

## MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

APRIL 25, 2017

The Regular Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 6:00 p.m. on the 25<sup>th</sup> day of April, 2017, 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 present.

**PRESENTATION FOR 2017 HISTORIC PRESERVATION AWARD:** Kim Hanna, Chairperson of the Ames Historic Preservation Commission, presented the 2017 Historic Preservation Award to the Theta Delta Chi fraternity located at 217 Ash. Accepting the Award were Ron Hallenbeck, Dick Horton, Wes Ruby, Immediate Past House President; Griffin Pearson, House President; and Peter Ampe, Alumnus.

**PRESENTATION OF MAIN STREET IOWA AWARD:** Cindy Hicks, Main Street Cultural District Executive Director, 304 Main Street, presented the Main Street Iowa Award to the City of Ames in recognition of achieving the milestone of \$5 million of private investment in the District since 2009. Mayor Campbell accepted the Award on behalf of the City. With the addition of the Sheldon Munn, Wheatsfield's, and Haila Architecture, Ms. Hicks stated that the investment is now over \$10 million.

**RECOGNITION OF AMES BEING NAMED AS ONE OF WELLMARK'S HEALTHIEST HOMETOWNS:** John Shierholz, 4788 Copperstone Drive, Ames, Co-Chair of Healthiest Ames, advised that Wellmark had declared Ames as one of the founders of Healthy Home Towns in recognition of its sponsorship of many healthy activities. He said that the motto of Healthy Home Towns is to "Eat Well, Move More, and Feel Better." Mayor Campbell noted that one of the most-recent activities of Healthiest Ames was to distribute new bike helmets to all Ames third-graders. According to Council Member Gartin, that number equated to 353 helmets.

**PROCLAMATION FOR "ARBOR DAY," APRIL 28, 2017:** Mayor Campbell proclaimed April 28, 2017, as "Arbor Day." Alex Akiyama, Dave Brotherson, Dianne Brotherson, Ginny Huntington, John Jacobson, Bill LaGrange, and Bob Schumer accepted the Proclamation.

**PROCLAMATION FOR "BIKE MONTH AND BIKE TO WORK WEEK 2017:"** The week of May 15 - 21, 2017, and the month of May were proclaimed by the Mayor as "as "Bike to Work Week 2017" and "Bike Month 2017," respectively. Accepting the Proclamation on behalf of the Ames Bicycle Coalition were Sarah Cady, Jacob Nolte, Carol Williams, Steve Libbey, and Elizabeth Wentzel.

**PROCLAMATION FOR "NATIONAL PRESERVATION MONTH:"** May 2017 was proclaimed as "National Preservation Month" by Mayor Campbell. Kim Hanna accepted the Proclamation on behalf of the Historic Preservation Commission.

The Mayor also recognized Trent Rice, KASI Radio, who recently received the Jack Shelley Award

for Outstanding Journalism.

**CONSENT AGENDA:** Mayor Campbell announced that there was a correction in the amount listed under Item No. 33, the Purchase and Installation of Furniture for the New Water Plan, Admin Services, and Airport Terminal. The correct amount should be \$183,362.89.

Mayor Campbell pulled Item No. 14, pertaining to the appointment of the *ex officio* student liaison to the City Council and Item No. 16, the appointment of representatives of the Iowa State University Student Government to the Ames Transit Agency Board of Trustees. Items numbered 21: FY 2016/17 and FY 2017/18 Outside Funding Request Contracts; 25: Requests from Ames Velo for Ames Grand Prix Main Street Criterium; and 26: Requests from Ames Velo for Ames Grand Prix Research Park Circuit Race, were pulled by Council Member Betcher. Council Member Gartin pulled Item No. 20: Resolution approving FY 2017/18 COTA Annual Grant Contracts.

Moved by Gartin, 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 April 11, 2017
3. Motion approving Report of Contract Change Orders for April 1-15, 2017
4. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Class C Liquor & Outdoor Service – Perfect Games, Inc., 1320 Dickinson Avenue
  - b. Class C Beer – Swift Stop #2, 3406 Lincoln Way
  - c. Special Class C Liquor – Great Plains Sauce & Dough Co., 129 Main Street
  - d. Special Class C Liquor – Szechuan House, 3605 Lincoln Way
5. Motion approving 5-day (May 12 - 16) Class B Beer Permit & Outdoor Service for Craft Haulers at ISU Research Park Building #2 Parking Lot, 1805 Collaboration Place
6. Motion approving 5-day (May 16-20) Class C Liquor License for Olde Main Brewing Company at Reiman Gardens, 1407 University Boulevard
7. Motion approving 6-month Class B Beer Permit & Outdoor Service for Ames Jaycees “Ames on the Half Shell” in Bandshell Park, 6<sup>th</sup> Street and Duff Avenue
8. RESOLUTION NO. 17-197 approving appointment of Council Member Chris Nelson to Ames Transit Agency Board of Trustees
9. RESOLUTION NO. 17-199 approving Quarterly Investment Report for period ending March 31, 2017
10. RESOLUTION NO. 17-200 approving purchase of Neighborhood Art acquisitions for 2017
11. RESOLUTION NO. 17-201 approving payment of compensation and attorneys’ fees for 161-kV Transmission Line condemnation
12. RESOLUTION NO. 17-204 approving renewal of health insurance Administrative Services Agreement with Wellmark
13. RESOLUTION NO. 17-205 approving renewal of Administrative Services Agreement with Delta Dental of Iowa
14. Requests from Main Street Cultural District (MSCD) for ArtWalk on Friday, June 2:
  - a. Motion approving blanket Temporary Obstruction Permit for MSCD from 3:00 p.m. to 8:00 p.m. and blanket Vending License from 8:00 a.m. to 8:00 p.m.
  - b. RESOLUTION NO. 17-206 approving waiver of parking meter fees and enforcement for

- MSCD from 5:00 p.m. to 8:00 p.m.
  - c. RESOLUTION NO. 17-207 approving waiver of fees for blanket Vending License and usage of electricity
  - d. RESOLUTION NO. 17-208 approving use of Tom Evans Plaza
  - e. RESOLUTION NO. 17-209 approving closure of 400 block of Kellogg Avenue for YSS activities
  - f. RESOLUTION NO. 17-210 approving closure of two parking spaces near intersection of Main Street and Burnett Avenue
15. Request from Mary Greeley Medical Center for Hope Run on Saturday, June 17:
- a. Motion approving blanket Temporary Obstruction Permit for race from 7:30 a.m. to 9:00 a.m.
  - b. RESOLUTION NO. 17-214 approving closure of Mortensen Road from Dotson Drive to State Avenue and State Avenue from Lettie Street to Mortensen Road
  - c. RESOLUTION NO. 17-215 approving waiver of road race fee
16. 4<sup>th</sup> of July Activities:
- a. Requests of City of Ames:
    - i. RESOLUTION NO. 17-216 approving closure of Clark Avenue between 5<sup>th</sup> Street and 6<sup>th</sup> Street from 5:00 p.m. on Monday, July 3, until conclusion of parade on July 4<sup>th</sup> and closure of City Hall Parking Lot N on July 4<sup>th</sup> for City Council Community Pancake Breakfast
  - b. Requests of MSCD:
    - i. Motion approving blanket Temporary Obstruction Permit for MSCD from 6:00 a.m. to 2:00 p.m. on Tuesday, July 4
    - ii. RESOLUTION NO. 17-217 approving waiver of fee for usage of electricity
    - iii. Parade on Tuesday, July 4:
      - (1) RESOLUTION NO. 17-218 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. 17-219 approving closure of Parking Lot MM and south portion of Lot M, Depot Lots V and TT from 6:00 a.m. to 2:00 p.m.
17. Requests from Main Street Cultural District (MSCD) for Foodies & Brew on Friday, August 4:
- a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License
  - b. Motion approving 5-day (August 3-7) Special Class C Liquor License & Outdoor Service Privilege for 400 block of Douglas Avenue
  - c. RESOLUTION NO. 17-220 approving closure of Douglas Avenue from Main Street to Fifth Street from 12:00 p.m. on Friday, August 4, to 1:00 a.m. on Saturday, August 5
  - d. RESOLUTION NO. 17-221 approving closure of 10 metered parking spaces on Douglas Avenue and 10 metered parking spaces on Fifth Street from 12:00 p.m. on Friday, August 4, to 1:00 a.m. on Saturday, August 5
  - e. RESOLUTION NO. 17-222 approving waiver of parking meter fees and fee for blanket Vending License
18. Requests from Main Street Cultural District (MSCD) for Oktoberfest on Saturday,

September 16:

- a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License
  - b. Motion approving 5-day (Sept. 14-18) Special Class C Liquor License & Outdoor Service Privilege for 200 block of Main Street
  - c. RESOLUTION NO. 17-223 approving closure of Main Street from Kellogg Avenue to Douglas Avenue from 12:00 p.m. on Friday, September 15, to 10:00 a.m. on Sunday, September 17
  - d. RESOLUTION NO. 17-224 approving closure of 45 metered parking spaces in 200 block of Main Street from 12:00 p.m. on Friday, September 15, to 10:00 a.m. on Sunday, September 17
  - e. RESOLUTION NO. 17-225 approving waiver of parking meter fees and fee for blanket Vending License
  - f. RESOLUTION NO. 17-226 approving waiver of fee for usage of electricity in 200 block of Main Street
19. Requests from Main Street Cultural District (MSCD) for Snow Magic from November 10 - December 24:
- a. Motion approving blanket Temporary Obstruction Permit in Central Business District for November 10 through December 24
  - b. RESOLUTION NO. 17-227 approving blanket Vending License for Friday, November 10, and every Saturday from November 11 through December 23, and approving waiver of fees
  - c. RESOLUTION NO. 17-228 approving usage of electricity for holiday activities/lighting from November 13 through January 1, and approving waiver of electricity costs
  - d. RESOLUTION NO. 17-229 approving use of Tom Evans Plaza from 5:00 p.m. to 8:00 p.m. on November 10 for tree lighting ceremony
  - e. RESOLUTION NO. 17-230 approving closure of Kellogg Avenue from Main Street to Fifth Street, including the closure of 12 metered parking spaces, from 8:00 a.m. to 2:00 p.m. on December 9 for Santa's Train
  - f. RESOLUTION NO. 17-231 approving closure of 10 metered parking spaces within MSCD from 3:00 p.m. to 8:00 p.m. on November 10 for carriage ride passenger pick up and drop off
  - g. RESOLUTION NO. 17-232 approving suspension of parking regulations and enforcement for Central Business District on Friday, November 10, and every Saturday from November 11 through December 23, and approving waiver of fees
20. Requests from Campustown Action Association for Summerfest on June 3:
- a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License for Campustown District
  - b. Motion approving 5-day (June 3-7) Class B Beer Permit & Outdoor Service
  - c. RESOLUTION NO. 17-233 approving closure of 200 block of Welch Avenue and Chamberlain Street from Welch Avenue to the exit of Chamberlain Lot Y between 7:00 a.m. and 10:00 p.m.
  - d. RESOLUTION NO. 17-234 approving closure of parking spaces in 200 block of Welch Avenue, on Chamberlain Street between Welch Avenue and the Chamberlain Lot Y exit, Welch Lot T, and Chamberlain Lot Y between 7:00 a.m. and 10:00 p.m.

- e. RESOLUTION NO. 17-235 approving usage of electricity and waiver of costs
  - f. RESOLUTION NO. 17-236 approving waiver of parking meter fees and fee for blanket Vending License
21. RESOLUTION NO. 17-237 awarding contract to Storey Kenworthy of Ames, Iowa, for Purchase and Installation of Furniture for New Water Plant, Admin Services, and Airport Terminal in the amount of \$183,397.69
  22. RESOLUTION NO. 17-238 awarding contract to Baldwin Pole & Piling, Inc., of Des Moines, Iowa, for purchase of Electric Distribution utility poles in accordance with unit prices bid
  23. RESOLUTION NO. 17-239 awarding contract to Bobcat of Ames, of Ames, Iowa, for purchase of Track Loader in the amount of \$51,262.30
  24. RESOLUTION NO. 17-240 awarding contract for purchase of FY 2017/18 Pebble Lime to Graymont Western Lime, Inc., of West Bend, Wisconsin, in the amount of \$156/ton
  25. Grant Agreements for Low-Head Dam Modifications project:
    - a. RESOLUTION NO. 17-241 approving Low-Head Dam Hazard Mitigation Grant Agreement for \$112,901
    - b. RESOLUTION NO. 17-242 approving Iowa Water Trails Enhancement Grant Agreement for \$120,000
  26. RESOLUTION NO. 17-243 approving contract and bond for CyRide Paving Renovations 2017 Project
  27. RESOLUTION NO. 17-244 approving Change Order No. 1 for Electric Services LED Luminaires
  28. RESOLUTION NO. 17-245 approving revised Plat of Survey for 202 Southeast 5<sup>th</sup> Street
  29. The Irons Subdivision:
    - a. RESOLUTION NO. 17-246 approving Final Plat
    - b. RESOLUTION NO. 17-247 accepting partial completion of public improvements and financial security for remaining improvements
    - c. RESOLUTION NO. 17-248 accepting \$45,640 in lieu of sidewalk installation to be used for future improvements on 190<sup>th</sup> Street
    - d. RESOLUTION NO. 17-249 approving Infrastructure Installation and Conservation Management Agreement
    - e. RESOLUTION NO. 17-250 approving Phosphorus Reduction Agreement with Ames Golf and Country Club
  30. RESOLUTION NO. 17-251 approving Final Plat for Crane Farm Subdivision, Third Addition  
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**APPOINTMENT OF *EX OFFICIO* STUDENT LIAISON TO CITY COUNCIL:** Mayor Campbell introduced Robert Bingham, who was recently named the *ex officio* Student Liaison to the City Council by the Iowa State University Student Government.

Moved by Beatty-Hansen, seconded by Corrieri, to adopt RESOLUTION NO. 17-196 approving the appointment Robert Bingham as the *ex officio* Student Liaison to City Council.  
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**APPOINTMENT OF REPRESENTATIVES TO SERVE AS IOWA STATE UNIVERSITY STUDENT GOVERNMENT MEMBERS TO AMES TRANSIT AGENCY BOARD OF TRUSTEES:** Steven Valentino and Juan Bibiloni, who were recently appointed to serve as Iowa State University Student Government representatives to the Ames Transit Agency Board of Trustees, were introduced by Mayor Campbell.

Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 17-198 confirming appointment of Steven Valentino and Juan Bibiloni to serve as Iowa State University Student Government representatives to Ames Transit Agency Board of Trustees.

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

**FY 2017/18 COTA ANNUAL GRANT CONTRACT:** Council Member Gartin advised that he had pulled this item because he has a conflict of interest and would be abstaining from the vote.

Moved by Corrieri, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 17-202 approving the FY 2017/18 COTA Annual Grant Contracts.

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

**2016/17 AND FY 2017/18 OUTSIDE FUNDING REQUESTS:** Council Member Betcher asked about the MSCD Rooftop Lighting funding request. She recalled that the Council had formerly approved \$20,000 out of the Council Contingency Fund for the project. The description in the Council Action Form states that it covers the 400 Blocks of Downtown. She had heard that Cindy Hicks might possibly want some of the funding to go for lighting in the 100 Blocks, depending on what happens. If that is the case, the wording in the Contract would need to change. Assistant City Manager Brian Phillips answered that the way the Contract is written now, MSCD's obligation is to just do the project in the 400 Blocks; if that is not the City Council's direction, the Contract would have to be changed.

Director of the MSCD Cindy Hicks, 304 Main Street, Ames, advised that its primary objective is for lighting for the 400 Blocks of Douglas, Kellogg, Burnett, and on the Bank that is on the corner of Clark and Main, and also the 300 Block of Kellogg. If the building owner is not willing to participate for one of those buildings, as a secondary consideration, they would look at part of the 100 Block and possibly the Depot. Mr. Phillips advised that that flexibility is not built into the contract now. If the Council intends to add that flexibility, a new Contract would need to be prepared. The Contract was prepared based on the initial application received from the MSCD during the Outside Funding Requests process. Ms. Betcher stated that she did not want to allocate any more than the \$20,000; however, she would like to have the flexibility built in.

Moved by Betcher, seconded by Gartin, directing staff to revise the Contract to allow that flexibility

for the secondary plan and to add the 100 Block in the primary plan.

Assistant City Manager Phillips stated that he would discuss the new language with the MSCD. He noted that the revised Contract will come back to the City Council for approval.

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.

Moved by Corrieri, seconded by Orazem, to adopt RESOLUTION NO. 17-203 approving the remaining FY 2016/17 and FY 2017/18 Outside Funding Request Contracts.

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

Michael and Barb Morris, 1416 California Avenue, Ames, and owners of the business at 214 Main Street, voiced their opposition to Oktoberfest primarily due to the number of street closures of their block for September; that will be three weekends in a row. At the inquiry of Council Member Gartin, Ms. Morris advised that their business is open on Sundays.

**REQUESTS FROM AMES VELO FOR AMES GRAND PRIX MAIN STREET CRITERIUM ON JUNE 10 AND REQUESTS FROM AMES VELO FOR AMES GRAND PRIX RESEARCH PARK CIRCUIT RACE ON JUNE 11:** Council Member Betcher referenced a Petition that had been signed by 17 Main Street businesses. The businesses have concerns about closures of Downtown streets on a Saturday, especially since there have been so many Downtown street closures approved to occur Saturdays and Sundays. Ms. Betcher asked if it would be possible to flip the events, i.e., the race at the Research Park could occur on Saturday and the one through Main Street to occur on Sunday.

Jason Quinn, 1412 Burnett, Ames; Greg Fuqua, 416 E. 20th; Scott Wall, 1306 Douglas Avenue, Ames, were present to address questions. Mr. Quinn said he has a business on Main Street, and they work with a couple local bike shops in Ames. He stated that the organizers wanted to bring the event to Ames to showcase Ames. One of the things that came out of the conversation with the MSCD, and after polling their racing community, it was felt that people would be coming to Ames, not to party, but to spend money. Many of them wanted the event to be held Downtown. They scheduled it the way they did because they are trying to get people to stay two days in Ames, come to Ames, stay all day, and stay overnight. The organizers have been working with the Downtown business owners. They want people to explore Downtown, and maps showing the location of businesses have

been created so those attending can find the stores. The event is meant to drive people into the stores; it should bring revenue to the Downtown.

Council Member Beatty-Hansen asked to know what the downside would be if the days were flipped. Mr. Quinn answered that visitors to Ames would be missing out on a huge opportunity to

explore shopping in Downtown Ames on Saturday, when the “lion’s share” of businesses are open. The race facilitators have been working to make this a community event. These races are part of a three-weekend series (“the Iowa Cup”) that starts this weekend in Iowa City and ends in Downtown Des Moines in August. The organizers believe that the Downtown economy will be enhanced by this event.

Mr. Fuqua said that there will be more spectators Downtown on a Saturday. That helps the organizers with sponsorships. Packets will be handed out highlighting many of the Downtown businesses. Mr. Quinn explained that they will be working with the Downtown businesses after the event in an attempt to find out how they can drive more business into their stores. The organizers hope that this will be a recurring event in the Downtown.

Council Member Betcher voiced a concern that had been shared with her by some of the businesses Downtown, i.e., because of the speed of the bicyclists, people shopping and working in Downtown would be trapped on the inside of the course. Mr. Wall explained that there will be gaps in the riders that will allow time for people to cross. He anticipated that the average wait would be 30 to 45 seconds. Another concern Ms. Betcher has heard that people will be watching the race, not necessarily shopping, and because of the street closures, some proprietors won’t get the business from their normal target audiences. Mr. Quinn reiterated that they are trying to promote the businesses, and he thinks the event actually gives people an opportunity to explore the businesses.

Ms. Betcher expressed the appreciation of many of the businesses about the notification efforts taken by the race facilitators.

Council Member Nelson asked if there were any other possible routes that would not be in the retail area. Mr. Quinn stated that 90% of the time, people are not focusing on the race; they normally walk around and explore. Mr. Wall stated that people do not prefer to attend races in areas that are “in the middle of nowhere.”

Referencing the petition signed by 17 businesses, Council Member Betcher asked Mr. Quinn who he was referring to when he said he had worked with the MSCD. Mr. Quinn said that they worked mainly with Cindy Hicks. Main Street Cultural District Director Cindy Hicks said that she was surprised to hear of the petition. She had only heard from only one business. Mr. Gartin stated that that was frustrating to him, as the Council tries to balance the interests of all.

Andy McCormick, owner of Torrent Brewing Company, 504 Burnett Company, Ames, said that he had had a lot of contact from Mr. Quinn. Mr. McCormick commented that he was 100% in favor of this event, as it brings some culture to Ames, it brings fun to Ames, and it brings people Downtown. It will impact businesses, but it will impact in a good way. Events like this are advertising for the businesses.

