.

Mayor Campbell opened the public hearing. No one came forward to speak, and the hearing was closed.



Moved by Beatty-Hansen, seconded by Nelson, to pass on first reading an ordinance rezoning property at 217-6<sup>th</sup> Street from Neighborhood Commercial (NC) to Downtown Service Center (DSC).

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

**HEARING ON VACATION OF EXISTING PUBLIC UTILITY EASEMENT AT 3121 GRAND AVENUE:** Mayor Campbell opened the public hearing and closed same after no one came forward to speak.

Moved by Nelson, seconded by Betcher, to adopt RESOLUTION NO. 16-084 approving the vacation of the Public Utility Easement at 3121 Grand Avenue.

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

**HEARING ON AMES/ISU ICE ARENA FLOORING PROJECT:** The public hearing was opened by the Mayor. She closed the hearing after no one asked to speak.

Moved by Nelson, seconded by Gartin, to reject the bid.

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

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 16-085 approving preliminary plans and specifications; setting April 6, 2016, as bid due date and April 12, 2016, as date of public hearing.

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 SHARED USE PATH SYSTEM EXPANSION - SKUNK RIVER TRAIL EXTENSION, PHASE 2: EAST LINCOLN WAY TO SOUTH RIVER VALLEY PARK:** The Mayor opened the public hearing and closed same after there was no one asking to speak.

Moved by Nelson, seconded by Betcher, to adopt RESOLUTION NO. 16-086 approving final plans and specifications and awarding a contract to Peterson Contractors, Inc., of Reinbeck, Iowa, in the amount of \$673,442.95.

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

**HEARING ON 2015/16 ASPHALT STREET PAVEMENT IMPROVEMENTS (DOTSON DRIVE, BAUGHMAN ROAD, BEEDLE DRIVE, WELLONS DRIVE, WELLONS CIRCLE, JEFFREY LANE, HARRIS STREET, APLIN ROAD) AND 2015/16 WATER SYSTEM IMPROVEMENTS (WELLONS DRIVE, WELLONS CIRCLE):** Mayor Campbell opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 16-087 approving final plans and specifications and awarding a contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$1,762,335.45.

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

**HEARING ON 2015/16 CONCRETE PAVEMENT IMPROVEMENTS PROGRAM #1 (FRILEY ROAD):** The public hearing was opened by Mayor Campbell. She closed same after no one asked to speak.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 16-088 approving final plans and specifications and awarding a contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$317,971.73.

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

Mayor Campbell left the meeting. Mayor Pro-Tem Orazem presided.

**HEARING ON 2015/16 WATER SYSTEMS IMPROVEMENTS PROGRAM #1 - WATER MAIN REPLACEMENT (COUNTRY CLUB BOULEVARD):** Mayor Campbell opened the public hearing. There being no one wishing so speak, the hearing was closed.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 16-089 approving final plans and specifications and awarding a contract to KE Builders, LLC, of Boone, Iowa, in the amount of \$183,323.50.

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

**HEARING ON 2015/16 CLEAR WATER DIVERSION (DUFF AVENUE, EAST 9<sup>TH</sup> STREET, AND McDONALD DRIVE):** Mayor Campbell opened the public hearing. No one came forward to speak, and the Mayor closed the hearing.

Moved by Nelson, seconded by Gartin, to adopt RESOLUTION NO. 16-090 approving final plans and specifications and awarding a contract to Ames Trenching & Excavating, Inc., of Ames, Iowa, in the amount of \$68,496.

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

Mayor Campbell returned to the meeting and presided.

**COUNCIL COMMENTS:** Moved by Betcher, seconded by Corrieri, to refer to staff for a memo from the City's Traffic Engineer pertaining to the request from the Hospital/Medical Area Discussion Group for installation of a permanent traffic signal at the Kellogg and 13<sup>th</sup> Street intersection.

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

Council Betcher noted that individual invitations to participate in certain organizational events are often received by the Mayor and City Council members. Ms. Betcher voiced her concerns that if four of the Council members accept the invitation, a quorum could be present. Oftentimes the Council members are not even aware that there is going to be a quorum of Council members present.

She would like that issue to be discussed in the future. Mayor Campbell advised that this issue as well as requests to serve on committees would be placed on the next work session.

Moved by Nelson, seconded by Gartin, to direct staff to provide a short memo including background information relative to the request of the Vances for a text amendment involving the lineal overhead garage door width limit on houses in the low-density residential zone.

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

Moved by Beatty-Hansen, seconded by Betcher, to direct staff to work with *ex officio* Member Sam Schulte to create a memo detailing how a Campus and Community Board could be created; said memo to be created by the March 22 meeting.

Mayor advised that she had spoken with Sam Schulte about this yesterday. She noted that a variety of options to replace the Student Affairs Commission had been left in the hands of the University, but had not gotten back to the Council. She suggested that the Council examine a broader variety of possibilities.

Motion withdrawn.

Council Member Betcher said that she was concerned about what happened to the 28E Agreement. Mayor Campbell noted the challenges surrounding the Student Affairs Commission. She summarized discussions that had occurred about what could replace that Commission.

Moved by Beatty-Hansen, seconded by Betcher, to direct staff to prepare and bring back two memos a for the March 22 Agenda to address two items: (1) to work with Sam Schulte on how to create a Campus and Community Board as outlined in his letter; and (2) detail where we are with the 28E Agreement.

City Manager Schinker noted that this would actually be in the form of a Staff Report on the March 22 Agenda.

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

Council Member Orazem asked that the City get information out to the public concerning the public meeting being hosted by the U. S. Post Office pertaining to the relocation of the Welch Avenue Post Office.

Moved by Gartin to refer to staff the two letters from Scott Randall requesting rezoning 1420 South Grand Avenue, 623 South 16<sup>th</sup> Street, and 603 South 16<sup>th</sup> Street; and 1325 S. 4<sup>th</sup> Street.

Motion died for lack of a second.

Council Member Gartin announced that April 30 is “Stash the Trash Day;” it will be held from 8:30 a.m. to 2:00 p.m.

Council Member Gartin encouraged anyone who has concerns about or an interest in the East Industrial Area to contact the City Council members.

**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 Gartin, seconded by Betcher, to hold a Closed Session, as provided by Section 20.17(3),

*Code of Iowa*, to discuss collective bargaining strategy.  
Roll Call Vote: 6-0. Motion declared carried unanimously.

The meeting reconvened in Regular Session at 7:35 p.m.

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 16-091 ratifying a contract with IUOE Local 234 (Power Plant).

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

**ADJOURNMENT:** Moved by Beatty-Hansen, seconded by Gartin, to adjourn the meeting at 7:36 p.m.

Motion declared carried unanimously.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor