

**MINUTES OF THE MEETING OF THE AMES AREA  
METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE  
AND REGULAR MEETING OF THE AMES CITY COUNCIL  
COUNCIL CHAMBERS - CITY HALL**

AMES, IOWA

MARCH 26, 2013

**MEETING OF THE AMES AREA METROPOLITAN  
PLANNING ORGANIZATION TRANSPORTATION POLICY COMMITTEE**

The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee met at 6:01 p.m. on the 26th day of March, 2013, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with the following voting members present: Ann Campbell, Wayne Clinton, Matthew Goodman, Peter Orazem, Tom Wacha, and Dan Rediske. Voting Member Victoria Szopinski joined the meeting telephonically. AAMPO Administrator John Joiner, City of Ames Transportation Planner Rudy Koester, and Iowa Department of Transportation representative Craig O'Riley were also present. Voting Members Jeremy Davis, Jami Larson, and Mike O'Brien were absent.

**DRAFT FISCAL YEAR (FY) TRANSPORTATION PLANNING WORK PROGRAM (TPWP):**

Transportation Planner Rudy Koester explained that this is an annual Program. The Draft FY 2014 TPWP contains the work elements to ensure an integrated transportation system, including reviewing the Land Use Policy Plan and Urban Fringe Plan. The Long-Range Transportation Plan (LRTP) update will commence this year for submission in October 2015.

Moved by Clinton, seconded by Goodman, to approve the Draft FY 2014 TPWP and set May 28, 2013, as the date of public hearing.

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

**FINAL FY 2014 PASSENGER TRANSPORTATION PLAN (PTP) UPDATE:** Transit Director Sheri Kyras brought the Policy Committee's attention to the recommended projects in the Plan. She noted that this is an update; a full plan will be required again in 2015. Ms. Kyras noted that this annual report is required for all transit agencies. She also pointed out the requirement that any human service transportation coordination happening within the community be documented. The AAMPO Policy Committee is required to approve the PTP along with the recommended program for submittal to the Iowa Department of Transportation and Federal Transit Administration by May 1, 2013.

Moved by Wacha, seconded by Rediske, to approve the Final FY 2014 Passenger Transportation Plan Update for submission to Iowa Department of Transportation and Federal Transit Administration.

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

**ANNUAL SELF-CERTIFICATION:** AAMPO Administrator Joiner advised that, pursuant to federal regulations, each MPO must self-certify that the transportation planning process is addressing the major issues in the Metropolitan Planning Area and is being carried out in accordance with federal regulations, policies, and procedures.

Moved by Goodman, seconded by Clinton, to approve the AAMPO annual self-certification.

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

**AMENDMENT TO FY 2013 TRANSPORTATION IMPROVEMENT PROGRAM (TIP):** Mr. Koester advised that the amendment to the 2013-16 TIP involves changing the project description for the State Avenue Roadway Improvement project programmed for FY 2013. He added that

requirements to process an amendment to the TIP require an opportunity for public comment and approval by both the Technical and Policy Committees of the AAMPO. The public meeting was held on February 7, 2013. No revisions were requested. The Technical Committee recommended approval of the amendment at its March 18, 2013, meeting.

Mr. Joiner advised that the University had notified the City that it would pick up the bike path where the City's project leaves off.

Moved by Orazem, seconded by Szopinski, to approve the amendment to the FY 2013 TIP by updating the project description for the State Avenue project, as follows: State Avenue: 260 ft. south of Oakwood Road to 445 ft. north of the U.S. HWY 30 Overpass Bridge.

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

**2035 LONG-RANGE TRANSPORTATION PLAN (LRTP) AMENDMENT:** The amendment, as described by Mr. Koester, updates the Metropolitan Planning Area (MPA) boundary used in the AAMPO 2035 LRTP. The MPA boundary used during the development of the 2035 LRTP no longer encompasses the entire AAMPO urbanized area. No comments were received at the public input meeting held on February 7, 2013. The new MPA boundary was approved by the Policy Committee on November 13, 2012.

Moved by Clinton, seconded by Rediske, to approve the amendment to the 2035 LRTP to include the updated MPA boundary adjustment.

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

**IOWA CLEAN AIR ATTAINMENT PROGRAM PROJECT (ICAAP) SUPPORT FOR MORTENSEN ROAD IMPROVEMENTS GRANT APPLICATION:** According to Mr. Koester, the city had submitted a competitive ICAAP grant application for Mortensen Road Improvements between South Dakota Avenue and Dotson Drive to the Iowa Department of Transportation (Iowa DOT) on March 1, 2013. The purpose of ICAAP is to fund projects or programs that help to maintain Iowa's clean air quality by reducing transportation-related emissions. One of the requirements for the grant application is to have Policy Committee approval that the project conforms to the AAMPO's regional transportation planning process and LRTP. Mr. Koester advised that the roadway improvements along Mortensen Road will reduce vehicle delay and congestion, promote travel by transit, and enhance walk ability and bike ability along the route.

Moved by Orazem, seconded by Goodman, to certify that the Mortensen Road Improvements is consistent with the objectives of the AAMPO 2035 LRTP and that the AAMPO supports the application to the Iowa DOT's ICAAP.

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

**POLICY COMMITTEE MEMBER COMPOSITION:** Mr. Joiner stated that the Final Report of The Federal Highway Administration (FHWA) and Federal Transit Administration performed their quadrennial MPO Transportation Planning review on June 29, 2011. A recommendation contained in their Final Report was that the AAMPO consider diversifying representation to provide distinction between the AAMPO Transportation Policy Committee and the City of Ames City Council. The Transportation Technical Committee, at its April 11, 2012, meeting recommended the following member composition:

City of Ames (4)	Mayor + 3 City Council Members
CyRide (1)	Board of Trustees Member
Boone County (1)	Board of Supervisors Member
Story County (1)	Board of Supervisors Member
Ames Community School District (1)	School Board Member
Iowa State University (1)	Facilities & Planning Member
with four non-voting members (FHWA, FTA, Iowa DOT, ISU)	

Since April 11, 2012, staff was informed by the FHWA that the community of Gilbert had become a part of the Ames Urbanized Area. Once the urbanized areas were released by the Census Bureau, staff met with the Mayor of Gilbert to explain the situation. The Mayor of Gilbert sent a letter to City of Ames staff stating its desire to be a part of the regional planning effort and to be considered a member of the Policy Committee. Administrator Joiner stated that staff's recommendation was to maintain the same structure as currently exists with the addition of one member from Gilbert.

Moved by Clinton, seconded by Orazem, to approve the Policy Committee member composition by amending the Bylaws of the Policy Committee to reflect the new Committee members as follows:

City of Ames (7)	Mayor + City Council Members
CyRide (1)	Board of Trustees Member
Boone County (1)	Board of Supervisors Member
Story County (1)	Board of Supervisors Member
City of Gilbert (1)	Mayor or City Council Member
with four non-voting members (FHWA, FTA, Iowa DOT, ISU).	
Vote on Motion: 6-0. Motion declared carried unanimously.	

**ADJOURNMENT:** Moved by Clinton, seconded by Szopinski, to adjourn the AAMPO Transportation Policy Committee meeting at 6:16 p.m.