Piper Wall, 912 Clark Avenue, Ames, said that she was Scott Wall’s sister. She grew up watching bike racing with her family. They didn’t just watch the races, they wandered around, ate in the area, and explored.

Jake Kennedy , Flat Tire Lounge, Madrid, said that he attends a lot of cycling events and has seen the economic benefits of this event to communities. Mr. Kennedy believes these organizers are doing a great job laying the groundwork for a great event.

Nitin Gadia, 214 Main Street, Apartment 1, Ames, spoke in favor of the event. He lives on Main Street and wants to see more events occurring on Main Street. Mr. Nitin stated that these events would be held on City streets, which is public property. He said that that property is not just for private businesses; its for the community.

Mayor Campbell said it is her hope that the Main Street businesses will have a dialogue with the MSCD, and not just wait until the event comes to the City Council. Mr. Phillips said that City staff has had conversations recently with the MSCD concerning the outreach process.

Moved by Corrieri, seconded by Orazem, to approve the following requests from Ames Velo for Ames Grand Prix Main Street Criterium on Saturday, June 10:

- a. Motion approving blanket Temporary Obstruction Permit for closed area
- b. RESOLUTION NO. 17-211 approving closure of Main Street from Clark Avenue to Douglas Avenue, Douglas Avenue from Main Street to Sixth Street, Sixth Street from Douglas Avenue to Burnett Avenue, Burnett Avenue from Sixth Street to Fifth Street, Fifth Street from Burnett Avenue to Clark Avenue, and Clark Avenue from Fifth Street to Main Street from 2:00 p.m. to 9:00 p.m.
- c. RESOLUTION NO. 17-212 approving closure of 187 metered parking spaces and suspension of parking regulations within closed area; and, the requests from Ames Velo for Ames Grand Prix Research Park Circuit Race on Sunday, June 11:
  - a. Motion approving blanket Temporary Obstruction Permit for closed area
  - b. RESOLUTION NO. 17-213 approving closure of Airport Road from University Boulevard to North Loop Drive, North Loop Drive, South Loop Drive, University Boulevard from Airport Road to Collaboration Place, and Collaboration Place from 8:00 a.m. to 5:00 p.m.

Council Member Gartin asked the Velo organizers to follow-up with the businesses and work on cultivating the relationships with the businesses.

Council Member Betcher said she liked this event. She shared that she will probably vote against it because of the businesses who are against it, and those are in Ward 1, which is her Ward. Ms. Betcher commented that she hopes the event is very successful and will evolve so that everyone will be happy with it.

Roll Call Vote: 5-1. Voting aye: Beatty-Hansen, Corrieri, Gartin, Nelson, Orazem. Voting nay: Betcher. Motions/Resolutions declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

**PUBLIC FORUM:** Mayor Campbell opened Public Forum.

The Mayor advised that due to the heightened concerns in the community about the air quality at

the Municipal Pool, she had requested Keith Abraham, Director of Parks and Recreation, to provide an update. Mr. Abraham provided a summary of the issues and the actions taken to date. He said he had been meeting regularly with Gerry Peters, Ames Community School District Facilities Director. On April 14, 2017, they met with a local engineer. That engineer looked at the system's design and concluded that it was an adequate design and should move the air to meet ASHRAE standards. SystemWorks was then contacted, and they tested the supply air, exhaust air, and fresh air coming in. They also did a smoke test. The results have not yet been received. Additional air testing will be done to test for chloramines on Thursday, April 27. Samples at four different locations at different times will be taken, which will equate to 36 samples. It takes approximately two weeks to get the results. Director Abraham named several options that will be considered after the test results come back. Story County Health Department inspected on April 14, and they did not find anything that was wrong. They also did a water test, which the combined chlorine (i.e., chloramines) came back at .32, which is pretty good. However, even with that, that doesn't mean that there aren't chloramines in the air; that is why the air testing is being done.

Another issue that some parents have complained about is that the windows and doors have been to kept closed since January. The system is designed to be a closed system. The doors and windows need to be kept closed until after the air samples are taken. After the results are known, it might be that the windows and doors can be opened.

Mayor Campbell asked who is responsible for what regarding the Municipal Pool. Director Abraham advised that the Municipal Pool is a City-owned facility located on School District property. The two entities have an Agreement to share operational expenses 50/50. In that Agreement, the School District is responsible for all the maintenance of the pool.

At the inquiry of Council Member Gartin, Mr. Abraham said that the air quality issue has come up before, but not to this magnitude.

No one else came forward to speak, and the Mayor closed Public Forum.

**APPEAL OF 2516 LINCOLN WAY MINOR SITE DEVELOPMENT PLAN CONDITIONS OF APPROVAL:** Planning and Housing Director Kelly Diekmann advised that the property owner, Scott Randall, submitted an application for a Minor Site Development Plan on February 8, 2017, to redevelop the 2516 Lincoln Way site with a single building that includes ground floor commercial uses and apartments on the upper floors. The project was reviewed through the Development Review Committee process and the applicant was provided comments by affected Departments, including Public Works, Planning and Housing, Fire, Police, and Ames Electric. A revised Plan and response to comments was submitted to Planning on March 14. After reviewing the revised Plan, the Planning and Housing Director approved the Minor Site Development Plan on March 30, 2017, with seven conditions to ensure compliance with applicable regulations. The conditions included a requirement that the applicant identify eight remote parking spaces and to prepare a Remote Parking Agreement for City Council approval. Another condition denies the request for a curb cut on Lincoln Way and requires the developer to install bollards to prevent access onto Lincoln Way. The remaining conditions address preparation of a storm sewer easement, lighting, preconstruction

meeting, electric load calculations, and compliance with post indicator valve standards. Mr. Randall, through his engineer Scott Renaud, wished to appeal the conditional approved as allowed by *Ames Municipal Code* Section 29.1502(3)(h). Specifically, he is appealing the two conditions for requiring parking and to restrict a driveway curb cut to Lincoln Way. As an appeal of the conditional approval, the City Council must review the project de novo and make a decision to approve, approve with conditions, or deny the proposed Minor Site Development Plan based on the criteria of 29.1502 of the *Ames Municipal Code*.

Mr. Diekmann further explained that the two conditions at issue are the requirement to provide one parking space for each residential unit for a total of eight parking spaces and to restrict vehicle access to Lincoln Way. He said that the City's Zoning Ordinance requires one parking space for each residential unit and the interpretation offered by the applicant is not substantiated by either the meaning of the parking standards or by the practice of the City when approving Campustown redevelopment projects. Providing for remote parking as a condition of approval to receive a Building Permit is a reasonable condition of approval for the proposed development. Although the City's zoning standards require a mid-block opening, as the application has provided for in the design, it does not necessitate providing for vehicular access. Also, the curb cut would be inconsistent with the desired pedestrian character of the area and would reduce on-street parking to allow for the curb cut. The condition of approval - to add bollards to restrict vehicle access across the sidewalk - is reasonable to manage the safety and convenience of pedestrians and vehicles along Lincoln Way. There is always a safety issue when vehicles exit a street by crossing a sidewalk, even more so due to the heavy usage of the Lincoln Way sidewalk.

Council Member Beatty-Hansen asked if there was any flexibility in the parking regulations. She noted the recent adoption of an ordinance pertaining to the parking requirement. Although staff perceived that change to the ordinance as a clerical error, the requirement that is there now was not there when the site plan was submitted. Director Diekmann replied that the condition being imposed is necessary due to the Zoning Ordinance requirement; there is no way to waive the standard. Council Member Orazem asked if parking may be leased in the Transit Hub. Director Diekmann stated that the City has never approved remote parking in a public facility. There is no way to ensure that the use will be there in perpetuity; there are certain requirements that must be included in Remote Parking Agreements.

Council Member Gartin stated that he wants all developers treated equally; this would be a departure from the way the City had treated other developers. Other developers who don't meet the parking requirement and can't provide remote parking are not allowed to do the project. Mr. Gartin asked if there are there aspects of this proposal that make it unique in light of other similar proposals. Director Diekmann said there were no unique aspects; it is a developable property in Campustown that has an obligation to meet parking and design standards. After being asked if there had been any other projects that had come to the City with no indication of remote parking, Mr. Diekmann said there had not been in his time with the City.

Council Member Gartin questioned what concerns staff had about a curb cut on Lincoln Way as

being requested by the developer. He noted that this is a critical area for safety. Director Diekmann said he had had consultations with the City's Public Works Department, and that is where this condition came from. He listed the reasons: a main safety concern in pedestrians having to cross a sidewalk, the curb cut would be coming in and out of an arterial street, there is no visibility triangle, and it would require the displacement of on-street parking spaces.

Scott Renaud, FOX Engineering, 414 South 17<sup>th</sup> Street, Suite 107, Ames, advised that when their Minor Site Development Plan application was submitted, the parking requirement was different. Council just recently adopted an Ordinance changing that requirement. Mr. Renaud said that they specifically asked if they have an alley or a parcel. They were told it was a parcel because there was a Plat of Survey; that communicated to them that they do not have access; there is no dedication of an alley. The requirement states that if you do not have access to an alley or a street, you can ask for a curb cut. Since they don't have access through Lot X, it is not something they just ask for; the curb cut is a City requirement because it does not have access to an alley or a street. They need access for garbage and grease pick-up; it will not be a high-volume.

Council Member Gartin asked if the developer can come up with an area for remote parking, the City could give them access. Mr. Renaud advised that the developer tried to reach a compromise, but it was denied by staff.

Mr. Renaud told the Council that what the developer believes that this will be a very unique project that will set a statement for this block. He advised that there will be a patio in the front and a huge patio in the back. They really don't need parking; they are asking for a more fluid parking arrangement. Economic dynamics exist as the commercial component on the bottom does not pay for the project; they need the apartments on the top. The parking standards are going to be met; they are just going to be met in a different way. After being asked by Council Member Beatty-Hansen, Mr. Renaud stated that the project is going to happen as they are proposing it here tonight or it is not going to happen. The buildings are going to come down and there will just be a big hole there.

Ms. Beatty-Hansen commented that she really likes the concept of the patio in the front and in the back, and she is sympathetic about the parking issue. She is very much in favor of fewer cars and more walking and more biking; however, staff has indicated that they can't "skirt" the Zoning Code. Mr. Renaud was asked by Ms. Beatty-Hansen if they can find remote parking to meet the requirement. Mr. Renaud replied that Mr. Randall owns a lot of property, but the problem is that doing that doesn't allow for free flow of those spaces in other areas. It goes back to the parcel or alley issue; they have been told that it is a parcel. They have been told that they are developing a parcel, not an alley. Because it's a parcel, a curb cut is required. Mr. Gartin asked how they can be assured that others won't use the entrance where the curb cut would occur. Mr. Renaud said that it would still be private property. The developer had proposed that they have limited access. Garbage trucks come in the morning. They also proposed that it be one way in and one way out. Commenting on the curb cut, Mr. Gartin said there would be nothing to preclude others from using that curb cut.

Nitin Gadia, 214 Main Street, Apartment No. 1, Ames, spoke in favor of relieving the developer of

the parking requirement. Mr. Gadia recommended that the City Council remove all minimum parking requirements for Downtown and Campustown as soon in possible; it needs to be abolished. He believes that minimum parking requirements continue to “choke” his community. Mr. Gadia asked each Council Member to “stop screwing up” his community. Mr. Gadia asked the Council members to grant waivers to the parking requirements.

Eve Hulstrom, 214 E. 16<sup>th</sup> Street, Ames, said that she is a Planning student at Iowa State. She was “abit taken aback” by the minimum parking requirements. In her studies, she has learned that minimum parking requirements do deter development. She believes this case is unique. Ms. Hulstrom asked the City Council to review the minimum parking requirements in Downtown and Campustown. Council Member Beatty-Hansen pointed out that a workshop on that topic is being planned.

Moved by Beatty-Hansen, seconded by Betcher, to adopt RESOLUTION NO. 17-252 approving the Minor Site Development Plan with the seven conditions of approval imposed by the Planning Director.

Council Member Gartin reiterated that it was important for the City to be consistent with all developers and developments. He noted that the project appeared to be a very good project, but expressed dismay over being hung up over the alley versus parcel issue. In Mr. Gartin’s opinion, the project would work if there would be some off-site parking and an arrangement worked out for access to the back for trash and grease disposal.

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

**TEMPORARY ASPHALT BATCH PLANT SETBACKS FROM HOTELS:** Director Diekmann explained that although the Special Use permit process was established in 2011, no project has requested approval since the adoption of the standards until this year. Mr. Diekmann stated that Manatt’s had recently applied for a Special Use permit for 1811 South Dayton Place and staff determined the site was not eligible for a temporary batch plant based on the siting setback criteria as short-term lodging (hotels) properties are within 500 feet of the 1811 South Dayton Place property. Hotel properties are within 270 feet of the property in question.

Director Diekmann said the second item that the Council needed to determine was whether it was willing to consider an expedited schedule. It is a temporary

Council Member Betcher would like hotels to be able to provide input and wants them to be notified. They are the ones that are going to be impacted the most. Mr. Diekmann pointed out that the Special Use Permit has notification requirements.

Moved by Nelson, seconded by Corrieri, to authorize an application for a text amendment to exclude hotels from the 500-foot residential setback and apply the 250-foot commercial property setback with an expedited schedule of review.

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

Moved by Betcher, seconded by Beatty-Hansen, for staff to contact the Hotel Council, and specifically, the hotels on South 16<sup>th</sup> to let them know about the possible amendment.

Council Member Beatty-Hansen suggested that start by contacting Julie Weeks, Ames Convention and Visitors Bureau.

Director Diekmann stated that staff would send them a notice.

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

**HEARING ON ANNEXATION OF PROPERTY LOCATED AT 4605 HYDE AVENUE:** Mayor Campbell opened the public hearing. After no one else came forward to speak, the Mayor closed the public hearing.

Moved by Orazem, seconded by Gartin, to adopt RESOLUTION NO. 17-253 approving the annexation of property located at 4605 Hyde Avenue.

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

**HEARING ON THE SALE OF 1201 DAYTON AVENUE BY MARY GREELEY MEDICAL CENTER:** The public hearing was opened by Mayor Campbell. After no one requested to speak, the Mayor closed the hearing.

Moved by Corrieri, seconded by Gartin, to adopt RESOLUTION NO. 17-254 approving the sale of 1201 Dayton Avenue by Mary Greeley Medical Center to Manatt's, Inc.

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

**HEARING ON VACATING ACCESS EASEMENT IN ASPEN BUSINESS PARK SUBDIVISION, FIRST ADDITION:** The Mayor opened the hearing and closed same when there was no one wishing to speak.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 17-256 approving vacating of Easement on west 20 feet of Outlot B, Aspen Business Park, First Addition.

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

**HEARING ON 2016/17 CEMETERY LANE IMPROVEMENTS:** Mayor Campbell opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Corrieri, seconded by Gartin, to adopt RESOLUTION NO. 17-256 approving final plans and specifications and awarding a contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$184,038.30.

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

**ORDINANCE ASSIGNING RECENTLY APPROVED ANNEXED AREAS TO WARDS AND PRECINCTS:** The Mayor asked if there was anyone desiring to speak on first passage of this Ordinance. No one came forward to speak.

Moved by Corrieri, seconded by Orazem, to pass on first reading an ordinance assigning recently approved annexed areas (Resolutions No. 16-686 and 17-126) to Wards and Precincts.

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

**ORDINANCE INCREASING COMPENSATION FOR MAYOR AND CITY COUNCIL:** There was no one who asked to provide input on the first reading of this Ordinance.

Moved by Corrieri, seconded by Betcher, to pass on first reading an ordinance increasing the compensation for Mayor and City Council, to be effective on January 1, 2018.

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

**REVISED NET METERING ORDINANCE:** Electric Services Director Donald Kom explained that there had been a math error with the formula; it was a little more than a penny less than what was intended by the Council. Since staff would like to send out the refunds, it is being requested that Council make it retroactive to March 1. Mr. Kom suspend rules.

Council Member Betcher pointed out that the Ordinance as written says that it will be effective upon adoption and publication. It doesn't say anything that it would be made retroactive to March 1. Ms. Betcher asked City Attorney Judy Parks if the Ordinance needed to be corrected. Ms. Parks stated

that there is no language currently in the Ordinance provided to the Council that said it would be effective retroactive to March 1, so the Ordinance would need to be corrected prior to publication.

No one requested to speak on first passage of this Ordinance.

Moved by Betcher, seconded by Beatty-Hansen, to pass on first reading a revised Net Metering Ordinance.

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

Moved by Corrieri, seconded by Betcher, to suspend the rules necessary for the adoption of an ordinance.

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

Moved by Corrieri, seconded by Gartin, to pass on second and third readings and adopt the revised Net Metering ORDINANCE NO. 4301.

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

**ORDINANCE RELATING TO SOLAR ENERGY SYSTEMS IN GENERAL INDUSTRIAL ZONED AREAS:** Moved by Betcher, seconded by Beatty-Hansen, to pass on second reading an ordinance relating to solar energy systems in General Industrial zoned areas.

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

**ORDINANCE SETTING PARKING REGULATIONS AND ESTABLISHING SPEED LIMIT FOR COLLABORATION PLACE IN ISU RESEARCH PARK:** Moved by Beatty-Hansen, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4298 setting parking regulations and establishing speed limit for Collaboration Place in ISU Research Park.

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

**ORDINANCE SETTING PARKING REGULATIONS AND ESTABLISHING SPEED LIMIT FOR PLAZA LOOP IN ISU RESEARCH PARK:** Moved by Beatty-Hansen, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4299 setting parking regulations and establishing speed limit for Plaza Loop in ISU Research Park.

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

**ORDINANCE PERTAINING TO SIGNS UNDER CHAPTER 21.122(1)c AND CHAPTER 21.125(6):** Moved by Beatty-Hansen, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4300 pertaining to Signs under Chapter 21.122(1)c and Chapter 21.125(6).

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

**COUNCIL COMMENTS:** Mayor Campbell thanked *ex officio* Council Member Sam Schulte for his service. Mr. Schulte thanked the City for their support of the position. He and the Student Government recognizes that this is a very unique arrangement. He also thanked the Mayor and City Council for their support of him personally and making him feel welcome.

Moved by Betcher, seconded by Beatty-Hansen, to place on a future agenda a discussion of the process for event notification for events in Campustown and Downtown by the event sponsors to those businesses that are being impacted by the special events.

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

Moved by Gartin, seconded by Beatty-Hansen, to refer to staff the letter from Brian Torresi dated April 20, 2017, pertaining to The Depot at 500 Main Street.

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

Moved by Gartin, seconded by Betcher, to place on a future agenda the request from United Way dated March 29, 2017, regarding partnering on the Clear Impact Scorecard.

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

Council Member Gartin Ames Interfaith Refugee Alliance meeting that was held tonight at the Public Library. It was very well-attended. He commended the for organizing the meeting.

Council Member Gartin commented that last Monday night at its meeting, the Ames School Board voted to revisit options for the Ames Healthy Life Center. He noted that it was a very contentious meeting; however, he is glad that the School District is coming back to the table.

Council Member Corrieri presented a brief summary of the School Board's discussion of the pool. She pointed out that discussion about the City/School partnership on a new pool actually began before most of the current Council members were elected. Ms. Corrieri noted that late in 2015, a new concept for a Healthy Life Center emerged. Further discussions followed, and on June 13, 2016, it was decided that the City would move forward on the concept of a Healthy Life Center and the School District would move forward with its plan for a cold-water facility. Ms. Corrieri noted that the School District was under the assumption that it could not contribute funds to an off-site facility and that it could not provide non-operating funds to additional payments. However, a few weeks ago, the School District counsel said that it could use District funds for those purposes. Ms. Corrieri noted that she was disheartened by the many comments made by parents of swimmers and School Board members during the Board Meeting because she believes that the vast majority of the community wants the City and School District to work together. She expressed frustration that, at the meeting, the School Superintendent indicated that this was the first time he had heard that the City was willing to partner with the School District on a cold-water facility, as she knows for a fact that the City Manager met with the Superintendent and presented that concept. Ultimately, the Board voted 5-2 to re-engage in conversations. Ms. Corrieri believes that it is time for the City to take the lead in moving forward in building this special facility. She noted that Ames has been a model of how

partnerships should work, and this should be no different. Ms. Corrieri said that she believes it is time for the City to model the way.

Moved by Corrieri, seconded by Nelson, to direct that the City Manager meet with the School Superintendent and the leadership of ACAC to determine what their needs are for a cold water pool and include that in the feasibility study that will be presented to Council, hopefully, on May 9, and for the Mayor and Luke Deardorff to be part of that discussion.

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

Moved by Gartin, seconded by Betcher, to place on a future agenda the memo from Public Relations Officer Susan fGwiasda regarding Internet service data collection.

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

**ADJOURNMENT:** Moved by Nelson to adjourn the meeting at 8:42 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor