

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

APRIL 10, 2018

The Regular Meeting of the Ames City Council was called to order by Mayor Pro Tem Bronwyn Beatty-Hansen at 6:00 p.m. on April 10, 2018, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Gloria Betcher, Tim Gartin, David Martin, Amber Corrieri and Chris Nelson. *Ex officio* Member Rob Bingham was also present. Mayor John Haila was absent.

PROCLAMATION FOR “WAYNE AND EDNA CLINTON MAKING DEMOCRACY WORK DAY,” APRIL 14, 2018: Mayor Pro Tem Beatty-Hansen proclaimed April 14, 2018, as “Wayne and Edna Clinton Making Democracy Work Day.” Accepting the Proclamation were Wayne and Edna Clinton. Mr. Clinton expressed his gratitude to the League of Women Voters of Story County for selecting them for the “Making Democracy Work” award. Mrs. Clinton stated that it is her dream that Ames will be the beacon that the state will follow in all areas of civil and social justice.

PROCLAMATION FOR “ECO FAIR DAY,” APRIL 21, 2018: Mayor Pro Tem Beatty-Hansen proclaimed April 21, 2018, as “Eco Fair Day.” Accepting the Proclamation were Director of Electric Services Donald Kom and Municipal Engineer Tracy Warner. Ms. Beatty-Hansen informed the public that the Eco Fair will be held in City Hall and will begin at 9 a.m. and concludes at 1 p.m on Saturday, April 21, 2018. Ms. Warner noted that there will be several new events to include several electric cars and a gently used school supply swap.

CONSENT AGENDA: Council Member Betcher requested to pull Item No. 9 (temporary outdoor service for Tip Top Lounge) and Council Member Gartin requested to pull Item No. 11 (Ames Velo for Ames Grand Prix) from the Consent Agenda for further discussion.

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

1. Motion approving payment of claims
2. Motion approving Regular Meeting of March 27, 2018, and Special Meeting of March 29, 2018
3. Motion approving Report of Contract Change Orders for March 16-31, 2018
4. Motion approving 6-month Class B Beer Permit & Outdoor Service for Ames Jaycees “Ames on the Half Shell” in Bandshell Park, 6th Street and Duff Avenue
5. Motion approving new Special Class C Liquor License for Mongolian Buffet, 1620 S. Kellogg Avenue, Ste. 103
6. Motion approving temporary Outdoor Service (April 15 - Sept. 15) for Whiskey River, 132 - 134 Main Street
7. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor – Sips/Paddy’s Irish pub, 124 Welch Avenue
 - b. Class E Liquor, C Beer, & B Wine – Wal-Mart Store #749, 3105 Grand Avenue
 - c. Class C Liquor & Catering Privilege – Los Altos Mexican Restaurant, 823 Wheeler Street, Ste. 5
 - d. Class B Liquor – Radisson Ames, 2609 University Boulevard (Previously named Holiday

- Inn Ames)
- e. Class C Liquor – Dangerous Curves, 111 5th Street
 - f. Class C Liquor & Outdoor Service – Brick City Grill, 2704 Stange Road
 - g. Special Class C Liquor – Smokin Oak Wood-fired Pizza, 2420 Lincoln Way, Ste. 101
8. Requests from Early Times Chapter of P.O.C.I. for Flathead Reunion Pontiac Car Show on Saturday, September 8:
 - a. Motion approving blanket Temporary Obstruction Permit for closed area
 - b. RESOLUTION NO. 18-163 approving closure of 400 block of Douglas Avenue from 7:30 a.m. to 3:15 p.m.
 - c. RESOLUTION NO. 18-164 approving closure of 18 metered parking spaces and suspension of parking regulations within closed area from 7:30 a.m. to 3:15 p.m.
 9. RESOLUTION NO. 18-165 approving and adopting Supplement No. 2018-2 to *Municipal Code*
 10. RESOLUTION NO. 18-166 approving 2018-2021 Intergovernmental Agreement with Metro Waste Authority for Household Hazardous Materials Collection
 11. RESOLUTION NO. 18-167 approving renewal of contract with Waste Management of Ames for Hauling and Related Services from Resource Recovery Plant to Boone County Landfill
 12. RESOLUTION NO. 18-168 approving recommendation of Public Art Commission to purchase “Balance” sculpture for Neighborhood Art Program
 13. RESOLUTION NO. 18-169 authorizing increase of .25 FTE for Utility Customer Service Clerk
 14. RESOLUTION NO. 18-170 approving preliminary plans and specifications for Top-O-Hollow Substation Expansion; setting April 25, 2018, as bid due date and May 8, 2018, as date of public hearing
 15. RESOLUTION NO. 18-171 approving preliminary plans and specifications for Electrical Maintenance Services for Power Plant; setting May 9, 2018, as bid due date and May 22, 2018, as date of public hearing
 16. RESOLUTION NO. 18-172 approving preliminary plans and specifications for Specialized Wet Dry Vacuum, Hydro Blast, and Related Cleaning Services for Power Plant; setting May 9, 2018, as bid due date and May 22, 2018, as date of public hearing
 17. RESOLUTION NO. 18-173 approving preliminary plans and specifications for Motor Repair for Power Plant; setting May 10, 2018, as bid due date and May 22, 2018, as date of public hearing
 18. RESOLUTION NO. 18-174 awarding contract to O’Halloran’s of Altoona, Iowa, for purchase of International truck chassis to be used by Public Works Utility Maintenance Division
 19. RESOLUTION NO. 18-175 awarding contract to Sys-Kool of Omaha, Nebraska, for purchase of two City Hall Cooling Tower Replacement in the amount of \$195,210
 20. RESOLUTION NO. 18-176 approving contract and bond for 2017/18 Clear Water Diversion Program
 21. RESOLUTION NO. 18-177 approving contract and bond for 2017/18 Water System Improvements Program #2
 22. RESOLUTION NO. 18-178 approving contract and bond for Furnishing Electrical Materials for Top-O-Hollow Substation - Bid No. 4 Steel Structures
 23. RESOLUTION NO. 18-179 accepting completion of 2015/16 & 2016/17 Seal Coat Street Pavement Improvements
 24. RESOLUTION NO. 18-180 accepting completion of 2016/17 Water System Improvements Program #1 - Water Service Transfer
 25. RESOLUTION NO. 18-181 approving Plat of Survey for 1404 Boston Avenue and 2230

Philadelphia Street

26. RESOLUTION NO. 18-182 approving Plat of Survey for 415 Stanton Avenue

27. RESOLUTION NO. 18-183 approving Plat of Survey for 2812 and 2826 Hyatt Circle

28. RESOLUTION NO. 18-184 accepting partial completion of public improvements and reducing security for Aspen Business Park, 3rd Addition, Subdivision (The Quarters)

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

OUTDOOR SERVICE FOR TIP TOP LOUNGE: Council Member Betcher said that she had requested to pull Consent Item No. 9 for further discussion because some of the dates include RAGBRAI dates. Ms. Betcher stated that she felt there should be a discussion on this topic and that it should be discussed after Item No. 49 (first passage of ordinance relating to RAGBRAI events on July 23-25, 2018). Mayor Pro Tem Beatty-Hansen moved Consent Item No. 9 to wait until after Item No. 49 has been discussed.

AMES VELO FOR AMES GRAND PRIX: Council Member Gartin commented that he had requested to pull Consent Item No. 11 for further discussion so that the organizers from Ames Velo for Ames Grand Prix could inform the Council and public about the event. Public Relations person Jason Quinn and Race Director Scott Wall gave details of the race that will be held on Main Street on June 16 and on June 17 will at the Research Park. Mr. Quinn stated that this will be a closed loop race in the evening. It is expected that 300-400 racers will attend. There will also be a kid's race. This is being promoted to school age kids as an alternative activity to them. All proceeds will go to the Tim Foundation. Mr. Wall added that the support given from the City last year was tremendous.

Moved by Gartin, seconded by Corrieri, to approve a blanket Temporary Obstruction Permit and a blanket Vending License for the closed area at Ames Main Street Cultural District Criterium on Saturday, June 16.

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

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-158 approving the 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 from Douglas Avenue to Clark Avenue, Kellogg Avenue from Main Street to Sixth Street, and Clark Avenue from Fifth Street to Main Street from 4:00 p.m. to 11:00 p.m.

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

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-159 approving closure of 187 metered parking spaces and suspension of parking regulations within the closed area from 2:30 p.m. to 11:00 p.m.

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

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-160 approving the waiver of the fee for a blanket Vending License.

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

Moved by Gartin, seconded by Corrieri, to approve a blanket Temporary Obstruction Permit and a blanket Vending License for closed area at ISU Research Park Circuit Race on Sunday, June 17, 2018. Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-161 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. on June 17, 2018.

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

PUBLIC FORUM: Mayor Pro Tem Beatty-Hansen opened Public Forum. There being no one wishing to speak, she closed Public Forum.

RENTAL HOUSING ORDINANCE HARDSHIP OPTION: Moved by Gartin, seconded by Nelson, to discuss the hardship options prior to the rental concentration.

Vote on Motion: 6-0. Motion declared unanimous.

Planning and Housing Director Kelly Diekmann reminded Council of the request for staff to look into other communities that have adopted a rental concentration cap and see how temporary and permanent exemptions to the cap had been used. Council directed staff that any cap that is to be written would allow for a one-year temporary rental license available to anyone.

Mr. Diekmann stated that five communities were looked at for comparison, none of which had permanent exemptions. If the intent of the cap was to promote home ownership opportunities in those areas, then the allowances for when that would not be the policy priority of the community would have to be a high bar for someone to have a circumstance that could be evaluated to grant the permanent hardship exemption. If there is not a special standard written then the temporary license allowance would be followed. Council will need to decide if there should be a second year for the temporary rental license to exist. In the case of a permanent exemption, Council will need to give direction in terms of the materials to be included in the application, any prerequisites, and the criteria needed to be approved. Staff outlined a combination of prerequisites and applications standards. A prerequisite was that the applicant must have an existing rental property on three sides, not to include across the street. Applying this rule would only affect 15 properties in total. Staff recommended if a permanent exemption is desired, the bar needs to be high with several prerequisites that come down to an expectation of an economic hardship that was not self-created.

Council Member Nelson inquired if a hardship could be a permanent option, the sale of the property removes the hardship. Director Diekmann explained that was addressed by requiring ownership of the property or occupant for at least five years. Council Member Martin clarified that to be eligible for a permanent exemption, it would require an owner to have acquired the property prior to the

moratorium. If the property was acquired after the moratorium was in place, then the long-term exemption would no longer be extended to them. Council Member Nelson agreed with the requirement of ownership for five years prior to applying for the exemption. His concern is the high-concentrated rental neighborhoods. Mr. Diekmann added that the alternative to exemptions is to more narrowly add a cap.

Council Member Betcher pointed out the reason for the cap is because of the proliferation of rentals. It has to be decided if Council is committed to the idea of the percentage cap for those neighborhoods and trying to bring that percentage down over time. If the value is to have balance in the neighborhoods, then allowing more rentals defeats the goal. An alternative to be looked at is providing incentives for people to buy as owner-occupiers. Ms. Betcher believes that the City has CDBG money that could go toward first-time homebuyers assistance or down-payment assistance to incentivize the purchase of those properties as owner-occupied.

Council Member Corrieri stated that she agreed with Council Member Nelson that some of the exceptions are too harsh for certain areas that are already well above the rental cap that would be passed by Council. Her added concern is about people in very difficult financial situations that could be increased due to not being able to see their property.

Council Member Betcher expressed her concern about establishing an overlay, but still allowing some people to convert their home to a rental and increase the percentage. She suggested that individual cases could be looked at as they come up after a temporary Letter of Compliance (LOC) is put in place and determine what the hardship is and not say it is a permanent exemption. Council Member Martin commented that the 25% cap is arbitrary. The fluctuation of the rental percentage a little one way or the other is not upsetting. Council Member Betcher stated that each owner could claim a hardship because of thinking they would not be able to sell the property at the value that the owner thought. She believes there will be cases of one owner being able to sell their property as a rental versus another owner not being able to sell as a rental. People living in the less rental concentrated areas will feel they are taking an economic hit also. Council Member Nelson noted that the magnitude of the hardship is greater to an owner in a higher rental concentrated area.

Council Member Betcher stated that public input has been that the nuisance issues could be dealt with through enforcement. The enforcement would make it so that it doesn't matter if living next to a rental. That doesn't take away from the fact that a person would not be able to make money off their property as a rental with the rental cap. The discussions have been about how undesirable it is to live next to a rental, but yet Council has stated that it is not about things that can be addressed through enforcement. Hardships would not need to be discussed if there is nothing wrong with living next to rentals; living next to a rental must be a hardship if Council is seeing a problem.

Council Member Martin responded that Council is discussing this because people have contacted the Council fearing their property value will go down as a result of living next to a rental. Neighborhoods that are adjacent to the Campus-impacted neighborhoods that are not currently under discussion worry that will change the character of their neighborhood. Letters from real-estate

professionals have stated that a cap will have negative consequences on neighborhoods outside the cap. Council Member Corrieri noted that her point has always been against a cap or have something in place to help those who have hardships. Council Member Betcher stated that she wants to make sure Council is sending a clear message about the intent with the overlays; setting a permanent exemption in place is assuming that it would never come back.

Council Member Martin stated that Item 4 discusses two consecutive years of temporary allowance. As written now, the first year is basically just by asking and the second year is dependent upon an employment-related condition. Mr. Martin suggested making the temporary allowance a bit more flexible by stating either year is contingent upon an employment condition. Council Member Betcher added that it should be even more flexible because there are many different circumstances that occur that are not employment-related.

Tom Budd, 1014 Lincoln Way, Ames, stated that he appreciates the attempt to bring more homeowners into the neighborhood. Mr. Budd noted that he is surrounded by rentals. He has purchased land and is thinking about selling his property. His concern is that he may look for a homeowner to purchase his property, but if not able to find the person that wants to live in that area, it may cost him thousands of dollars. The exemptions may help alleviate the problem for homeowners and being careful about where the overlays are. This property is under the Oak to Riverside Overlay. The reality is that the properties around are never going back to single-family homes, because they are not single-family homes.

Chad Gourley, 2335 Baker Street, Ames, stated his home is also surrounded by rentals. He added that he has not had any issues with the student renters. Mr. Gourley commented that a neighbor recently sold his home; that person did not have one interested home buyer. This could severely impact him if he needed to move.

Sarah Conroy, 2318 Baker Street, Ames, stated that the five-year stipulation is a bit arbitrary considering she has lived there for four and a half years. The thought of flipping it for an investment was there, but now that would not be an option. Ms. Conroy commented on the three sides needing to be on each side and behind the home. Some people have more interaction with the properties across the street due to fences. Two years is a long time to ask a young family to wait to sell their house; that is a considerable financial hardship.

Mark Graeve, 3119 Story Street, Ames, stated that he has only owned his home for two years. He bought this house specifically because he could walk to work at Iowa State University, but also with the intent to bring it up to Rental Code to use as an investment. The property is in the West neighborhood where it is 59% rental occupied. He also noted that he has more contact with the neighbors across the street than behind him. Mr. Graeve suggested that if the purchase of a home was prior to the moratorium, the buyer would have the right to sell the home as desired.

John Pleasants, 516 Lynn Avenue, Ames, agreed that it is important to consider hardship cases, but it is also important to balance between those wishing to sell and the property owners who are

wishing for a stable neighborhood. The homeowners are experiencing a hardship by having exemptions that would cause a domino effect into even more rentals. Mr. Pleasants liked the idea of the City providing incentives for those wishing to purchase a home. He stated that some thoughts are to throw the high rental concentrated neighborhoods under the bus and save the adjoining neighborhoods from similar fate.

Sandra McJimsey, 2236 Storm, Ames, stated that market hardships do deserve consideration; the bar should be high for those cases. Ms. McJimsey encouraged staff to keep a high bar and use incentives to keep a property owner-occupied. She suggested the use of CDBG monies to supplement, help a prospective buyer buy-down the mortgage, help with a down payment, create a deferred loan or have a tax abatement for the new owner.

Wesley Wierson, 3109 Story Street, Ames, suggested that hardships be looked at on a street by street basis.

Nancy Marion, 2714 Aspen Avenue, Ames, stated that an abundance of discussion should occur regarding hardship cases.

Council Member Gartin asked Building Official Sara VanMeeteren about the demands that would be placed on staff to complete the second year of part four. Ms. VanMeeteren stated that year two will have to be documented. The LOC is given the first year, the second year will be triggered by the reinspection that is set a year out. The documentation will be asked for before the second year inspection. This will increase the work load on staff.

Moved by Martin, seconded by Nelson, to direct staff to prepare an Ordinance to allow for a one-year transitional license as currently done and can have multiple of them separated by 12 months and each owner of the property would be eligible for one occurrence of a two-year period of transitional license.

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

RENTAL HOUSING ORDINANCE ON RENTAL CONCENTRATION: Director Diekmann stated staff provided notice to all mailing addresses of property owners in the eight specified neighborhoods and information into the neighborhood newsletter concerning the meeting tonight and the adoption of an Ordinance on April 24. Council is considering a 25% threshold cap, which means if a neighborhood had single-family zoned properties, the number of registered rental dwellings can not exceed 25%. No new registrations allowed if over 25% rental in the neighborhood. If the neighborhood has under 25% rental, any property on a first-come first-serve basis may register the property as a rental. If part of a duplex, the second half can still be registered even if that would take the neighborhood over 25%. Mr. Diekmann showed the boundaries for what staff considers the Near-Campus Neighborhoods.

Kris Miles Jergens, 822 Ash Avenue, Ames, stated she feels the concern is transient renters not the renters who take care of the property and invest themselves in Ames. There needs to be a solution

on how to get more homeowners to the neighborhoods. She is in favor of the rental cap.

Sarah Conroy, 2318 Baker Street, Ames, shared negative interactions, but stated those are very few in comparison to the amount of good interactions with renters. Ms. Conroy strongly disagrees with the cap. The cap hurts property owners who don't intend to stay. This Ordinance will give no choice but to sell the property to a home buyer because the neighborhood is already at the 25% cap. This will devalue properties immediately. This will also have negative impacts on renters. Landlords in these neighborhoods will know that they will have no new competition and now there will be no incentive to maintain their properties. The neighborhood is changing with rapid expansion and there must be a release valve that doesn't hurt property owners. The preference of some property owners to not live by students should not outweigh others' opportunity to have a hardship in that area.

Carole Horowitz, 2014 County Club Boulevard., Ames, stated that in addition to her thoughts will also be reading part of a letter from Leslie Kawaler of 221 Hughes Street, Ames. A post on *FaceBook* was about an owner-occupied house that had been completely surrounded by family homes. The owner of this property knew rentals were closing in. The owner was offered much over the asking price and sold it in two days to an investor for a rental property. The person felt bad, but couldn't pass up the offer. Investors are driving up prices and effectively removing housing stock from potential owner-occupiers. Maximum financial return on investment and lack of concern for the neighbors and neighborhood contribute to the problem. The Iowa City Mayor set an example by putting in place a rental cap on the Near-Campus Neighborhoods to help keep them healthy and safe for all residents. Ms. Horowitz concluded by asking Council to include SCAN among the neighborhoods upon which a rental cap may be imposed.

Stephen and Constance Ringlee, 2325 Storm Street, Ames, stated their support for the rental cap. Mr. Ringlee stressed the importance of diversity in all of Ames neighborhoods. He noted that diversity can be in the form of age, socio-economic status or owner or renter. It yields vibrance, which yields thriving retail into a thriving Campustown and into a thriving Ames. The SCAN area is losing its diversity because of the focus on an all-rental, student-centered neighborhood. Mrs. Ringlee stated there is a need for more affordable homes in Ames. There is a possibility that real estate agents, banks, and other financial funding sources will develop some sort of process for affordability to first-time home-buyers and others to purchase older homes, refurbish them, and live in them. Mrs. Ringlee believes that this can provide diversity back in the neighborhood.