**MINUTES OF THE REGULAR CITY COUNCIL MEETING**

Mayor Campbell called the Regular Meeting of the Ames City Council to order at 6:18 p.m. with Goodman, Orazem, and Wacha present. Council Member Szopinski was brought in telephonically. *Ex officio* Member Sawyer Baker was also present. Council Member Davis arrived at 8:41 p.m. Council Member Larson was absent.

**PROCLAMATION FOR ECO FAIR DAY:** Mayor Campbell proclaimed March 30, 2013, as ECO Fair Day. Accepting the Proclamation was Municipal Engineer Tracy Warner.

**PRESENTATION OF HUMAN RELATIONS COMMISSION ANNUAL REPORT:** Chairperson Aaron Fultz introduced Commission members present: Amy Juhnke, Devita Harden, John Klaus, and Barbara Woods. Mr. Fultz summarized the Commission's activities from January through December 2012. He also highlighted some of the projects the Commission is planning for calendar year 2013. Mr. Fultz thanked members of the City staff for their support. In particular, former Assistant City Manager Sheila Lundt, who retired last summer, was publicly recognized for her many years of support to the Commission.

**PROCLAMATION FOR GOOD NEIGHBOR EMERGENCY ASSISTANCE MONTH:** The Mayor proclaimed April 2013 as Good Neighbor Emergency Assistance Month. Accepting the Proclamation was Lu Jansen, Vice-President of the Good Neighbor Board of Directors, and Board Members Doreen Berg and Pat Thiede.

**STAFF REPORT ON WATER AND SEWER RATES:** John Dunn, Director of Water and Pollution Control, presented the staff's recommendation of revenues necessary to support the planned operating and capital budgets for the Water and Sewer Funds. Mr. Dunn advised that both utilities are facing significant expenses in the coming years. The projects being proposed are a combination of the need to provide capacity for the growing community, the need to respond to new and anticipated regulatory requirements, and the need to reinvest in the infrastructure of the two utilities.

Mr. Dunn specifically reviewed national and statewide trends in water and sewer rates, projected need for revenue increases in Ames, and translating revenue increases to rate increases. He stated that staff's recommendation was a 6% water rate increase across-the-board in 2013/14, no increase in 2014/15, 7% in 2015/16, and no increase in 2016/17 in water rates. For sewer rates, staff is recommending a 9% increase across-the-board in 2013/14, 12% increase in 2014/15, 9% increase in 2015/16, and a 6% increase in 2016/17. Sample customer bills were shown.

Director Dunn reviewed the time line for the recommended rate increases. He asked for Council direction regarding the rate increases at this meeting. If the Council approves the rate structure being proposed by the staff, the first reading of the new rate ordinance would be April 9 with third reading and adoption on May 7, 2013. If that occurs, the ordinance would be effective for usage meter reads that would occur starting on June 1 and bills that would be mailed on and after July 1, 2013.

Moved by Szopinski, seconded by Wacha, to approve the water and sewer rates recommended by City staff.

Vote on Motion: 4-0. Motion declared carried unanimously.

A "video fly-through" of the new Drinking Water Treatment Plant that was created by the architects was shown by Mr. Dunn.

Council Member Orazem asked if the Public Art Commission (PAC) had discussed with staff where the public art piece would be located. Mr. Dunn said staff recently had conversation with members of the PAC. It was noted during that discussion that any public art would have the maximum amount of visibility out by the street, and the farther in it is moved, the less visibility it would have. Mr. Dunn believed that the Commission was focusing its efforts on some type of exterior art piece that could be placed near the street. Assistant City Manager Bob Kindred said that PAC has a goal of having the next steps outlined with budget numbers to the City Council by its April 9 meeting.

Director Dunn recalled that, in 2010, the City allocated funding to assist the Iowa League of Cities' effort to challenge actions by the U. S. Environmental Protection Agency (EPA) specifically related to bacterial mixing zones and processing of peak wet weather flows. The City learned yesterday that the 8<sup>th</sup> Circuit Court of Appeals had ruled on all points in favor of the Iowa League, with the exception of legal fees. On the issue of bacterial mixing zones, the Court of Appeals ruled that the U. S. EPA had circumvented the intent of the Administrative Procedures Act, and in effect, issued new rules without allowing an opportunity for public review and comment. On the issue of wet weather flow blending and treatment facilities, the Court of Appeals made the same finding, but also said that the rules that the EPA attempted to implement exceeded its jurisdiction and authority under the Clean Water Act. All Rules and Orders to the contrary were struck down by the 8<sup>th</sup> Circuit Court of Appeals. Mr. Dunn pointed out that those were significant issues for the City of Ames. Had the EPA prevailed, it would have meant several million dollars of additional expenses for the City.

The meeting recessed at 7:05 p.m. and reconvened at 7:11 p.m.

**CONSENT AGENDA:** Mayor Campbell noted that the bid due date listed under Item No.15 of the Consent Agenda pertaining to the Resource Recovery Primary Shredder Replacement Project should be April 18, 2013. Also, the Mayor requested that Item No. 23, Change Order No. 1 with A & P/Samuels Group pertaining to an Historic Treatment Specialist for the Library Renovation and Expansion Project, be pulled for separate discussion.

Moved by Goodman, seconded by Wacha to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of the Regular Meeting of March 5, 2013, and Special Meeting of March 11, 2013
3. Motion approving Report of Contract Change Orders for March 1-15, 2013
4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
  - a. Class C Liquor - Ge'Angelo's, 823 Wheeler Street, #9
  - b. Class C Liquor - Sips/Paddy's Irish Pub, 124 Welch Avenue
  - c. Class E Liquor, C Beer, and B Wine - Wal-Mart Store #749, 3015 Grand Avenue
5. RESOLUTION NO. 13-111 approving and adopting Supplement No. 2013-2 to *Municipal Code*
6. RESOLUTION NO. 13-112 authorizing *Smart Energy* rebate of \$19,669 to Mary Greeley Medical Center
7. RESOLUTION NO. 13-113 approving expenditure from Contingency Fund for Mayor's visit to Koshu City, Japan
8. RESOLUTION NO. 13-114 approving appointment of Steve Goodhue to fill vacancy on Electric Utility Operations Review Advisory Board (EUORAB)
9. RESOLUTION NO. 13-115 approving 28-E Agreement with Iowa Department of Transportation for use of Intelligent Transportation System Network
10. RESOLUTION NO. 13-116 approving Community Development Block Grant Recovery (CDBG-R) Close-Out Agreement with Department of Housing and Urban Development (HUD)
11. RESOLUTION NO. 13-117 approving preliminary plans and specifications for 2013/14 Resource Recovery Primary Shredder Replacement Project - Phase II: No. 1 Mill Replacement; setting April 18, 2013, as bid due date and April 23, 2013, as date of public hearing
12. RESOLUTION NO. 13-118 approving preliminary plans and specifications for 2012/13 CyRide Route Pavement Improvements (Lincoln Way - Franklin Avenue to Hayward Avenue); setting April 17, 2013, as bid due date and April 23, 2013, as date of public hearing
13. RESOLUTION NO. 13-119 awarding contract to Kaman Industrial Technologies of Grimes, Iowa, in the amount of \$64,938.82 for Replacement Conveyor Belts for Power Plant
14. RESOLUTION NO. 13-120 approving Change Order No. 10 to the Professional Services Agreement with BrownWinick of Des Moines, Iowa, for legal services in connection with the 161kV Tie Line Franchise
15. RESOLUTION NO. 13-121 approving contract and bond for 2012/13 Asphalt Street Reconstruction/Seal Coat Reconstruction and 2012/13 Water Main Replacement
16. RESOLUTION NO. 13-122 approving contract and bond for Hickory Drive Improvements (Lincoln Way to Westbrook Drive)
17. RESOLUTION NO. 13-123 approving contract and bond for Underground Trenching for Electric Services (Primary Contract)
18. RESOLUTION NO. 13-124 approving contract and bond for Underground Trenching for Electric Services (Back-Up Contract)
19. RESOLUTION NO. 13-126 accepting completion of 2009/10 Concrete Pavement Improvements Project (South Hyland Avenue, Edison Street, Alexander Avenue, and Stanton Avenue)

20. RESOLUTION NO. 13-127 accepting completion of 2012/13 CDBG Neighborhood Infrastructure Improvements Project (Beedle Drive and Aplin Road)
  21. RESOLUTION NO. 13-128 accepting completion of 2011/12 Collector Street Pavement Improvements Project (Ash Avenue from Mortensen Parkway to Knapp Street)
  22. RESOLUTION NO. 13-129 accepting completion of WPC Facility Raw Wastewater Pumping Station Pipe Supports and Check Valve Replacement Project
- Roll Call Vote: 4-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**CHANGE ORDER NO. 1 FOR THE LIBRARY RENOVATION AND EXPANSION PROJECT:**

Lynne Carey, Interim Library Director, introduced Library Board Member Sam Schill, Bo Duckett, Library Facilities and Maintenance Supervisor; and Brad Heemstra, project consultant from Integrity Construction.

Brad Heemstra told the Council that work is progressing quickly on the Project. He noted that the plans and specifications define the Scope of Work for the General Contractor. The areas where there is historical character to be maintained are also defined in the plans and specifications. It just recently came to light that there is a requirement in the specifications for an Historic Preservation Specialist. The architect was asked why that requirement was contained in the specifications and he and the Library staff were told that that requirement was included by mistake. Mr. Heemstra brought the Council's attention to a letter that had been received this date from Jeffery Scherer, CEO of Meyer Scherer & Rockcastle, LTD (MS & R) and distributed to the Mayor and City Council around the dais. In his letter, Mr. Scherer advised that the documents that went out to bid mistakenly included the requirement for an Historic Treatment Specialist. It was the opinion of MS & R that those services were not necessary for the Library Renovation and Expansion project to be successful in maintaining the historic character of the building, and those services should be removed from the contract. Mr. Heemstra noted that the specifications will still contain language that direct the contractor to take special care in historic areas, and the expectations for the final product will remain unchanged. In addition to retaining many historic elements, the design also calls for highlighting elements that were concealed in previous renovations. Some of those elements were named: The south wall of the 1904 and 1940 buildings will be uncovered to become the focal point of the new two-story lobby space. Lay-in ceiling tiles will be replaced with a drywall ceiling to restore the 1904 meeting room to its original height and appearance. The exterior cornice and trim will be repainted to match the 1940 historical paint color. The existing wood trim will be reused, where possible, or replicated to match the original trim profile and color.

According to Mr. Heemstra, the architect did not intend to and was not given direction to include in the design documents requirements that would meet historic preservation standards. Because those services had been included in the construction bid by the selected contractor, a credit of \$13,850 was received in the form of a change order. All other provisions in the Scope of Work would remain.

The Council was also advised by Mr. Heemstra that, at its March 21, 2013, meeting, the Library Board of Trustees adopted a resolution recommending that the City Council approve Change Order No. 1, which would eliminate Subsections 1.3A, 1.4A, 1.4B, 1.4C, 3.5A, 3.5B, 3.6A, and 3.6B of Section 01 3591 of the construction contract. Those subsections directly relate to the requirement for an Historic Treatment Specialist.

Sam Schill, Library Board of Trustee, noted that the Library Board had affirmed its intent to give priority to the considerations of energy efficiency, ease of future maintenance, and fiscal stewardship when making decisions pertaining to the treatment of historic features during the renovation and expansion of the library building. It was decided early on in the design process that, where possible, original building elements would remain as a celebration of the Library's history. Mr. Schill reiterated that the contract still contains provisions that reflect a commitment to that idea, and the current design will maintain much of the original woodwork, terrazzo floors, and ornamental plaster from 1904 and 1940. From the Board's perspective, the change to the Scope of Work and subsequent Change Order made sense.

Sharon Wirth, 803 Burnett Avenue, Ames, identified herself as the Chairperson of the Historic Preservation Commission (HPC). She asked how the City got to where it is with this project, referring to removing the requirement for an Historic Preservation Specialist. Providing the history, Ms. Wirth advised that in December 2009, the Ames City Council had instructed the HPC to move ahead with an application for listing the Public Library on the listing on the National Register of Historic Places. Prior to that, two members of the HPC had requested a Determination of Eligibility from the State Historical Society, which is the review board for the applications. In August 2009, the decision of the State was received, which indicated that the Ames Public Library was eligible for listing on the Historic Register. At that time, the HPC asked for input from the City Council, and in December 2009, the Council had directed the HPC to proceed with its application. Ms. Wirth asked why the Board had now decided to discard historic preservation for the Library and no communication between the Library Board and HPC had occurred. She specifically stated that historic preservation does not work against energy efficiency. Ms. Wirth asked the Council to direct that the Library Board and Historic Preservation Commission work together on this project. It was Ms. Wirth's opinion that it was not appropriate to disregard the preservation of historical integrity of a number of features of the Public Library, including windows in the 1940s addition.

At the inquiry of Council Member Wacha, Ms. Wirth said that she had learned last week that an Historic Preservation Specialist had been hired and began to get input. Then suddenly, the contractor said they were not going to continue with that after the Specialist had been on the job for a couple days. Mr. Wacha offered that perhaps the HPC was not contacted because the architect had not intended for that requirement to be in the specifications; it was an oversight that needed to be corrected. Ms. Wirth said she did not believe that the Library Board should now say that the requirement was an oversight in its bidding documents.

Council Member Szopinski asked how far into the process the City is in applying for listing the Library on the National Register of Historic Places. Ms. Wirth advised that three graduate students from the Architecture Department at Iowa State University have been working with two former members of the HPC. An application had been submitted, feedback from the State Historic Preservation Office had been received, and the application was in the process of being revised with the hopes of submitting it in Spring 2013.

According to Ms. Wirth, the National Register Listing does not prohibit the demolition of the building or destroy its historic character. Council Member Orazem referenced an e-mail that he had received from a member of the HPC stating that if the windows were removed from the building or restored, it would invalidate the building from eligibility for the National Register. He did not feel that was an accurate statement after reading the Secretary of the Interior's Standards for the Treatment of Historic Properties. Those Standards specifically list energy efficiency as one of the reasons why, if it is determined that retrofitting measures are appropriate, "such works needed to be carried out with particular care to ensure that the building's historic character is retained."

However, it doesn't state that the same exact skylight or windows; in fact, skylights are specifically one of the items that are specified for energy efficiency. Ms. Wirth said that the Historic Preservation Specialist from Grinnell who was hired for a couple of days by the contractor was of the opinion that removing historic elements of the Library, such as the 1940 windows, could seriously affect the consideration of whether or not the building could be listed on the National Register. It is her belief that the windows are in very good condition, and there are easy and cost-effective ways to retrofit the windows; there is no need to remove and discard them. She said that, when referring to replacement of historic materials, the rule is to conserve and repair if at all possible.

Moved by Goodman, seconded by Szopinski, to table this item and ask the Library Board to work with the Historic Preservation Commission to clarify the issues and see if they can come back with a recommendation that can both respect the goals of historic preservation and the goals of the Library project without "bankrupting it."

Vote on Motion: 4-0. Motion declared carried unanimously.

**PUBLIC FORUM:** Casey Johnson, 3015 Whitetail Lane, Ames, identified himself as the new owner of Ames Ford Lincoln. He advised that he has been the Ford dealer in Fort Dodge, Iowa, for the past 17 years and is very familiar with city and county bid processes for vehicles within Ford Motor Company. According to Mr. Johnson, when he received the bid results from City of Ames Bid 2013-137 for a full-size pickup, he was surprised and dismayed because the winning bidder was Gabus Ford out of Des Moines, who was \$192 lower than Ames Ford Lincoln's bid on a truck that retails for nearly \$40,000. Mr. Johnson alleged that "if the tables were turned, he would not have been awarded the bid in Des Moines." He stated that in Fort Dodge, Waukee, Des Moines, Ankeny, Urbandale, and many other Iowa cities, some version of a 2% - 4% price consideration for locally owned businesses and/or the opportunity for locally owned businesses to match the bid from an out-of-town dealer would have been offered. Mr. Johnson noted that the City of Nevada offers a 5% price concession for local businesses when bidding local vehicles. It did not make sense to Mr. Johnson for the City of Ames to make the purchase from the City of Des Moines in Polk County rather than from a local dealer to save \$192. It was pointed out by Mr. Johnson that Gabus Ford from Des Moines has no obligation to or investment in the City of Ames - "no charitable giving, no real estate taxes, no employees working in Ames, no Chamber investment, and it does not generate sales tax revenue for Ames or Story County." Mr. Johnson said he is not asking for a hand-out, but is asking for a "helping hand." He advised that there had been times when he had been told by other cities in Central Iowa that he had submitted the lowest bid; however, they were going forward with their local dealer using the price consideration language adopted by their city.

Mr. Johnson pointed out that in Bid No. 2013-137, three-quarters of a percent price difference would have given the City Council an option to have a provision to price match or utilize the 2% - 4% price consideration. He advised that he has a multi-million dollar investment in Ames and wants to aggressively work to provide vehicles to the City of Ames. On this particular bid, Mr. Johnson said that his company was nearly \$3,000 below other local dealers. He believes that economic development is the "heart and sole" of small businesses that expand and grow the community where they are located. Mr. Johnson referenced a goal of the City Council listed on its website to "support private sector growth to improve quality of life, increase the number of jobs, and develop a stronger tax base." He advised that he will be tripling the number of employees since he purchased the former Ron Willey dealerships and will reinvest millions to bring the Ames Ford dealership up to Ames' standards.

Referencing Bid No. 2013-148, Mr. Johnson said that he had offered clarification on police car bids that would have saved the City \$2,500. However, that bid was awarded to another Des Moines dealership at a higher price because Mr. Johnson found errors in compatibility of options and wanted to simply point that out in his bid.

Mr. Johnson asked for local consideration language in the City of Ames and to work closely and communicate with each other for the good of Ames. He brought the Council's attention to language contained on the front of each bid to the effect that the City "reserves the right to reject any or all bids, to waive informalities, and to make such awards as it shall deem to be in the best interest of the City." Mr. Johnson said he believed that Bids No. 2013-137 and 2013-148 should have been awarded to Ames Ford Lincoln to save the taxpayers \$2,300 and help grow a local business.

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

**GREEK WEEK 2013 REQUESTS:** Moved by Goodman, seconded by Wacha, to adopt RESOLUTION NO. 13-130 approving closure of portions of Sunset Drive, Ash Avenue, Gray Avenue, Greeley Street, and Lynn Avenue from 5:00 p.m. to 10:00 p.m. on Friday, April 5 and 7:00 a.m. to 7:00 p.m. on Saturday, April 6.

Roll Call Vote: 4-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Goodman, seconded by Wacha, to adopt RESOLUTION NO. 13-131 approving suspension of parking regulations for portions of Gray Avenue, Greeley Street, Pearson Avenue, Lynn Avenue, and Sunset Drive from 7:00 p.m. Thursday, April 4, to 7:00 p.m. Saturday, April 6.

Roll Call Vote: 4-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**5-DAY LICENSES FOR GATEWAY HOTEL AT ISU ALUMNI CENTER, 420 BEACH AVENUE:** Moved by Goodman, seconded by Wacha, to approve the following 5-day licenses:

- a. Special Class C Liquor (March 31 - April 4)
- b. Class C Liquor (April 27 - May 1)

Vote on Motion: 4-0. Motion declared carried unanimously.

**REDEVELOPMENT OF FORMER MIDDLE SCHOOL:** City Planner Charlie Kuester recalled that, at its March 5, 2013, meeting, the City Council directed staff to provide a report on the rezoning process and options for the former Middle School. Mr. Kuester said that his report at this meeting was intended as an overview of the process and did not deal with the merits of the rezoning requests; that information will be provided to Council as the process unfolds.

According to Mr. Kuester, on March 11, 2013, deeds were recorded transferring ownership of three parcels of land from the Ames Community School District to Breckenridge Group Ames Iowa LLC. The three parcels in question are addressed as 205 S. Wilmoth Avenue, which is the north parcel known as the former athletic field; 321 State Avenue, which is the middle parcel known as the former Middle School building; and 601 State Avenue, which is the south parcel that was recently divided from the current Middle School site.

Mr. Kuester advised that all parcels are zoned Special Government Airport (S-GA). That zoning category is intended to apply to land owned by governments at the local, county, state, federal, or

school level. It was pointed out by Mr. Kuester that the Land Use Policy Plan (LUPP) provides guidance for those properties in the event that rezoning is sought. For the north and middle parcels, the LUPP designation is Low-Density Residential, which would allow single-family residential with a maximum net density of 7.26 dwelling units/ net acre. The south parcel is designated in the LUPP as Village/Suburban Residential, which would allow all single-family, two-family, multi-family, and manufactured residential uses that involve more than a net density of 8.0 units/acre with supporting convenience/neighborhood-scale commercial uses.

Regarding the process, Planner Kuester advised that the City Council, the Planning and Zoning Commission, or owners of land may initiate the rezoning of any property in the City. He told the Council that the first step in the rezoning process is for the City Council to determine whether a Master Plan shall be required for the rezoning. Mr. Kuester said that a Master Plan may be required if any of a number of specified conditions are present in the request. He reviewed the conditions contained in the Zoning Code.

It was emphasized by Mr. Kuester that a request to rezone a property is a legislative action. While the Council has some degree of discretion, it cannot arbitrarily deny it if it is consistent with the Land Use Policy Plan. The Council is allowed to impose any reasonable conditions provided that they are satisfying public needs that are directly caused by the requested change. The owner would also need to agree to those conditions in a Development Agreement. In addition, the City Council is not obligated to approve a rezoning if the proposed project is not consistent with the intent and purpose of the zoning district.

It was pointed out by City Manager Schainker that the two properties are currently zoned as Governmental lands. It would be inappropriate for the properties to remain as S-GA, especially since the LUPP identifies a future land use for the properties.

Planner Kuester told the Council that its consideration of a rezoning request must be an examination of the potential impacts of the proposed request on the existing neighborhood and community as a whole. While the Council is not obligated to rezone a property to maximize the profit of the owner, neither can it eliminate all return from the property.

The Council was informed by Mr. Kuester that staff had received two applications for rezoning. One was received on March 11 for the former Middle School site. The owner is requesting a designation to Low-Density Residential. The second application was received on March 15 for the southern parcel for a rezoning designation to FS-RM (Suburban Residential Medium Density). According to Planner Kuester, the first step needed to be taken by the City Council on any rezoning is to determine as to whether a Master Plan needed to be prepared for the requesting rezoning. The Master Plan is a document that provides general information about the type of development; it doesn't lay out individual lots, but identifies the types of housing units and range of expected numbers of units. If the Council wants to review a Master Plan for either or both of the properties, the rezoning application would not be considered complete until the Master Plan documents were submitted to the Planning and Housing Department. The date that the rezoning application is complete is the time when "the clock starts clicking." The requirement that the Planning and Zoning Commission take action on the application 90 days from submittal of a complete application would then come into play. If the Council does not wish to see a Master Plan, the rezoning applications would be considered complete on the date they were received by the City. If a Master Plan is required, the date that the rezoning requests must be heard by the Planning and Zoning Commission would depend on when the Master Plans were submitted to the Planning and Housing Department.

According to Planner Kuester, under Section 414.5 of the *Code of Iowa*, the City Council may approve “contract rezoning,” which is to impose conditions on the rezoning request provided that the applicant agrees to those conditions prior to the close of the public hearing. Mr. Kuester again emphasized that any conditions “must be reasonable and imposed to satisfy public needs, which are directly caused by the requested change.” Contract rezoning would not occur until the public hearing, which might be June or July.

Mr. Kuester also stated that if, prior to the close of the public hearing, a petition is presented to the City Council opposing the rezoning and is signed by owners representing 20% or more of the land within 200 feet of the area proposed for rezoning, the City Council would need a three-fourths majority vote (five out of six members) to approve the rezoning. He also said that if the requests for rezoning were ultimately denied by the City Council, those particular requests could not be reconsidered for one year unless 50% of the original objectors petitioned for reconsideration or unless the City Council itself initiated reconsideration. Because there are two separate rezoning requests, there would need to be a separate petition for each parcel. People could sign both petitions, if they so chose, but they need to be separate documents.

At the inquiry of Council Member Orazem as to whether one petition would be required if the Master Plan incorporates all three parcels, Planner Kuester said that two parcels are contiguous, but are for separate zoning designations, so they would have to be two separate petitions. He advised that if another zoning application is submitted for the north parcel, it is not a contiguous parcel; therefore, a separate petition would be required.

Mr. Orazem also asked if the Council could require that the developer create one Master Plan that encompasses all three parcels. Acting City Attorney Judy Parks advised that the *Code* appears to contemplate that a Master Plan would be on a site-specific basis; however, if the parcels are going to be considered as operating together, it would be an appropriate request to require a document that includes all three parcels. Staff will need to ascertain if the developer is proposing to make all three parcels interconnected or if they are going to stand alone.

After Council Member Wacha raised the question, the Council was told by Mr. Kuester that permitted uses in the RL would allow single-family homes, but not any new duplexes, any town homes, or any apartments. The zoning district FS-RM would allow single-family homes, duplexes, town homes of up to 12 attached units, and apartments of up to 12 units.

Planner Kuester advised that this information is being provided to the Mayor and City Council at this time; however, no direction is being sought. This issue will be on the City Council’s Agenda of April 9, 2013, with options for the Council to consider so that direction to staff can be given regarding a Master Plan or contract rezoning. On that date, the merits of the rezonings will not be debated; the applications would be forwarded to the Planning and Zoning Commission and to staff for further review.

**REQUEST FROM KINGLAND SYSTEMS TO MODIFY SET-BACK REQUIREMENT IN CAMPUSTOWN SERVICE CENTER:**

City Planner Jeff Benson said that Kingland Systems had purchased the property from the Champlin Family that comprises the 2400 Block of Lincoln Way from Welch Avenue east to the Cranford Apartments building. Kingland intends to remove the existing structures and to build new buildings for its expanding businesses, as well as to lease for retail and office use. It was noted that Kingland does not intend to allow residential uses in the buildings. According to Mr. Benson, the Kingland Systems’ project is the largest major

development project to be proposed since the current zoning standards for building height were enacted.

Mr. Benson advised that Kingland Systems had requested a waiver or modification of the City's current zoning requirement for properties in that area. The requirement establishes a maximum height of 30 feet for those portions of buildings that are within 15 feet of the Lincoln Way and Welch Avenue rights-of-way (the "step-back requirement"). Mr. Benson provided some history about why the City Council chose to include the "step-back" requirement in the Zoning Ordinance for the area between Lincoln Way and Chamberlain and Hayward and Stanton. He stated that in March 2006, the Council approved the current zoning development standards for the Campustown Service Center that require a step-back of 15 feet for a building to be taller than 30 feet, or two stories, and a maximum height of 115 feet. In summary, if a building was going to be constructed that would be higher than 30 feet, the building would have to be moved back 15 feet from the property line or have the portion that is higher than 30 feet be 15 feet from the property line. The requirement was intended to allow the redevelopment of Campustown in a way that would provide more opportunities for housing, employment, and commerce, but at the same time, preserve the character and scale of the neighborhood. According to Mr. Benson, the character and scale of the Campustown neighborhood have a lot of variety to them, but mostly, one- and two-story buildings have existed in that area for more than 75 years.

At the request of Council Member Szopinski, Mr. Benson advised that Kingland is requesting to build a three-story building. He thought the total height would be approximately 45 to 50 total feet.

Planner Benson brought the Council member's attention to five options for their consideration. He noted that, before moving ahead with the project, staff needs Council direction regarding the zoning requirement for building height step-back. He noted the area in question is zoned Campustown Service Center, and redevelopment projects in that zoning district may get site plan approval and building permits through staff review only. Council would not need to approve the project if the project met the requirements; however, because a building of three stories is being requested, the Council needs to approve that change. The issue of a waiver is not addressed in the staff report because what is being requested is a change to the zoning standard, which would require a zoning text amendment. If approved, that would be available to anyone whose buildings are located in the two-block area, not just this project.

Council Member Orazem noted that, per information provided by the developers, this project could potentially employ 300 - 400 people and would be comprised of approximately 14,000 square feet of new retail space.

Ron Fiscus, Planscape Partners, Clear Lake, Iowa, and Architect Randy Cramm from Mason City, representing Kingland Systems, were present. Mr. Fiscus stated that the 15-foot step-back requirement would mean dramatic financial and timing implications for the Kingland project; and it would also impact the parking ratio. The developers believe that the step-back requirement for a three-story building does not allow them to use the volume available at the site. Mr. Fiscus said compatibility with the existing development can be achieved through architectural design without the step-back standard. He said that Kingland hopes to begin construction this summer. Mr. Fiscus requested that the Council direct a modification to the Zoning Ordinance that would allow the developers to proceed with this project.

Council Member Orazem asked if Mr. Fiscus had had conversation with the other retail establishments. Mr. Fiscus said that he had had a very good meeting with the Campustown Action Association.

Council Member Szopinski asked for preliminary sketches of the proposed building so she could get a feel for what the structure would look like. Mr. Fiscus said that if the City Council would give Kingland the sense that the City was open to possibly modifying the requirement, it would be willing to go to the expense of creating design sketches of the building.

Warren Madden, 2815 Oakwood Road, Ames, spoke as Senior Vice-President for Business and Finance at Iowa State University. He offered general support for Kingland's redevelopment project, but stated that specifically how it is accomplished is not the issue of the University. The University would like it to be explored as to whether Kingland would include some type of student housing in the project, and if so, how that could be accomplished. Mr. Madden advised that the success of the Kingland project is crucial to the redevelopment of Campustown. He said that Kingland is a very significant employer of Iowa State students. The corner property is also key to Campustown redevelopment.

Sharon Wirth, speaking as the Historic Preservation Commission Chairperson, noted that demolishing buildings is in direct conflict with the Council's goal of sustainability. If any option other than No. 1, which is to leave things as they are, is agreed upon, Ms. Wirth asked that all stakeholders be involved in conversations about the project.

Ryan Jeffrey, President of the Campustown Action Association, said that, as a whole, the Association is very excited about the Kingland project and believes that it will be a great catalyst for continued redevelopment in Campustown. He stated, however, the Association does not have enough information at this time to state that the building would be visually acceptable if the step-back requirement were removed.

Moved by Goodman, seconded by Orazem, to ask the architects to come back to Council soon with a more thorough explanation of what the project might entail and that the Council expresses its openness in the option of eliminating the step-back requirement if the project meets other expectations.

Council Member Orazem expressed the need for the City to have some mechanism to allow flexibility and at the same time allow the architect working on the project to meet with approval of the neighbors surrounding the area in question.

Council Member Wacha said he preferred a stronger message from the Council that it would be supportive of removing the step-back requirement. He offered a friendly amendment that the motion direct staff to draw up a revision that would allow three stories without a step-back requirement.

Council Member Szopinski said that she was very interested in moving the Kingland project forward, but was also very concerned about historic presentation. She reiterated that it was important to get some sense of what the building is going to look like before going on record as being supportive.

Mr. Wacha said he was not at all interested in burdening Kingland with additional costs so that the City can have a "pie-in-the-sky" perfect historic-looking building. It is his opinion that Ames is

fortunate that Kingland is investing money in redevelopment. He preferred, rather than to just express encouragement, for the Council to actually direct staff to draw up a revision to the *Code* that would allow a three-story building without a step-back requirement.

Council Member Goodman asked Mr. Fiscus if he were comfortable moving the project forward with the motion that was on the table. Mr. Fiscus said that details about the project would come back to the City prior to the adoption of any ordinance; however, the architects would feel more comfortable if the Council had directed that draft language be prepared that would remove the step-back requirement.

Planner Benson told the Council that to move any ordinance forward, staff would need to have draft language for a text amendment to take to the Planning and Zoning Commission for a recommendation. He said that staff could take the draft language to the stakeholders in Campustown as well. Mr. Benson suggested that the architects bring more details to the Council at the same time that the staff brings proposed ordinance language to the Council that would remove the step-back requirement.

Council Member Davis arrived at 8:41 p.m.

Vote on Motion: 3-1-1. Voting aye: Goodman, Orazem, Szopinski. Voting nay: Wacha. Abstaining: Davis. Motion declared carried.

Council Member Goodman stated that he also wanted to ensure that representatives of Historic Preservation Commission “be a piece of the input.” Mr. Fiscus said that he had promised the CAA that the developers would come back to it with details and revised concepts, and they would be pleased to include representatives from Historic Preservation.

Moved by Goodman, seconded by Szopinski, to direct that the City Council get feedback from the Historic Preservation Commission and the CAA on this project.

Vote on Motion: 5-0. Motion declared carried unanimously.

**PRELIMINARY PLAT FOR BELLA WOODS:** City Planner Kuester described the residential subdivision in the unincorporated area of Story County that is being proposed by Bella Homes. The site is within the Rural Transitional Residential Area of the Ames Urban Fringe Plan. Mr. Kuester defined Rural Transitional Residential. He noted that the proposed subdivision is required to meet the Design and Improvement Standards of the City’s subdivision regulations unless specific waivers are granted by the City Council. On February 12, 2013, the applicant received a waiver from the City Council for specific portions of Division IV. With the waivers already granted by the City Council, the Subdivision will be required to meet Story County requirements for water and on-site septic systems.

At issue, according to Mr. Kuester, is a proposed cul-de-sac to the west of the main north-south street. The developer is proposing six residential lots around that cul-de-sac. Mathews Road lies directed to the west of this proposed development. Mathews Road was constructed as part of the approved Squaw Valley South Subdivision, Third Addition, in 1990. The cul-de-sac has a 60-foot “Street Reservation Easement” extending from the east end of the cul-de-sac to the east property line adjacent to the proposed Bella Woods Subdivision. The restrictive covenants for the Squaw Valley South Subdivision state that the owners of Lots 4 and 5 (where the easement is located) “shall convey or dedicate those portions of the lots in the event that Matthews Road is extended to

the east.” The covenants further state that those owners are not responsible for the costs of that extension. According to Mr. Kuester, what is not clear is what trigger mechanism will require Mathews Road to be extended and who will pay for it. Since the intent of the Squaw Valley South Subdivision was to allow for the interconnected development of this proposed development with Mathews Road, staff required the applicant to prepare a plat showing how this proposed plat will connect with the older development to the west. The connection to the west property line of Bella Woods is possible while retaining the same number of lots and still allowing the future connection to Squaw Valley South Subdivision. The applicant would prefer not to make that connection. The reasons against the connection provided from the perspective of the developer were shared with the City Council by Planner Kuester.

Mr. Kuester stated that, since the Planning and Zoning Commission meeting, staff had worked with the applicant to develop another possible alternative, which would allow the cul-de-sac to be built, but also create an outlot that would be reserved for the future extension of the road to the west. At that time, Mathews Road can also be extended to the east. That approach would create a platted outlot reserved for the future street extension, rather than an easement that would need to be transferred later. In addition, the covenants that were signed by the Bella Woods owner when the waiver of the subdivision standards was requested include a provision that the subsequent owners will pay for any special assessments that are needed for public improvements. Mr. Kuester reiterated that that approach would allow for the initial construction of a cul-de-sac, which satisfies the developer who would prefer that there not be a connection to the west. It also allows for the eventual connection if, after annexation, the City Council thought that the standards for interconnectivity of neighborhoods should be met. Mr. Kuester emphasized, however, that that does not mandate that the connection be made at any particular time. The reserved outlot means that the land is available for dedication as right-of-way in the future should the road be extended. The covenants are the mechanism by which the costs of the road extension would be borne by the various owners of the Subdivision.

Bob Gibson, Civil Design Advantage, introduced Chris Gardner, owner of the land in question, who was also present. Mr. Gibson said that there would be serious grade issues pertaining to storm water if Bella Woods would be required to connect to Mathews Road.

Mr. Gibson refuted Mr. Kuester’s contention that there was an expectation of interconnectivity in the 1990 plat for Squaw Valley South. He noted that cul-de-sacs are discouraged, but not prohibited.

A letter from Danny J. Johnson, President of the South Squaw Valley Association, had been received by Mr. Gibson and presented to the City Council around the dais. The letter requested that Mathews Road not be required to be connected to Bella Woods. Council Member Wacha told Mr. Gibson that 20 years from now, the people whom they are selling Bella Woods lots to will be asking the City of Ames to provide utility services to them. He made that premonition based on how close the proposed Bella Woods Subdivision is located to the city limits of Ames and how and where Ames is growing. Another concern about cul-de-sacs that Mr. Wacha has is the maneuverability of emergency vehicles. Mr. Gibson said that the cul-de-sac has a 50-foot radius, which would allow maneuverability of emergency vehicles. He alleged that having a “stub road” is less safe than having a cul-de-sac.

Council Member Wacha said one of the main reasons to have connectivity is fire service. Cul-de-sacs make it difficult for fire trucks to turn around. If there are two abutting cul-de-sacs, it would be even more difficult for the trucks to maneuver. Council Member Szopinski said she is primarily concerned about the access of service vehicles would be affected. Mr. Gibson again stated that the

pavement radius of the cul-de-sac is 50', which would be a 100' diameter; that is larger than a standard cul-de-sac (84').

Another issue, according to Mr. Gibson, is the trees: 123 trees would have to be removed if they are required to connect to Mathews Road. The driveway of an existing home would also be impacted. Mr. Gibson reiterated that there would also be storm water discharge issues. A swale would have to be cut to the south to accommodate storm water, and an additional 594 trees would have to be removed for the construction of that swale. He alleged that the removal of the trees would compromise the attractiveness of the proposed subdivision.

Cathy Stahlman, 3309 Cameron School Road, Ames, expressed her concerns about the proposed development. She advised that she raises sheep, goats, and chickens on her five-acre farm. Ms. Stahlman is concerned about the property value of her farm if it were surrounded by 16 houses. Concerning fairness to neighbors, Ms. Stahlman said that the 16 acres where they are proposing to build the Bella Woods Subdivision is the only buffer between Squaw Valley South and her farm. Ms. Stahlman noted that the owner of the 16 acres certainly has the right to sell the property; however, the development would abut her farm. She said that with sheep, goats, and chickens, there are smells and noises that might be unattractive to other homeowners.

Moved by Szopinski, seconded by Orazem, to approve the Preliminary Plat for Bella Woods with the construction of a cul-de-sac and the street not extended to the west line of the proposed development with the potential of a shared use path if the property is ever annexed.

Council Member Wacha recalled the action taken by the City Council members regarding Ringgenberg Subdivision when they denied construction of a cul-de-sac. He felt that the Council should be consistent, so he could not support the motion. Council Member Goodman agreed, and said that former Council members had supported connectivity when approving the South Squaw Valley Subdivision.

Vote on Motion: 2-3. Voting aye: Orazem, Szopinski. Voting nay: Davis, Goodman, Wacha. Motion failed.

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 13-141 approving the Preliminary Plat for Bella Woods with the street not extended to the west line of the proposed development, but with an outlot shown that would be reserved for right-of-way in the event the street would be extended following annexation, conditioned upon:

- a. The applicant completing a number of updates to the proposed plat prior to the presentation to the Story County Supervisors for approval; said updates to include a complete grading plan, tabular data, etc.

Vote on Motion: 5-0. Motion declared carried unanimously.

The meeting recessed at 9:40 p.m. and reconvened at 9:47 p.m.

**DOWNTOWN FACADE GRANTS:** Planner Benson advised that \$23,000 remains in the Downtown Facade Improvement Grant program fund. Two Grant applications had been received:

1. 313 - 5<sup>th</sup> Street for Marris Wealth Management in the amount of \$9,120
2. 215 Main Street for Emerhoff's Women's Shoes in the amount of \$16,000

It was noted by Mr. Benson that the City Council had previously approved a grant for the building to the west of 215 Main Street, which has the same owner. He emphasized the Council's policy that a second grant for the same building would only be approved during the second grant round of a given fiscal year. Council's intent was to only consider such applications after other qualifying projects were funded for buildings that have not previously received a grant. It was pointed out that this is the second grant round for the current fiscal year, so Council could award the grant for 215 Main for \$13,880, which is the amount remaining after the grant of \$9,120 for 313-5th Street is approved. Another approach that the Council could take, according to Planner Benson, would be to award the remaining \$23,000 to both projects in proportion to the funds requested, which would be to approve \$8,350 for 313-5th Street and \$14,650 for 215 Main.

Moved by Orazem, seconded by Davis, to adopt RESOLUTION NO. 13-133 approving a Downtown Facade Improvement Grant of \$9,120 to 313-5th and a Downtown Facade Improvement Grant of \$13,880 to 215 Main.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**PETITION FOR VOLUNTARY ANNEXATION OF 2212 OAKWOOD ROAD:** Moved by Davis, seconded by Orazem, to refer to the Planning and Zoning Commission the Petition for Voluntary Annexation of 2212 Oakwood Road.

Vote on Motion: 5-0. Motion declared carried unanimously.

**ARTISTIC BIKE RACKS IN MAIN STREET CULTURAL DISTRICT (MSCD):** City Operations Manager Corey Mellies introduced Barbara Walton and Jim Wilcox, representing the Ames Community Arts Council. Mr. Mellies showed proposed locations for placement of artistic bike racks in the MSCD. It was noted that the Public Art Commission would be allocating \$1,600 to the project. Staff has recommended that the City of Ames pay \$900 for an artistic bike rack to be located at City Hall after receiving a quote in that amount for a non-artistic rack

Ms. Walton advised that the ACAC fund-raising efforts had yielded \$4,949 for its Bike Rack Design Account. With the donation of the PAC and the City's contribution of \$900, the account totals \$7,440 towards the ACAC's goal of \$10,000.

Moved by Davis, seconded by Goodman, to authorize staff to enter into contracts with the Ames Community Arts Council and artists for artistic bike racks in the MSCD.

Vote on Motion: 5-0. Motion declared carried unanimously.

Moved by Davis, seconded by Goodman, to adopt RESOLUTION NO. 13-134 approving the allocation of \$900 in City Hall Mechanical and Structural Improvements funding for the cost of a bike rack to be placed at City Hall.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON AMENDMENT TO PRELIMINARY PLAT/MAJOR SITE DEVELOPMENT PLAN FOR SOMERSET SUBDIVISION:** Mayor Campbell opened the public hearing. No one came forward to speak, and the Mayor closed the hearing.

Planner Benson advised that the proposed development met all the requirements of the City.

Moved by Orazem, seconded by Davis, to adopt RESOLUTION NO. 13-135 approving a revision to the Preliminary Plat/Major Site Development Plan for Somerset Subdivision, 25<sup>th</sup> Addition with

the condition that the proposed Plan amendments be incorporated prior to Final Plat approval.  
Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON 2013 CITY HALL RENOVATION PROJECT:** The public hearing was opened by the Mayor. She closed same after no one asked to speak.

Moved by Orazem, seconded by Wacha, to adopt RESOLUTION NO. 13-136 approving final plans and specifications and awarding a contract to HPC, LLC, of Ames, Iowa, in the amount of \$770,000.00.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Orazem, seconded by Wacha, to adopt RESOLUTION NO. 13-137 approving the contract and bond.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON ASBESTOS MAINTENANCE SERVICES FOR POWER PLANT:** The Mayor opened the public hearing. No one requested to speak, and the Mayor closed the hearing.

Moved by Davis, seconded by Goodman, to reject both bids and direct staff to procure the services on an as-needed basis based on availability of contractors.

Vote on Motion: 5-0. Motion declared carried unanimously.

**HEARING ON 2012/13 ASPHALT STREET RECONSTRUCTION PROGRAM:** Mayor Campbell opened the public hearing. She closed the hearing after no one asked to speak.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 13-138 approving final plans and specifications and awarding a contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$770,765.63.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON 2012/13 LOW-POINT DRAINAGE IMPROVEMENTS (OLIVER CIRCLE):** The Mayor opened the public hearing and closed same after no one came forward to speak.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 13-139 approving final plans and specifications and awarding a contract to J & K Contracting, LLC, of Ames, Iowa, in the amount of \$75,495.58.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON 2012/13 SHARED USE PATH MAINTENANCE PROJECT (BLOOMINGTON ROAD-HOOVER AVENUE TO TAFT AVENUE):** The public hearing was opened by Mayor Campbell. She closed the hearing after there was no one wishing to speak.

Moved by Davis, seconded by Goodman, to adopt RESOLUTION NO. 13-140 approving final plans and specifications and awarding contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$67,614.45.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON NUISANCE ASSESSMENTS:** The Mayor opened the public hearing. There being no one wishing to speak, the hearing was closed.

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 13-125 assessing the costs of sidewalk repair/replacement and certifying assessment to Story County Treasurer.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 13-132 assessing the costs of snow and ice removal and certifying assessment to Story County Treasurer.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**ORDINANCE MAKING MODIFICATIONS TO *MUNICIPAL CODE* CHAPTER 21 (SIGN CODE):** Moved by Goodman, seconded by Wacha, to pass on third reading and adopt ORDINANCE NO. 4142 making modifications to *Municipal Code* Chapter 21 (Sign Code).

Roll Call Vote: 5-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**ORDINANCE MAKING MODIFICATIONS TO *MUNICIPAL CODE* APPENDIX N RELATING TO THE TITLES OF CHAPTERS 5 AND 21:** Moved by Goodman, seconded by Wacha, to pass on third reading and adopt ORDINANCE NO. 4143 making modifications to *Municipal Code* Appendix N relating to the titles of Chapters 5 and 21.

Roll Call Vote: 5-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**COUNCIL COMMENTS:** Moved by Orazem, seconded by Goodman, to refer to staff for a staff report. the letter from Jeff Bryant dated March 4, 2013, requesting that the City Council consider a zoning text amendment to allow the replacement of an existing common shared garage with no side-yard setbacks.

Vote on Motion: 5-0. Motion declared carried unanimously.

Moved by Orazem, seconded by Wacha, to refer to staff, for a staff report, the request from Casey Johnson, Ames Ford Lincoln, as to having some type of mechanism where the City would take local ownership of business into account, specifically, how common in the State of Iowa is the local consideration language.

Vote on Motion: 5-0. Motion declared carried unanimously.

*Ex officio* Baker gave the results of the recent Government of Student Body election.

**ADJOURNMENT:** Moved by Davis to adjourn the meeting at 10:13 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor

**MINUTES OF THE SPECIAL MEETING OF THE  
AMES CITY COUNCIL**

**AMES, IOWA**

**APRIL 1, 2013**

The Special Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 8:30 a.m. on April 1, 2013. Present from the City Council were Jeremy Davis, Matthew Goodman, Jami Larson, Peter Orazem, Victoria Szopinski, and Tom Wacha.

Mayor Campbell noted that Lee Robbins had requested that the Council go into Closed Session to discuss his qualifications for the position of City Attorney.

**CLOSED SESSION:** Moved by Davis, seconded by Orazem, to hold a closed session as provided by Section 21.5(1), Code of Iowa, to interview a candidate for the position of City Attorney.  
Roll Call Vote: 6-0. Motion declared carried unanimously.

Moved by Davis, seconded by Orazem, to reconvene in Open Session.  
Vote on Motion: 6-0. Motion declared carried.

**COUNCIL COMMENTS:** Moved by Larson, seconded by Goodman, to refer the request of the DNR to conduct a mentored turkey hunt on City-owned property located at 56797-280th Street (Water & Pollution Control Plant) and that the item be placed on the Special City Council Meeting Agenda scheduled for April 5, 2013.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**ADJOURNMENT:** Moved by Davis to adjourn the Special Meeting at 9:52 a.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor

**MINUTES OF THE SPECIAL MEETING OF THE  
AMES CITY COUNCIL**

**AMES, IOWA**

**APRIL 5, 2013**

The Special Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 8:40 a.m. on April 5, 2013. Present from the City Council were Jeremy Davis, Jami Larson, Peter Orazem, and Victoria Szopinski. Because it was impractical for all Council members to be present in person, Council Members Goodman and Wacha were brought into the meeting telephonically.

**REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES FOR A MENTORED  
TURKEY HUNT ON CITY-OWNED PROPERTY LOCATED AT 5679<sup>7</sup>-280TH STREET:**

Mayor Campbell announced that this item had been pulled by the DNR.

Mayor Campbell noted that David Peeples had requested that the Council go into Closed Session to discuss his qualifications for the position of City Attorney.

**CLOSED SESSION:** Moved by Davis, seconded by Larson, to hold a closed session as provided by Section 21.5(1), Code of Iowa, to interview a candidate for the position of City Attorney.

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

Moved by Davis, seconded by Szopinski, to reconvene in Open Session.

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

**COUNCIL COMMENTS:** Moved by Davis, seconded by Orazem, to refer to staff the request from Iowa State University Chapter of the Student Society of Landscape Architects for waiver of parking meter fees and enforcement for a parklet to be located at a parking space on Welch Avenue from April 21 to April 28, 2013, and that this item be placed on the Regular City Council Agenda for April 9, 2013.

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

**ADJOURNMENT:** Moved by Davis to adjourn the Special Meeting at 9:54 a.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor