

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

MAY 10, 2016

The Regular Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 6:00 p.m. on the 10th day of May, 2016, in the City Council Chambers in City Hall, 515 Clark Avenue. Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem were present. *Ex officio* Member Sam Schulte was also in attendance.

Mayor Campbell announced that the Council would be working off an Amended Agenda. Item No. 19 pertaining to the South Skunk River Basin Watershed Improvements (Ames City Hall Parking Lot Reconstruction) had been pulled due to the Iowa Department of Natural Resources not yet signing off on the plans and specifications. Change Order No. 3 had been added under Item No. 36 (ISU Research Park, Phase III - Water Main and Sanitary Sewer Construction). The *Municipal Code* Section applicable to Item No. 49 was corrected to read "102."

PRESENTATION OF "A HOME FOR EVERYONE AWARD:" Ames Human Relations Commission Chairperson Amy Junke presented the 2016 "A Home for Everyone Award" to Jennifer Ellis. This Award is given to an overachiever in the community who advocates for and practices fair housing practices.

PROCLAMATION FOR 10TH ANNIVERSARY OF CYCLONE COUNTRY AKTION CLUB: Mayor Campbell proclaimed May 2016 as the 10th Anniversary of the Cyclone Country Aktion Club and commended them for their service to the community. Accepting the Proclamation were Lisa Thogerson, Missy Wierson, Barb Gauger, Joshua Dobbs, Dave Seaton, Dennis Airhart, Rob Sage, and Brendan Amstead.

Ms. Thogerson invited the public to a celebration to occur on May 17, 2016, at 3:30 p.m. at the First United Methodist Church in observance of the Aktion Club's 10th Anniversary.

PROCLAMATION FOR "NATIONAL PUBLIC WORKS WEEK:" May 15 - 21, 2016, was proclaimed by Mayor Campbell as "National Public Works Week." Municipal Engineer Tracy Warner and Operations Manager Justin Clausen accepted the Proclamation on behalf of the City of Ames Public Works Department.

Ms. Warner thanked the Mayor and City Council for their support of the Public Works Department.

CONSENT AGENDA: Moved by Gartin, seconded by Betcher, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of Special Meeting of April 19, 2016, and Regular Meeting of April 26, 2016
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for April 16-30, 2016
5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:

- a. Class E Liquor, C Beer, & B Wine – Walgreen’s #12108, 2719 Grand Avenue
 - b. Class B Beer – Jeff’s Pizza Shop, 2402 Lincoln Way
 - c. Class C Liquor – Mother’s Pub, 2900 West Street
 - d. Class C Liquor – Bar La Tosca, 400 Main Street
 - e. Class B Beer – Chicha Shack, 131 Welch Avenue
 - f. Class C Beer & B Wine – Tobacco Outlet Plus #530, 204 South Duff Avenue
 - g. Special Class C Liquor – Octagon Center for the Arts, 427 Douglas Avenue
 - h. Class C Liquor and B Wine – Della Viti, 323 Main Street, #102
6. Motion approving 5-day (May 27-May 31) Special Class C Liquor License & Outdoor Service for Gateway Market MLK at Reiman Gardens, 1407 University Boulevard
 7. Motion approving 5-day (June 4-June 8) Special Class C Liquor License & Outdoor Service for Gateway Market MLK at Reiman Gardens, 1407 University Boulevard
 8. Motion approving Ownership Change of Class B Wine, Class C Beer, and Class E Liquor License for Walgreens #12108, 2719 Grand Avenue
 9. RESOLUTION NO. 16-235 confirming reappointment of Sam Schulte as Government of the Student Body *ex officio* representative to City Council
 10. RESOLUTION NO. 16-236 confirming appointments of Steven Valentino and Cole Staudt to serve as Government of the Student Body representatives on Ames Transit Agency Board of Trustees
 11. RESOLUTION NO. 16-237 setting date of public hearing for May 24, 2016, granting Public Utility Easement to Iowa State University along South Riverside Drive
 12. Alley between North Dakota Avenue and Delaware Avenue between Toronto Street and Reliable Street:
 - a. RESOLUTION NO. 16-238 setting date of public hearing for May 24, 2016, regarding vacating alley
 - b. RESOLUTION NO. 16-239 setting date of public hearing for June 28, 2016, for sale of vacated portion of alley
 13. Requests from Ames Patriotic Council for Memorial Day Parade on Monday, May 30, 2016:
 - a. RESOLUTION NO. 16-240 approving closure of Parking Lot M and Parking Lot N from 9:00 a.m. until approximately 11:00 a.m. for parade staging
 - b. RESOLUTION NO. 16-241 approving closure of 5th Street from Grand Avenue to Clark Avenue from 9:00 a.m. until 11:00 a.m. for line-up and start of parade
 - c. RESOLUTION NO. 16-242 approving temporary closure of Clark Avenue (from 5th Street to 9th Street), 9th Street (from Clark to Maxwell), 6th Street (at Clark) and Duff Avenue (at 9th Street), as parade moves through intersections
 14. Requests from Main Street Cultural District (MSCD) for spring/summer events:
 - a. ArtWalk on Friday, June 3:
 - i. Motion approving blanket Temporary Obstruction Permit for MSCD sidewalks from 3:00 p.m. to 8:00 p.m. and blanket Vending License from 8:00 a.m. to 8:00 p.m.
 - ii. RESOLUTION NO. 16-243 approving waiver of parking meter fees and enforcement for MSCD from 3:00 p.m. to 6:00 p.m.
 - iii. RESOLUTION NO. 16-244 approving waiver of fee for blanket Vending License