Ken Platt, 3620 Woodland Street, Ames, stated that he lives in a predominately single-family neighborhood that has turned into mostly rentals. He would like to see the 25% rental cap be established all over the City. Mr. Platt conveyed empathy for those who will have a financial hardship when going to sell if not to turn it into a rental. He asked Council also needs to remember the homeowner next to the rental is a hardship also. There is not a solution to everyone's issue. He encouraged Council to consider ways to eliminate the possible financial loss to those who would have a hardship that could occur, such as a tax abatement.

Grant Wierson, 3109 Story Street, Ames, stated it would be best to let the free market work. Limiting

the ability for people to rent their homes in the Near-Campus Neighborhoods pushes students farther out. Students need a place to live where they can be close to Campus and be a part of the community that Iowa State University has to offer. The neighborhoods are very diverse as a whole. Some people may not be ready for change, but it is coming and there is not a fair way to stop it. Mr. Wierson does not feel that Ames can be compared to other university towns, such as Iowa City and East Lansing. He urges Council to slow down before making a decision.

Mike Frisk, 2425 Kingston Drive, Ames, stated reasons that the Ames Rental Association opposed the rental cap: Property value will decrease for sellers of non-rentals in the affected neighborhoods and affordable housing will be negatively affected. Time is needed for the full impact of the possible changes.

Mark Graeve, 3119 Story Street, Ames, stated that the Ordinance needs to be looked at neighborhood by neighborhood. The neighborhoods that are already predominately rental gives those homes its value. People make investment decisions based on the possibility of having rental property. The five-year stipulation will handcuff people from being able to sell for a rental.

Wesley Wierson, 3109 Story Street, Ames, informed Council that he purchased his house while in school and had thought the house could be an investment. He is now concerned about the passing of this Ordinance and his investment being lost. Mr. Wierson put together a petition and visited 17 owner-occupied properties in the Westside Neighborhood. The results of this are that two people agree with the rental cap and ten people disagree. He feels that, due to grandfathering properties, the rental concentration of 59% will not decrease to 25%. He encourages Council to look at the cap street by street.

Jay Adams, 103 S. Hyland, Ames, stated that his properties are his livelihood and retirement. He opposes the 25% rental cap proposal and feels an attempt to bring down the rental concentration is absurd. The impacted areas will not hold their value if a cap is implemented. If a cap is implemented, it should be City-wide. Mr. Adams encouraged Council to use the Planning and Zoning Commission that have been creating Land Use Policies for decades within the City. He suggested the zoning be changed and add more residential medium housing. This proposal needs to be looked at street by street. He opposes the Ordinance.

Patricia Brown, 3212 West Street, Ames, watched real estate professionals and investors buy up single-family homes before the properties could reach the market. She believes that the Council needs to look at balance. Families and kids are needed for the School District and balance in neighborhoods. People are having trouble finding affordable housing. When policies are in place owner-occupied and rentals will be able to live side by side. There needs to be balance and out-of-balanced neighborhoods come community volunteers and community involvement.

K'lynn Lynn, 811 Idaho Avenue, Ames, read a letter from the Central Iowa Board of Realtors that was signed by 170 members. She stated that the result of their experience in residential real estate concludes that the cap in the proposed Near-Campus Neighborhoods will result in negative

consequences to property owners within the boundaries and negative unintended consequences for property owners outside those boundaries. Property values may likely decrease for sellers of non-rental properties in many portions of the Near-Campus Neighborhoods.

Jason Miller, 1923 Paulson Drive, Ames, continued reading the letter by the Central Iowa Board of Realtors. He stated that rental caps on LOC will impose something very similar to deed restrictions, effectively prohibiting conversions from owner-occupied dwellings to a rental. Creating a cap would be creating a long-term moratorium. Mr. Miller requested the rejection of the proposed overlay and cap on the percentage of rental dwellings in any neighborhood.

Sara Laaser-Webb, 4111 Ballentine Drive, Ames, stated that the cap seems to be a new discussion that was not well publicized. Ms. Laaser-Webb also spoke on behalf of her parents who live in the SCAN neighborhood. She stated that they chose to live in the neighborhood for the energy, to be a part of Iowa State, the events, and the students. They oppose the cap.

Nancy Marion, 2714 Aspen Road, Ames, read a letter from her father, Bill Marion that suggested a timeline to evaluate the many rental housing ordinance changes. He would like the City to monitor those changes for effectiveness before discussing overlays. He opposes the rental cap and overlay. Ms. Marion stated that the moratorium has caused confusion on who a person can sell a property to. The effect of the cap will only lower values.

Misty Metschke, 522 Smiley Avenue, Ames, presented data that was prepared by a citizen that showed a decrease in nuisance issues between 30 and 35%, while Iowa State University enrollment has increased. Ms. Metschke stated that Ames has a very diverse population among students, faculty, retirees, and families. Sixty percent of the people in Ames are renters. Stereotypes should not override the right of people to live in a neighborhood they wish to live in. There should not be restrictions for people to live in a desired community because of their student status or occupation. This will only increase the burden on transportation, roads, and the City support facilities. Ms. Metschke believes that the problem is behavior, not who the person is. The policy should support all Ames residents and promote fairness.

Ralph Ring, 1606 South Duff, Ames, expressed concern about the way renters are conveyed in the discussion. He believes that the free market will handle this. Mr. Ring opposed the Ordinance.

Sara Samms, 2010 Philadelphia Street, Ste. 3, Ames, stated that in her research of nuisance complaints, it was about even between complaints on renters and complaints on home owners. The way people choose to live in a property does not change human behavior. Putting a rental cap on certain areas by looking at nuisance data is an extreme move. Ms. Samms encouraged the City to utilize resources that include Inspections, Police Department, Safe Neighborhoods Team, Neighborhood Associations, Homeowner Associations, and education. She believes that different outcomes may happen if used in a proactive way instead of reactive.

Barbara Pleasants, 516 Lynn, Ames, stated that the houses that have sold recently and most rapidly

in SCAN have sold for rentals. She reiterated the neighborhood technique and efforts of getting the word out about the neighborhood meeting and the items on the agenda. There was a secret ballot on the cap: everyone who voted did vote for the cap. The proposed cap is 25%, the neighborhood knows it will never come down that low, but would like to stop any further conversions. She added there needs to be balance to stabilize the neighborhood and hopes for the cap to be imposed on SCAN.

Jen Plagman-Galvin, 2002 Cessna Street, Ames, expressed gratitude to the leaders of SCAN working to keep the balance of the neighborhood. She stated there must be balance in the neighborhoods for families, students, and faculty. Her position is to support the 25% rental cap.

Ann Bronikowski, 2214 Donald Street, Ames, stated she is in favor of the cap. Ms. Bronikowski conveyed her enjoyment of being around the students. There is not a dislike for the students because of asking for a rental cap. This is not an anti-student issue. There is nothing wrong with earning a living by the sale of homes, but there is also nothing wrong with maintaining a neighborhood. The rental cap is a way of maintaining balance, diversity, and a neighborhood feel including students.

Evelyn Beavers, 512 Lynn Avenue, Ames, stated she is from SCAN and supports the rental cap. It seems to her that a majority of the opposition is coming from people outside the neighborhood. All homeowners have accepted City restrictions that can change over time when different needs are being met. Such restrictions are a part of living in a community. Homeowners are a stabilizing force that provide a safe and liveable neighborhood.

Nicole Oneyear, 515 Lynn, Ames, informed Council that she bought her home in SCAN because of diversity and walkability. Since the purchase of their home, most homes that have been sold have been changed to rentals. Homebuyers are not able to compete with investors for the homes that have been on the market. Mass conversions to rentals have jeopardized the balance of this neighborhood. She supports the 25% rental cap.

Sedahlia Crase, 2327 Baker Street, Ames, expressed high support for the rental cap in spite of the hardships. The cap is necessary to keep balance and diversity. The neighborhood needs to be maintained and preserved as an older, cozy, and affordable housing. She realizes the rental cap will not lead to a quick sale like others when selling for a rental property. Ms. Crase hopes that someone will invest in the property for their own lives. She encouraged Council to vote for a rental cap in the SCAN neighborhood.

The meeting recessed at 9:05 p.m. and reconvened at 9:14 p.m.

John Pleasants, 516 Lynn, Ames, read a letter from a Megan Jillette, 2214 Storm, Ames, stating that she supports the rental cap. When her family moved in there was a single-family owner. Since then it has been sold for a rental. Now there is a cycle of different rentals each year. Ms. Jillette continued to describe nuisances and disturbances that have come from rentals in her neighborhood. Mr. Pleasants stated that there are four different stakeholders: Realtors, Students, Homeowners, and

homeowners who want to sell. Hardships are real to some renters, but also to homeowners; a balance must be found.

Jason Mickelson, 1503 Golden Aspen Drive, Ames, agrees with the concept of the highest and best use of the land; affordable housing is a good idea, as is the free market. Nostalgia and emotion is not a reason for new Ordinances. Mr. Mickelson does not favor the cap, but for compromise, he would suggest to place the cap by neighborhood.

Tom Budd, 1014 Lincoln Way, Ames, stated that at some time everyone is going to leave their home. What happens to the neighborhood is not an individual's business. A person does not make choices for the other neighbors. Each person who lives in the neighborhood should have their own choices about their home.

Sharon Guber, 2931 Northwestern, Ames, stated there has always been restrictions on what a person can do with their property. Ames has very few affordable houses for families. Enrollment has increased in the School District because people are able to come into the school from outside of the Ames School District. The City of Ames needs to be able to have more options for affordable housing.

Molly Parrott, 623 Agg Avenue, Ames, stated she is in favor of the 25% rental cap. She has a long-term vested interest in staying in that neighborhood. Ms. Parrott conveyed her involvement and enjoyment of the students and the atmosphere the students bring. In order to balance the neighborhood for those who truly have a vested interest in the neighborhood, there is a need for the rental cap.

Krystal McClain, 2010 Philadelphia Suite 3, Ames, stated that as a realtor she represents families, not investors. It is a nationwide problem of competition for housing. Some families are not renting because they want to, but because there was nothing they could find. Ms. McClain believes that nuisance complaints can be taken care of through zoning and enforcement.

Sandra McJimsey, 2236 Storm Street, Ames, reiterated the desired goal to be balance. When one conversion occurred, many continued to follow. The inflation of prices in these once owner-occupied homes drives up the price of housing across the community. Many of the Ames workforce must live elsewhere if they wish to own a home. Every time an affordable house turns rental in the Near-Campus Neighborhoods, those people lose another opportunity to buy a home where they work. She stated that to mitigate the risk of losing more owner-occupied homes, a rental cap is needed.

Lloyd Flanders, 1606 South Duff, Ames, stated that realtors advocate, represent, and protect homeowners as a whole and believe in the free market. Mr. Flanders read an email from Jason Garwood, 109 South Maple, Ames. Mr. Garwood wrote that his neighborhood is close to Campus and thrives on the rentals for students. A free market results in a higher financial gain than a restricted market. Mr. Flanders added that he opposes the cap.

Tami Hicks, 4125 - 530th Avenue, Ames, commented that her job as a realtor is to represent and look out for her clients. She does not feel that this is in the best interest of her clients. The renters are not only students, and she does not understand how a 25% rental cap is balance. Ms. Hicks believes that there are other ways to accomplish the goal, beside the rental cap. Laws can be enforced, incentives, workshops on how to maintain a property and be a better neighbor, associations could be created, and the decision of deed restrictions is a choice. Ms. Hicks is ultimately opposed to the cap.

Planning and Housing Director Diekmann suggested to use the cap geographically. Each neighborhood can be addressed individually. Council Member Beatty-Hansen stated that the rental cap is assurance of current affordable housing within this City. Council Member Betcher commented that the issue is not nuisance, it is the question of homes going to people of stability. Enforcement has been stepped up to address the nuisance issues. It is about the affordable housing stock and whether the neighborhoods are out of balance so there are homes that will always be rental and erode the stability of the neighborhoods with more rental zones.

Council Member Gartin stated that when cities implement zoning, there are situations when people's property value is going to be changed by the change in use. Part of the trade-off of living in a community is that the use of a citizen's property can change over time. The City Council has to balance the community interests, and he feels a 25% rental cap represents a fair goal.

Council Member Martin agreed that nuisance is not a driver. Long-term residency in neighborhoods builds community, builds relationships and trust, and promotes civic engagement; that happens when people know their neighbors over a period of time.

Council Member Corrieri said she opposed the rental cap because of affordability, its impact on surrounding neighborhoods, and because she doesn't have all the data that she feels is necessary. Ms. Corrieri stated that she would be supportive of a pilot program in the SCAN North Neighborhood. She suggested trying this out and getting feedback over the next few months to see if this is something that Council would like to implement in other areas.

Ex officio Member Rob Bingham believes it will give landlords another reason to be able to raise rents. Students are pinching every penny so that would create more hardships for the students.

Council Member Nelson expressed support for a trial run to see how things would work in one of the more rental concentrated neighborhoods. This would be a very targeted first step to see what trends are seen and make routine checks and necessary adjustments could be made.

Council Member Betcher commented that there was an enormous amount of response from SCAN North in favor of the cap. There were also several letters from the Edwards Neighborhood and the Brookside Neighborhood concerned about the implications of a cap over Oak to Riverside and the impact it would have on them. Ms. Betcher noted that Brookside is requesting a cap. There are neighborhoods asking for a rental cap if it were a tool. She definitely would apply the rental cap to SCAN and possibly the neighborhoods that have requested it.

Moved by Nelson, seconded by Gartin, to direct staff to draft an Ordinance to apply the 25% rental cap to the SCAN North Neighborhood, including the Colonial Village.

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

Director Diekmann stated that if Council does not apply the rental cap to all eight neighborhoods, the neighborhoods that do have the rental cap applied will have a new reference name.

Moved by Betcher, seconded by Beatty-Hansen, to direct staff to draft an Ordinance to apply the 25% rental cap to College Creek.

Council Member Betcher stated that members of College Creek Old Middle School have been consistently speaking as to their desire of the rental cap. Council Member Beatty-Hansen feels from the comments about the Crawford School project they have stated their concern about the balance in their neighborhood.

Council Member Gartin stated that neighborhoods could appeal to the City at a later time for an overlay if the specific neighborhood is not addressed. Council Member Beatty-Hansen agreed, but does feel that College Creek has done the same amount of work as SCAN and has shown desire for the rental cap.

Vote on Motion: 4-2. Voting Aye: Betcher, Martin, Beatty-Hansen, Gartin. Voting Nay: Nelson, Corrieri. Motion declared carried.

Moved by Betcher, seconded by Beatty-Hansen, to come back with an overlay of 25% for Oak to Riverside.

Vote on Motion: 4-2. Voting Aye: Betcher, Martin, Beatty-Hansen, Gartin. Voting Nay: Nelson, Corrieri. Motion declared carried.

Council Member Martin stated that Edwards and Oak-Wood-Forest have begun to communicate with Council about the cap. The Edwards neighborhood had seven people respond with the desire of a rental cap. Oak-Wood-Forest had a similar response of ten in favor of the rental cap.

Moved by Martin, seconded by Betcher, to add Oak-Wood-Forest with an overlay of 25%.

Council Member Gartin stated that there has not been enough feedback from that neighborhood. Council Member Beatty-Hansen commented that she liked keeping the pilot program for SCAN North, College Creek, and Oak-Wood-Forest neighborhoods.

Vote on Motion: 1-5. Voting Aye: Martin. Voting Nay: Betcher, Nelson, Beatty-Hansen, Gartin, Corrieri. Motion failed.

Moved by Martin, to add Edwards with an overlay of 25%.
Motion died for lack of second.

PERMANENT HARDSHIP EXEMPTION: Council Member Martin stated that the temporary exemption has guaranteed two right away. He felt that a decision on permanent hardship is not necessary now. Council Member Gartin stated that it is something that Council needs to act on relatively soon to give the market some kind of certainty. Council Member Betcher would like to wait on the permanent exemptions until some of the LOC data comes back. Building Official Sara VanMeeteren stated staff would provide the first quarter report in September.

Moved by Gartin, seconded by Betcher, to table permanent exemptions until the last meeting of September.

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

CAMPUSTOWN FACADE GRANT: Planner Julie Gould stated that only one application was complete enough to be considered for the yearly Facade Grant. The application was for property at 120 Welch Avenue adjacent to Arcadia, which received a Facade Grant two years ago. The applicant met three of the five concepts in the Campustown Design book. Staff recommended this grant for \$15,000 in facade work and up to an additional \$2,000 for design fees for a total of \$17,000.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-185 approving a Campustown Facade Grant for 120 Welch Avenue.

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

HEARING ON SALE OF VACATED PORTION OF ALLEY BETWEEN NORTH DAKOTA AVENUE AND DELAWARE AVENUE BETWEEN TORONTO STREET AND RELIABLE STREET: Mayor Pro Tem Beatty-Hansen opened and closed the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Corrieri, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 18-186 approving a Quit Claim Deed to Lile Parker Fox for the East One-Half west of and contiguous to Lot 1 of Block 8.

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

Moved by Martin, seconded by Betcher, to adopt RESOLUTION NO. 18-187 approving a Quit Claim Deed to Le and Joan Lubka for the West One-Half east of and contiguous to Lot 3 of Block 8.

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

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 18-188 approving Quit Claim Deed to Le and Joan Lubka for the East One-Half west of and contiguous to Lot 4 of Block 8.

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

HEARING ON VACATION OF APPLE PLACE AND PEACH LANE RIGHTS-OF-WAY: The public hearing was opened by the Mayor Pro Tem. She closed the same after there was no one wishing

to speak.

Moved by Corrieri, seconded by Betcher, to pass on first reading an Ordinance approving the vacation of Apple Place and Peach Lane rights-of-way.

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

HEARING ON ZONING TEXT AMENDMENT RELATING TO INSTALLATION OF PUBLIC ART IN SETBACKS: Director Diekmann stated that this was not an advertised item, which means the hearing needs to be continued until a specific date so it does not have to be republished in the newspaper.

Mayor Pro Tem Beatty-Hansen opened and closed the public hearing.

Moved by Betcher, seconded by Corrieri, to continue the hearing on the zoning text amendment relating to installation of public art in setbacks to May 8, 2018.

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

HEARING ON ZONING TEXT AMENDMENT REGARDING GUIDELINES FOR ACCESSORY STRUCTURES IN THE RESEARCH PARK INNOVATION DISTRICT: Mayor Pro Tem Beatty-Hansen opened the public hearing.

Director Diekmann reminded Council that this was a follow-up to the referral of looking at allowing a sports dome or tennis bubble exemption in the hub area to the two-story height requirement and the exemption from architectural guidelines. Upon approval, the project will proceed to include an inflatable bubble and other elements to enclose tennis courts. The Research Park has control of the land that the project will be on and staff has communicated their approval.

Mayor Pro Tem closed the hearing after seeing no one wishing to speak.

Moved by Betcher, seconded by Corrieri, to pass on first reading an ordinance approving the zoning text amendment regarding building height and architectural design guidelines for accessory structures in the Research Park Innovation District.

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

HEARING ON CYRIDE BUS LIFTS REPLACEMENT PROJECT: Mayor Pro Tem Beatty-Hansen opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-189 approving final plans and specifications and awarding a contract to Henkel Construction Company of Mason City, Iowa, in the amount of \$473,750.

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

HEARING ON NORTH RIVER VALLEY PARK LOW HEAD DAM IMPROVEMENTS:

The public hearing was opened by the Mayor Pro Tem. She closed the same after there was no one wishing to speak.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-190 approving a Right-of-Way Agreement with Iowa State University.

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

Moved by Corrieri, seconded by Nelson, to adopt RESOLUTION NO. 18-191 approving final plans and specifications and awarding contract to RW Excavating Solutions of Prairie City, Iowa, in the amount of \$776,535.

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

HEARING ON POWER PLANT WINDOW REPLACEMENT: Mayor Pro Tem Beatty-Hansen 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. 18-192 approving final plans and specifications and awarding contract to The Wilson Group, Inc., of Greenwood, Missouri, in the amount of \$181,180.

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

HEARING ON FURNISHING 69KV SF6 CIRCUIT BREAKERS AND 13.8KV CAPACITOR BANK FOR TOP-O-HOLLOW SUBSTATION EXPANSION: Mayor Pro Tem Beatty-Hansen opened the public hearing. There was no one wishing to speak, and the public hearing was closed.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-193 approving final plans and specifications and awarding a contract for Bid No. 1 (69kV SF6 Circuit Breakers) to Siemens Industry, Inc., of Richland, Mississippi, in the amount of \$150,442 (inclusive of Iowa sales tax).

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

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 18-194 approving final plans and specifications and awarding contract for Bid No. 2 (13kV Capacitor Bank) to Controllix Corporation of Walton Hills, Ohio, in the amount of \$98,105 (plus applicable sales taxes in the amount of \$6,643.35 to be paid directly by the City to State of Iowa).

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

HEARING ON 2017/18 CDBG PUBLIC FACILITIES NEIGHBORHOOD INFRASTRUCTURE IMPROVEMENTS (TRIPP STREET - WILMOTH AVENUE TO STATE AVENUE): The public hearing was opened by the Mayor Pro Tem. She closed the same after there was no one wishing to speak.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 18-195 approving final plans and specifications and awarding a contract to Keller Excavating, Inc., of Boone, Iowa, in the amount of \$491,081.38.

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

HEARING ON WATER & POLLUTION CONTROL LIME AND ASH POND FENCING: The public hearing was opened by the Mayor Pro Tem. She closed the same after there was no one wishing to speak.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-196 approving final plans and specifications and awarding contract to Midwest Fence and Gate of Fort Dodge, Iowa, in the amount of \$61,988.

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

HEARING ON 2017/18 COLLECTOR STREET IMPROVEMENTS (MEADOWLANE AVENUE): The Mayor Pro Tem opened the public hearing and closed the same since no one asked to speak.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 18-197 approving final plans and specifications and awarding contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$597,815.20.

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 CONCRETE PAVEMENT IMPROVEMENTS (DAWES DRIVE): Mayor Pro Tem Beatty-Hansen opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 18-198 approving final plans and specifications and awarding contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$979,911.80.

Municipal Engineer Tracy Warner informed Council this is the Skunk River Trail and facilities along Dawes. The Trail is going towards a summer bid-letting through the Iowa DOT. Staff is hopeful for the Trail to be constructed this year.

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

HEARING ON 2017/18 SEAL COAT STREET IMPROVEMENTS (CARR DRIVE, CRESTWOOD CIRCLE, E. 16TH STREET, LINDEN DRIVE): The Mayor Pro Tem opened the

public hearing and closed the same since no one asked to speak.

Moved by Nelson, seconded by Betcher, to accept the report of bids for the 2017/18 Seal Coat Street Pavement Improvements Program (E 16th St., Linden Dr., Carr Dr., and Crestwood Circle).
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Nelson, seconded by Gartin, to adopt RESOLUTION NO. 18-199 approving final plans and specifications and awarding contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$923,326.38.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEALTHY LIFE CENTER: Parks and Recreation Department Director Keith Abraham reviewed the items that Council needed to consider to determine continued support for the Healthy Life Center. There are six entities that have worked together for two years on this project: Mary Greeley Medical Center, DMACC, Heartland Senior Services, Story County, Iowa State, and the City of Ames. The Healthy Life Center is a one-of-a-kind center that makes the life-long goal of healthy living accessible and enjoyable to people of all ages and socio-economic status. The proposed project is a \$48.7 million dollar project to include a 125,000 square foot building with parking, outdoor playground, and community gardens. The Healthy Life Center will be a public facility with many recreational opportunities. The City has the experience in operating these kind of facilities and has the technology for programs needed. Council will need to decide whether or not to take on the operational duties. Council will need to decide if placing a bond referendum on a ballot is an option, when passed the bond revenues can be utilized. Concerns of effects to local business will need to be addressed. The Healthy Life Center contains multiple areas that are not included in private facilities and there will be many different users to the Healthy Life Center. Staff recommended that Council approve the five items and move forward with the Healthy Life Center concept.

Council Member Gartin stated that he feels the public input has been overwhelmingly positive. Mr. Abraham added that there will be more public meetings on the Healthy Life Center in May.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 18-200 supporting the Healthy Life Center concept and directing staff to continue to move forward with the project.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

NAMING OPPORTUNITIES: Director Abraham explained there are chair persons from a philanthropy campaign to develop strategies to raise \$18.2 million and naming rights will be a major component of their efforts. On some occasions, donation recognition is given the naming/renaming of a park or other major facilities or feature in honor of the donor. The City Council may use discretion as to what dollar amount is worthy of naming rights for an individual project. Staff has recommended that the flexibility go to the Chair Persons, Ann Campbell and Bev and Warren Madden, for negotiation with potential donors. The recommendation is also to waive the process of the policy.

City Manager Schainker noted that this is the most ambitious fund-raising campaign the City of Ames

has been a part of. The Chair Persons are excellent people to lead the way to raise over \$18 million dollars to make this project a success.

Mr. Warren Madden stated that the Chair Persons support the flexibility being given to negotiate for donations. The Chairs intend to work very closely with the City Manager and Parks and Recreation Director. Positive contacts have been made with donors. This is a complex and exciting opportunity. He added that he would be back in late summer or early fall with a report.

Council Member Martin expressed concern about corporate logos. Mr. Madden noted the three Chair Persons will be sensitive to corporate logos. He believes it is important to keep track of corporate names. If there is a concern with this, it will be brought back to Council.

Moved by Corrieri, seconded by Gartin, approving waiving Item 4.c and Item 5 of the Parks and Recreation Naming Policy thus giving the Healthy Life Center Campaign Chairs the flexibility to negotiate donation amounts in exchange for naming rights and waiving the process outlined in the policy.

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

ALLOCATION OF \$7,500 TO FUND HEALTHY LIFE CENTER INFORMATIONAL CAMPAIGN: City Manager Schainker stated that \$7,500 is being requested from the Council Contingency fund to pay the cost of an informational campaign including: preliminary informational brochure; updated informational brochure; questions/answer (FAQ) sheets; public meetings postcard reminders/postage; and miscellaneous expenses to inform the public and provide factual information.

Moved by Corrieri, seconded by Gartin, to adopt RESOLUTION NO. 18-201 allocating \$7,500 to fund Healthy Life Center informational campaign.

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

ORDINANCE RELATING TO RAGBRAI EVENTS ON JULY 23 - 25, 2018: Assistant City Manager Brian Phillips informed Council that an Ordinance has been prepared to include the various elements that are necessary temporarily to accommodate RAGBRAI. It has been noted that there is a provision in the Outdoor Alcoholic Beverage Service Area Section, 34.5 as proposed, that could be misconstrued to mean that if there happens to already be an Outdoor Service Privilege somewhere in the community that would be the one allowed during this period of time. This was not the intent. New language has been written that if there is an existing Outdoor Service Privilege for this period of time that can stand, but upon the effective date of this Ordinance there would be an exclusivity right that only one more Outdoor Service Privilege would be allowed and the RAGBRAI organizing committee would have the first right to claim that Outdoor Service Privilege throughout the City. Limiting the permits for this will cause fewer challenges in management and safety.

Council Member Corrieri inquired about the impact this would have on the smaller businesses that only have a table or two outside. Assistant City Manager Phillips responded that if they have not already secured an Outdoor Service Privilege, it would affect them. Council Member Corrieri expanded on her inquiry that if the business owner has a permanent Outdoor Service Privilege, then

they can still continue to operate their Outdoor Privilege. Assistant Manager Phillips confirmed that is the way the text of this Ordinance reads. Council will be considering a request regarding the proposed beer garden and entertainment area associated with RAGBRAI on Main Street. There will be a request to suspend any existing sidewalk café during that time. Council Member Corrieri clarified that if Council approves this as is tonight, all the establishments that currently have a permanent Outdoor Service will be able to continue to operate during RAGBRAI, provided they have already obtained a license. Assistant City Manager Phillips reiterated that after this Ordinance would be in effect, no other additional Outdoor Service would be allowed.

Bethany DeVries, 1516 Illinois, Ames, stated that she is the owner of Della Viti on Main Street. Ms. DeVries requested clarification regarding possible suspension of her Outdoor Service Privilege license for July 24. Mayor Pro Tem Beatty-Hansen responded that would not happen now. Assistant Manager Phillips added that there is a section in this Ordinance that states if there is a vendor that is deemed to be in conflict with the entertainment area, that would be suspended.

Ms. DeVries stated that she understands the challenges that come with RAGBRAI and challenges with a beer garden. She feels it very unfair when the sidewalk café is a legal extension of her business. There should not be the right to just shut down her sidewalk café considering it seats eight to ten people. If the concern is for pedestrian safety, everything that is not bolted down should be removed. Ms. DeVries explained that the difficulty is in the cross-over of alcohol service and not wanting two places to be serving alcohol in the public domain at the same time. The beer garden is to begin at 4 p.m. She noted that she intends to open early that day. She suggested amending 34.7 (3) to clarify no alcohol outdoor service during the same time as the beverage garden.

Moved by Beatty-Hansen, seconded by Corrieri, to amend Section 34.7 (3) to read: "For the purpose of facilitating entertainment activities in the public right-of-way, any Sidewalk Café Permit authorized pursuant to Division VII of Chapter 22 of the *Municipal Code*, which has been deemed to be in conflict with the entertainment planned by the RAGBRAI Committee, shall be suspended **after 4:00 p.m.** on July 24, 2018".

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

Moved by Beatty-Hansen, seconded by Corrieri, to adopt the change in language in Section 34.5 as presented in the memo by Assistant City Manager Phillips to read: "The presence of approximately 20,000 additional people in Ames on July 24, 2018, many of whom may be consuming alcoholic beverages, has the potential to overwhelm local law enforcement personnel. Therefore, to ensure public safety, the City Council determines that, **after the effective date of this Ordinance**, there may be accepted and approved by the City no more than one application for a temporary outdoor alcoholic Beverage Service area within the City of Ames for July 24 through 12:00 noon July 25, 2018. The RAGBRAI Committee, or its designee, shall have the first right to apply to the City for such a license. However, if the RAGBRAI Committee fails to secure such an endorsement by June 30, 2018, the City Council shall have the option to consider applications from other applicants for an Outdoor Alcoholic Beverage Service area taking place during those dates. Any establishment that has, prior to the adoption of this Ordinance, obtained a license for an Outdoor Alcoholic Beverage Service area, where that license is valid for July 24 or July 25, 2018, shall be permitted to operate that Outdoor Alcoholic Beverage Service area pursuant to the terms of its license.

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

Moved by Corrieri seconded by Betcher, to pass on first reading an Ordinance, as amended, relating to RAGBRAI events on July 23 - 25, 2018.

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

TIP TOP LOUNGE OUTDOOR SERVICE: Council Member Beatty-Hansen expressed concern over timing for allowing the Temporary Outdoor Service and once the Ordinance is past no other establishment will be approved. *Ex-officio* Bingham replied that the establishments approved tonight did not have prior knowledge to the Ordinance coming before Council.

Moved by Beatty-Hansen, seconded by Corrieri, to approve all dates for the temporary Outdoor Service for Tip Top Lounge.

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

ORDINANCE INCREASING WATER RATES BY 3.5% AND SEWER RATES BY 3% EFFECTIVE FOR BILLS ON OR AFTER JULY 1, 2018: Moved by Corrieri, seconded by Gartin, to pass on first reading an Ordinance to increase water rates by 3.5% and sewer rates by 3% effective for bills on or after July 1, 2018.

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

ORDINANCE ESTABLISHING PARKING REGULATIONS ON CRANE AVENUE: Moved by Corrieri, seconded by Betcher, to pass on first reading an Ordinance establishing parking regulations on Crane Avenue.

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

ORDINANCE REVISING CHAPTER 13, RENTAL HOUSING CODE, REGARDING OCCUPANCY: Moved by Corrieri, seconded by Nelson, to pass on second reading an Ordinance revising Chapter 13, Rental Housing Code, regarding occupancy.

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

ORDINANCE REVISING CHAPTER 28 TO EXEMPT, FROM THE INDIVIDUAL METERING REQUIREMENT, THOSE PROJECTS THAT HAD SUBMITTED A SITE DEVELOPMENT PLAN TO THE PLANNING AND HOUSING DEPARTMENT PRIOR TO JANUARY 1, 2019: Moved by Nelson, seconded by Betcher, to pass on second reading an Ordinance revising Chapter 28 to exempt, from the individual metering requirement, those projects that had submitted a site development plan to the Planning and Housing Department prior to January 1, 2019.

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

ORDINANCE TO REMOVE PROPERTY LOCATED AT 398 S. 500TH AND 5508 LINCOLN WAY FROM WARD 3, PRECINCT 4: Moved by Nelson, seconded by Betcher, to pass on second reading an Ordinance removing property located at 398 S. 500th and 5508 Lincoln Way (commonly known as Trinitas) from Ward 3, Precinct 4.

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

ORDINANCE REGARDING PORTABLE SIDEWALK SIGNS IN CAMPUSTOWN: Moved by Corrieri, seconded by Betcher, to pass on second reading an Ordinance regarding portable sidewalk signs in Campustown.

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

ORDINANCE RENAMING OLD AIRPORT ROAD TO GREEN HILLS DRIVE: Moved by Betcher, seconded by Corrieri, to pass on second reading an Ordinance renaming Old Airport Road to Green Hills Drive.

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

ORDINANCE RELATING TO WIRELESS COMMUNICATIONS FACILITIES: Moved by Nelson, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO.4342 relating to wireless communications facilities.

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

ADJOURNMENT: Moved by Corrieri to adjourn at 11:36 p.m.

Diane R. Voss, City Clerk

John A. Haila, Mayor

Stacy Craven, Recording Secretary