- iv. RESOLUTION NO. 16-245 closure of 12 parking spaces near intersection of Main Street and Kellogg Avenue for food vendors
- 15. 4th of July Activities:
 - a. Requests of MSCD:
 - i. Motion approving blanket Temporary Obstruction Permit for MSCD from 8:00 a.m. to 2:00 p.m. on Monday, July 4
 - ii. RESOLUTION NO. 16-246 approving waiver of utility fees for use of electrical outlets
 - iii. Parade on Monday, July 4:
 - (1) RESOLUTION NO. 16-247 approving closure of portions of Main Street, Northwestern Avenue, Fifth Street, Douglas Avenue, Burnett Avenue, Kellogg Avenue, Clark Avenue, Allan Drive, and Pearle Avenue from 6:00 a.m. until end of parade
 - (2) RESOLUTION NO. 16-248 approving closure of Parking Lot M and MM, Parking Lot N, Depot Lots V and TT from 6:00 a.m. to 2:00 p.m.
 - b. Request of City of Ames:
 - i. RESOLUTION NO. 16-249 approving closure of Clark Avenue between 5th Street and 6th Street from 5:00 p.m. on Sunday, July 3, until conclusion of parade on July 4 for City Council Community Pancake Breakfast
- 16. RESOLUTION NO. 16-251 approving amendment to Professional Services Agreement with Veenstra & Kimm of West Des Moines, Iowa, in an amount not to exceed \$135,498 for 2014/15 West Lincoln Way Intersection Improvements (Lincoln Way and Franklin)
- 17. RESOLUTION NO. 16-252 approving extension of lease for Parking Lot T
- 18. RESOLUTION NO. 16-253 awarding contract to Graymont Western Lime, Inc., of West Bend, Wisconsin, in the amount of \$154/ton for FY 2016/17 Pebble Lime
- 19. RESOLUTION NO. 16-254 awarding contract to Hawkins Water Treatment Group of Slater, Iowa, in the amount of \$.725/gallon at an estimated total cost of \$72,500 for FY 2016/17 Liquid Sodium Hypochlorite
- 20. RESOLUTION NO. 16-255 awarding contract to Independent Salt Company of Kanopolis, Kansas, in the amount of \$70.30/ton for purchase of Rock Salt for 2016/17 Ice Control Program
- 21. RESOLUTION NO. 16-256 awarding contract to Terry Durin Company of Cedar Rapids, Iowa, in the amount of \$51,263 for purchase of LED Luminaires for Electric Services
- 22. RESOLUTION NO. 16-257 awarding contract to Harrison Truck Center of Altoona, Iowa, in the amount of \$253,115 for purchase of Crane Truck
- 23. RESOLUTION NO. 16-258 approving renewal of contract with Itron, Inc., of Liberty Lake, Washington, in an amount not to exceed \$500,000 for purchase of FY 2016/17 Radio Units, Water Meters, and Related Parts and Services
- 24. Non-Asbestos Insulation and Related Services and Supplies for Power Plant:
 - a. RESOLUTION NO. 16-259 approving renewal of contract with Total Insulation Mechanical, Inc., of Ames, Iowa, in an amount not to exceed \$100,000
 - b. RESOLUTION NO. 16-260 approving contract and bond
- 25. RESOLUTION NO. 16-261 approving contract and bond for WPC Facility Three-Year

Biosolids Disposal Operation

26. RESOLUTION NO. 16-262 approving contract and bond for WPC Facility Clarifier Drive Replacement Project
27. RESOLUTION NO. 16-263 approving contract and bond for 2015/16 Concrete Pavement Improvements Program #2, and 2015/16 Water System Improvements Program #3 (North 2nd Street)
28. RESOLUTION NO. 16-264 approving contract and bond for 2015/16 Shared Use Path Expansion (South Dakota Avenue)
29. RESOLUTION NO. 16-265 approving contract and bond for 2015/16 Airport Improvements Taxiway Rehabilitation (Runway 01/19)
30. RESOLUTION NO. 16-266 approving Change Order No. 1 for 2015/16 Chemical Treatment Program for Power Plant
31. RESOLUTION NO. 16-267 approving Change Order No. 4 to Professional Services Agreement with BrownWinick of Des Moines, Iowa, for legal services for 161 kV Tie Line Franchise
32. ISU Research Park, Phase III - Water Main and Sanitary Sewer Construction:
 - a. RESOLUTION NO. 16-250 approving Change Order No. 3
 - b. RESOLUTION NO. 16-268 accepting completion
33. RESOLUTION NO. 16-269 approving Plat of Survey for 122 Hayward Avenue
34. RESOLUTION NO. 16-270 approving Plat of Survey for 104 and 124 Hazel Avenue
35. RESOLUTION NO. 16-271 approving Final Major Plat for Hayden's Crossing (5400, 5440, and 5442 Grant Avenue)

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

PUBLIC FORUM: Mayor Campbell opened Public Forum.

Dan Culhane, Executive Director of the Ames Economic Development Commission, 304 Main Street, Ames, announced that this week is International Economic Development Week (May 8 - 12). Mr. Culhane thanked the Mayor and City Council members for their support of economic development projects. He noted that Ames is a very rich economic development community and gave several examples of developments that had occurred within the past year.

Ames High School students Jay Amin, 3518 Honeysuckle Road, Ames, and Kylie Morken, 416 - 18th Street, Ames, spoke hoping to raise awareness of and issue a call to action for BPA-free receipts. Ms. Morken advised that it has been found that store receipt paper contains BPA, which is known to cause harmful diseases to the body. Mr. Amin said that the receipt paper also contains BPS and BPF, also both harmful chemicals. According to Ms. Morken BPA-, BPS-, and BPF-free receipt paper is now available. Mr. Amin encouraged the public to go to their Web site (changereceipts.org) to learn more about their goal to make all receipts toxin-free.

Jamet Colton, 2226 Northwestern Avenue, Ames, introduced herself as a member of the Ames Progressive Alliance. Ms. Colton said that the mission of the Progressive Alliance is to support

community groups with their goals and empower all residents to impact their community. According to Ms. Colton, the students from Ames High School had reached out to the Progressive Alliance for assistance with their project. She stated that the Ames Progressive Alliance was very supportive of the Ames High School students' project for BPA-free receipts.

Jess Calhoun, 2304 Fillmore Avenue, Ames, also introduced herself as a member of the Ames Progressive Alliance. She added that she knows the Ames City Council shares the desire to empower all residents. Ms. Calhoun said that the Ames Progressive Alliance looks forward to working with the City Council on future projects.

Mayor Campbell closed Public Forum after no one else came forward to speak.

POLICY FOR NAMING PARKS AND RECREATION FACILITIES: Director Keith Abraham reviewed the changes to the Policy that had been requested by the City Council at its April 12, 2016, meeting. Mr. Abraham explained the changes that had been made to Section 4b, *Naming/Renaming for Outstanding Individuals*. Also, it had been brought to his attention that the Council, on April 12, 2016, had directed staff to look at creating more flexibility in the policy in relation to donors and keep it at more of a staff/Council review and also have the possibility of corporate naming. Therefore Section 4c., *Naming/Renaming for Major Donations*, had been revised to coincide with the Council's direction.

At the inquiry of Mayor Campbell, Mr. Abraham stated that he believed the pending naming request would go before the Parks and Recreation Commission in June.

Moved by Nelson, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 16-272 approving the Parks and Recreation Naming Policy, as revised.

Council Member Gartin stated that he would be voting in favor of the motion; however, he still preferred that there be a one-year waiting period since the time of a person's death. He hopes that it would something considered in the future.

Council Member Orazem offered that he preferred that the individual not necessarily have to have a connection to the park, recreational facility, or major feature being requested to be named.

Teresa Downing-Matibag, 1005 Jarrett Circle, Ames, thanked the City Council for the effort they put into the creation of the Policy. She also thanked the City Parks and Recreation Department for its outstanding programs that had been enjoyed by her three children. Ms. Downing-Matibag explained that she was generally in favor of the Policy, but would like to see 5b.3, where it states to "Seek input from relevant neighborhood association(s), historical groups, and other organizations, if deemed appropriate," to include "communities of interest."

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

FINAL MINOR PLAT FOR U-HAUL SUBDIVISION, 1ST ADDITION: City Planner Charlie Kuester told the Council that Amerco Real Estate desires to purchase land adjacent to the 720 South Duff property to expand its operations. Amerco Real Estate owns the property on which the U-Haul business at 710 South Duff Avenue is already located. Amerco also owns the one-acre parcel to the rear at 720 South Duff Avenue on which a metal building formerly owned by Ames Rental is located. B & D Land Company owns a large 42-acre farm tract south and east of the Amerco land, lying along the north bank of Squaw Creek. Amerco seeks to acquire 3.34 acres of the B & D Land property and combine it with the one-acre parcel in order to expand the U-Haul business. The proposed plat would create three lots. Lot 1 would be for an expanded U-Haul site. Outlot A is the remaining agricultural land retained by B & D Land Company. Outlot B is a small piece at the far west that will be dedicated to the Iowa Department of Transportation (IDOT) for street right-of-way (it currently is an easement, but the plat will deed that portion to the IDOT). Lot 1 (4.32 acres) includes the former metal storage building used by Ames Rental. It would include the long narrow 19-foot-wide piece of land that extends to South Duff Avenue. That piece includes an access easement used by U-Haul, B & D Land Company, Boston Commons (the strip mall to the south), and the future Jimmy Johns to the north. Although this strip of land provides access to the property, it does not provide the required lot frontage to meet zoning requirements to allow for a subdivision.

According to Mr. Kuester, the applicant is requesting a waiver from the 35-foot lot frontage requirement as part of the minor subdivision process. Lot 1 would also have a Floodway Easement to the City over that portion that lies in the Floodway. That Easement restricts uses to only vegetative cover—no building or structure (including paving) may be placed within it. The Easement is in response to City staff describing the concerns of development in the Floodway and the recent amendments to the Environmentally-Sensitive Areas Overlay and Flood Plain Regulations. It also prevents any development on that site unless the City vacates the Easement to allow it. Lot 1 also proposes a north-south access easement extending from the Wal-Mart property to the B & D outlot to the south. That easement will be the basis for a ‘backage’ road system and allow the lots lying south to have access to the Wal-Mart property. With the acquiescence of Wal-Mart in the future, that will allow all these properties to have access to the proposed new traffic signal in front of Wal-Mart.

Council Member Beatty-Hansen asked whether this was an appropriate time to ask about acquiring an easement from B & D Land for a bike path. She noted that that path is shown in the Long-Range Transportation Plan. Municipal Engineer Warner said that the location was not decided yet. Planning and Housing Director Kelly Diekmann said that it is not known at this time whether the bike path facility was absolutely necessary.

Council Member Orazem noted the importance of having a way of solving the access to Duff Avenue around the backs of those properties; that appears to have been taken care of with the backage road. Planner Kuester stated that the easement document has been prepared and will be recorded as part of the platting documents.

At the inquiry of Council Member Gartin, Randy Dickson, 6310 Douglas, Des Moines, representative of U-Haul, said that he had not heard any comments from any adjoining property owners.

Mr. Kuester noted that the City Council, in February 2015, rezoned the one-acre parcel with the metal building to Highway Oriented Commercial (HOC). Once the Subdivision is approved, Amerco will be seeking to have the remaining portion of the new Lot 1 rezoned to HOC. Outlot A (39.25 acres) is the remainder of the B & D Land Company parcel. It has been used for row crops except for the stand of trees along the north bank of Squaw Creek. Almost the entire parcel lies within the Floodway. It is zoned Agriculture, which is consistent with the Land Use Policy Plan designation. There are no plans for a rezoning. This parcel will have no frontage to a public right-of-way. The applicant is requesting a waiver from this requirement as the site is an unbuildable outlot in its current configuration.

Council Member Gartin asked if staff anticipates any long-term negative consequences from the approval of this Subdivision. Planner Kuester said that he did not see any downsides. Director Diekmann recommended that the City seek a contract zoning agreement that controls the density to be approved with the rezoning.

Waiver Request. Planner Kuester advised that the Ames Subdivision Code requires lots to be created that meet the development standards of the Zoning Ordinance. The standard at issue relates to the minimum requirement for street frontage. Agriculture-zoned lots require 35 feet and lots zoned Highway-Oriented Commercial require 50 feet. The existing lots do not currently meet these standards as the current frontage is 19 feet. Section 23.103 allows the City Council to grant a waiver if strict compliance with the Ordinance creates a hardship or is found to be inconsistent with the purpose of the regulations due to unusual topography or other conditions. The Amerco lot with the metal building currently has no frontage; the B & D Land Company parcel has the 19-foot-wide frontage on South Duff Avenue. The proposed plat does not increase the number of the non-conforming lots with inadequate frontage, but it does swap those non-conformities among the parcels. The enlarged Amerco lot will have the 19-foot frontage on South Duff Avenue. The remaining B & D Land Company outlot will have no frontage. The outcome will be that the developable lot (the Amerco site) will have frontage, albeit only 19 feet and the B & D lot (the outlot retained for continued farming) will have no frontage (albeit it will have access via an easement). The proposed lot pattern does meet the Subdivision Code standard of ensuring that each lot has access to a public way. The City would not have approved such an arrangement, and it appears that it may have been this way since at least annexation in 1962. Staff believes there are unusual historical development patterns, not the result of the current property owners, which make strict compliance impossible. The only alternative to meet the requirement would be for Amerco to acquire additional properties to provide that street frontage. Since the other parcels are developed with commercial uses, it would require the relocation of those businesses in order to accommodate the requirement for street frontage. Staff believes that because of this circumstance and limited level of proposed use for the properties, the proposal meets the extraordinary hardship requirement. Staff further believes the waivers, if granted, would allow for safe and convenient access to all properties in the manner that they currently enjoy.

U-Haul, in the name of Amerco, acquired the former Ames Rental properties in 2014. While there have been zoning, flood plain, and subdivision challenges, U-Haul has continued to move forward in an effort to expand their business. The approval of the Subdivision will allow the purchase of about 3.32 acres from B & D Land Company to be finalized.

The proposed Subdivision meets Minor Final Plat requirements as it did not need additional public infrastructure. There is sewer and water to serve the site and sidewalks along the frontage of South Duff Avenue. The granting of the floodway easement to the City ensures that this portion of the floodway will not be developed. And the granting of the new north/south access easement will assist other lots in obtaining access to the proposed traffic signal once it is installed.

According to Mr. Kuester, staff supports the request to waive the zoning requirements for street frontage. The circumstances of the existing lot lines, businesses, and access easements preclude the proposed plat from meeting this requirement without acquisition of significant properties on South Duff Avenue. These circumstances are not the result of any action taken by the two property owners involved in the plat and may have been an historical anomaly prior to annexation.

Moved by Nelson, seconded by Betcher, to adopt RESOLUTION NO. 16-273 approving the Minor Final Plat for the U-Haul Subdivision First Addition, based upon findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, and plans and by approving the waiver to the Zoning Ordinance requirements for minimum street frontages.

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

HEARING ON REZONING, WITH MASTER PLAN, 3535 SOUTH 530TH AVENUE: City Planner Ray Anderson advised that the owner/developer of this property, Hunziker Development Company LLC, is requesting rezoning of five parcels of land totaling approximately 20 acres located at 3535 S. 530th Avenue (to be renamed as University Boulevard). This land is west of the ISU Research Park and south of the Wessex apartment development. The developer is seeking rezoning to develop the site with medium-density apartments along the west and north boundaries of the site and high-density apartments in the central portion of the site. The land was recently annexed to the City; thus, its current zoning designation is Agricultural.

Mr. Anderson reported that the rezoning request is for two separate zoning districts. Suburban Residential Medium Density (FS-RM) zoning is proposed for 13.36 acres along the perimeters of the site, and Residential High Density (RH) zoning is proposed for 6.48 acres on the interior of the site and extending to the south property line. It is anticipated that the number of units constructed in the FS-RM portion of the development will be within a range of a minimum of 100 units and a maximum of 120 units. A combination of two-story eight-unit buildings and two- and three-story 12-unit buildings are planned. The RH portion of the development is projected to include a range of 135 to 155 units in three-story buildings. Although not shown on the Master Plan, the developer has indicated that a variety of bedroom configurations will be provided with an emphasis on smaller units of one and two bedrooms. A note on the Master Plan states that “Buildings in RH will be limited to three stories and 36 units per building.” Following approval of the rezoning with a Master Plan, the developer will seek approval of a Preliminary Plat to divide the site into individual lots and to extend Cottonwood Road through the site to connect with S. 530th Avenue (University Boulevard). Approval of the construction of apartment units in the FS-RM zone will require City Council approval of a Major Site Development Plan with a public hearing. Approval of apartment units in the RH zone requires approval by City staff without a public hearing.

The Council was reminded that before the property in question was annexed by the City (on July 14, 2015), the Ames Urban Fringe Plan identified these parcels as properties within the “Southwest II Allowable Growth Area.” Upon annexation, the parcels were designated as “Village/Suburban Residential.” On January 12, 2016, the City Council amended the Future Land Use Map, of the Land Use Policy Plan (LUPP) to designate approximately 50 percent of the property as High-Density Residential, with 50 percent of the property remaining as “Village/Suburban Residential.” The Zoning Ordinance requires that a Master Plan be submitted as part of a rezoning petition for property with the FS zoning designations.

According to Planner Anderson, staff had concluded that the Master Plan identifies developable and undeveloped areas, range of uses and residential unit types consistent with the proposed FSRM and RH zoning districts. Staff believes the rezoning proposal is consistent with the objectives and LUPP Future Land Use Map.

Director Diekmann addressed Council Member Beatty-Hansen’s question about the development having one means of access/egress. He noted the criteria from the Land Use Policy Plan and Subdivision Code that governs that. He also noted that the Traffic Engineer believes that University Boulevard will be able to handle the traffic from this development.

Council Member Gartin noted that CyRide does not have capacity to service this development at this time.

Mayor Campbell opened the public hearing.

Justin Dodge, Hunziker Company, 105 S. 16th Street, Ames, showed the Preliminary Plat to indicate changes that had been made after receiving input from residents in the area and staff. It was noted that additional buffering and native grasses were added around the pond.

At the inquiry of Council Member Orazem, Mr. Dodge indicated that the proposed location of the multi-use trail was dictated by Story County and the ISU Research Park. It has not been determined who will be maintaining the trail.

Planner Anderson reported that, at the time of the LUPP Amendment, staff focused on the discussion of housing variety, building types, and transitions to adjacent properties during the evaluation of the site. According to Mr. Anderson, staff believes the proposed rezoning and its master plan have met the interest of establishing the housing types that are intended for development on the site, the desired transportation connections, and planned open spaces and transitions. Staff believes supporting rezoning of the site is appropriate based upon the Land Use Policy Plan goals, objectives and policies, and land use designations. The rezoning will allow for needed multi-family housing options to be developed near large employment areas of the City in the nearby Research Park and the College of Veterinary Medicine Campus.

Lorz Larrance, 3549 - 530th Avenue, Ames, expressed her frustration that the bus that serves Wessex

does not run in the morning. She works at the University and can take the bus home, but not to work. Ms. Larrance said that she hoped that would change in the future.

After no one else came forward to speak, the Mayor closed the hearing.

Moved by Orazem, seconded by Nelson, to pass on first reading an ordinance rezoning, with Master Plan, 3535 South 530th Avenue from Agricultural (A) to Suburban Residential Medium Density (FS-RM) and Residential High Density (RH).

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

Moved by Orazem, seconded by Betcher, to adopt RESOLUTION NO. 16-274 approving the Zoning Agreement.

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

HEARING ON ZONING TEXT AMENDMENT TO RESIDENTIAL LOW-DENSITY PARK ZONE MINIMUM BUILDING SETBACK AT EXTERIOR BOUNDARY LINE: Director Diekmann noted that Mike Flummerfelt, who had requested the text amendment in question, had emailed staff and asked that the hearing be continued to the first Council meeting in June.

Mayor Campbell opened the public hearing.

Moved by Nelson, seconded by Beatty-Hansen, to continue the hearing to June 14, 2016.

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

HEARING ON PROPOSED 2016/17 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN: Vanessa Baker-Latimer, Housing Coordinator, advised that the City must submit and Annual Action Plan to the federal Department of Housing and Urban Development (HUD) to receive Community Development Block Grant (CDBG) funds. The Annual Action Plan outlines program activities that will be undertaken to address or meet those goals and priorities outlined in the five-year Consolidated Plan. She reminded the Council that, on March 1, 2016, after taking into consideration input from the February public forums, the City Council approved the proposed 2016-17 Action Plan projects and directed staff to prepare the Plan for public comment. The Plan was made available for public comment from April 5 through May 5, 2016. No comments were received during this time frame. The Plan must be submitted to HUD on or before June 12, 2015.

Ms. Baker-Latimer reviewed the proposed projects that had been approved to be included in the Plan, as follows:

Homebuyer Assistance Program	\$ 50,000
Single-Family Housing Improvements Program	132,506
Acquisition/Reuse Program for Affordable Housing	155,000
Public Infrastructure Improvements Program for State Avenue (Old Middle School Site)	392,789

Public Facilities Improvement Program for Non-Profits	100,000
Renter Affordability (Deposits, Rent & Transportation, Childcare Assistance) Programs	40,000
Total Programming	870,295
2016-17 Program Administration	<u>118,197</u>
TOTAL	\$988,492

At the request of Council Member Gartin, Ms. Baker-Latimer explained the Child-Care Assistance Program.

Ms. Baker-Latimer explained the next steps planned to address development of the Old Middle School Site and the redevelopment of the 6th Street properties.

The public hearing was opened by Mayor Campbell. There being no one wishing to speak, the hearing was closed.

Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 16-275 approving the Annual Action Plan projects.

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 DOWNTOWN STREET PAVEMENT IMPROVEMENTS (CLARK AVENUE - LINCOLN WAY TO MAIN STREET): The Mayor opened the public hearing and closed same after no one asked to speak.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 16-276 approving final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$669,611.80.

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 TRAFFIC SIGNAL PROGRAM (UNIVERSITY BOULEVARD & U. S. HIGHWAY 30 WESTBOUND OFF-RAMP): Mayor Campbell opened the public hearing. No one came forward to speak, and the Mayor closed the hearing.

Council Member Beatty-Hansen raised a suggestion that had been made by Trevin Ward about possibly reducing the radius of the curve. Municipal Engineer Warner stated that she had not seen the suggestion. Ms. Beatty-Hansen indicated that she would forward it to Ms. Warner.

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

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

2015 DEVELOPMENT PROCESS USER SURVEY: John Hall, Business Development Coordinator for the City of Ames, gave a presentation on the 2015 Development Process User Survey. Mr. Hall noted that he was not in his current position when the Survey was conducted; however, he had prepared the summary of the results.

According to Mr. Hall, this was the fifth year of the Survey. In 2015, 353 surveys pertaining to the Inspections Division and 132 pertaining to the Planning Division were sent. Mr. Hall noted that the results were very positive overall. A summary of the results for both Divisions was presented by Mr. Hall.

Council Member Betcher questioned why the City was still asking about a “Can Do” attitude when it was no longer a City Council goal. City Manager Schinker said that that question was still needed to determine the City’s overall rating as far as promoting Ames as a welcoming place to do business.

Council Member Gartin asked if there was a way for a customer who has had a bad experience to share that information without the fear of retribution. Fire Chief Shawn Bayouth felt that the best way was for the respondent to remain anonymous. He noted that the goal of staff is to make the process better; it doesn’t matter who it is. Mr. Bayouth advised that he would hope that contractors and developers would inform staff of any negative experiences.

ORDINANCE ADJUSTING STORM WATER RATES: Moved by Nelson, seconded by Corrieri, to pass on first reading an ordinance adjusting the Storm Water Rates.
Roll Call Vote: 6-0. Motion declared carried unanimously.

ORDINANCE REVISING MUNICIPAL CODE SECTION 28.102 REGARDING ENERGY COST ADJUSTMENT (ECA): Director of Electric Services Donald Kom advised that Section 28, Division 1, of the City of Ames *Municipal Code* covers the general conditions for electric rates and charges. Section 28.102, *Energy Cost Adjustment*, reflects the method used to adjust rates caused by fluctuations in the fuel cost. That is necessary to avoid constant changes to the City’s electric rates. The language was originally included in the Code in 1985 and last modified on November 12, 2012. The current language functioned well when the City purchased coal because coal was contracted to the City on a delivered basis. The transition to natural gas results in daily price volatility for fuel and its delivery, which now requires a change in how the Energy Cost Adjustment is calculated. In order to correctly account for the fluctuations in natural gas and its separated delivery costs, the language of Section 28.102 must be updated to account for that change.

Mr. Kom advised that the adjustment is calculated using costs that were charged during the previous 12 months. By adopting this revision to the Ordinance, the ECA will be updated going forward. To properly calculate the ECA, all costs for natural gas and its delivery incurred to date will be captured in the new ECA calculation. In addition, since the time the ECA was first adopted, other cost variables have been included in the ECA calculation, such as transmission credits, the cost of wind energy, and energy market purchases and sales. The proposed *Code* revision does not change the overall rate methodology, but updates the language to align with current and planned future operating

conditions.

Moved by Nelson, seconded by Corrieri, to pass on first reading an ordinance revising *Municipal Code* Section 28.102 regarding the Energy Cost Adjustment.

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

ORDINANCE PERTAINING TO THE ENVIRONMENTALLY SENSITIVE AREA OVERLAY DISTRICT AND ITS APPLICABILITY TO ACTIVITIES WITHIN THE FLOODWAY: Moved by Beatty-Hansen, seconded by Orazem, to pass on third reading and adopt ORDINANCE NO. 4257 making a zoning text amendment pertaining to the Environmentally Sensitive Area Overlay District and its applicability to activities within the Floodway.

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

ORDINANCE ADDING ENVIRONMENTALLY SENSITIVE AREA OVERLAY TO PROPERTIES WITH A FEMA-DESIGNATED FLOODWAY: Moved by Betcher, seconded by Orazem, to pass on third reading and adopt ORDINANCE NO. 4258 making zoning map amendment to add Environmentally Sensitive Area Overlay to properties with a FEMA-designated Floodway.

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

ORDINANCE PERTAINING TO ALLOWED ACTIVITIES AND PROCESS FOR SEEKING APPROVALS FOR DEVELOPMENT IN FLOOD PLAIN CONTAINED IN MUNICIPAL CODE CHAPTER 9 (FLOOD PLAIN ZONING REGULATIONS): Moved by Corrieri, seconded by Gartin, to pass on third reading and adopt ORDINANCE NO. 4259 making a zoning text amendment pertaining to allowed activities and process for seeking approvals for development in Flood Plain contained in *Municipal Code* Chapter 9 (Flood Plain Zoning Regulations).

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

COUNCIL COMMENTS: Council Member Betcher noted that she is the City Council representative on the Downtown Housing Committee. She asked if one of her colleagues would be willing to attend the meeting, which will be scheduled for some time in the next two weeks, while she is out of the country. Council members are to communicate directly with Ms. Betcher if they are willing to attend the meeting.

Moved by Betcher, seconded by Beatty-Hansen, to direct staff to place the memo from the Planning and Housing Department regarding a text amendment for transitional housing use in residential zoning districts on a future agenda.

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

Moved by Beatty-Hansen, seconded by Betcher, to direct the City Manager to reach out to Iowa State University and inquire about potential plans that the University might have regarding adopting a Complete Streets Policy.

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

Moved by Gartin, seconded by Orazem, to direct staff to place the issue contained in the letter dated May 6, 2016, from Justin Dodge pertaining to reserved right-of-way at 3599 George Washington Carver on the May 24, 2016, Council Agenda.

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

Moved by Nelson, seconded by Orazem, to reconsider Item No. 37.

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

Moved by Orazem, seconded by Corrieri, to adopt RESOLUTION NO. 16-269 approving Item No. 37, the Plat of Survey for 122 Hayward Avenue.

Roll Call Vote: 5-0-1. Voting aye: Beatty-Hansen, Betcher, Corrieri, Gartin, Orazem. Voting nay: None. Abstaining due to a conflict of interest: Nelson. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

ADJOURNMENT: Moved by Corrieri, seconded by Beatty-Hansen, to adjourn the meeting at 8:01 p.m.

Ann H. Campbell, Mayor

Diane R. Voss, City Clerk