

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

AMES, IOWA

JUNE 11, 2013

Mayor Pro-Tem Jami Larson called the Regular Meeting of the Ames City Council to order at 7:00 p.m. with Jeremy Davis, Matthew Goodman, Peter Orazem, and Victoria Szopinski present. *Ex officio* Member Alexandria Harvey was also present. Mayor Ann Campbell and Council Member Tom Wacha were absent.

It was announced by Mayor Pro-Tem Larson that the City Council would be working from an Amended Agenda. An additional item had been added under the Consent to approve contract and bond for the Water Treatment Plant Five-Year Well Rehabilitation Project (Year 2). Also under Consent No. 20, the correct amount of the Change Order No. 5 is \$25,304. In addition, two additional Resolutions were listed under Item No. 37 to match the actions listed in the Council Action Form, i.e., to adopt the Preliminary Plat and Schedule and to approve Covenants for Assessment of Costs of Improvements.

**CONSENT AGENDA:** Moved by Davis, seconded by Szopinski, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of May 28, 2013
3. Motion approving Report of Contract Change Orders for May 16 - 31, 2013
4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
  - a. Class E Liquor, C Beer, & B Wine – Kum & Go #200, 4510 Mortensen Road
  - b. Class E Liquor, C Beer, & B Wine – Kum & Go #214, 111 Duff Avenue
  - c. Class E Liquor, C Beer, & B Wine – Kum & Go #215, 4506 Lincoln Way
  - d. Class E Liquor, C Beer, & B Wine – Kum & Go #216, 203 Welch Avenue
  - e. Class E Liquor, C Beer, and B Wine – AJ's Liquor, 4518 Mortensen #109
  - f. Class E Liquor – MMDG Spirits, 126A Welch Avenue
  - g. Special Class C Liquor – Hickory Park, 1404 South Duff Avenue
  - h. Class C Liquor – Texas Roadhouse, 519 South Duff Avenue
5. RESOLUTION NO. 13-244 setting date of public hearing for June 25, 2013, for vacation of utility easements for Mary Greeley Subdivision
6. RESOLUTION NO. 13-245 accepting dedication of Carroll Avenue right-of-way
7. RESOLUTION NO. 13-246 approving 2013/14 Contract for Human Services with University Community Childcare
8. RESOLUTION NO. 13-247 approving Engineering Services Agreement with Veenstra & Kimm of West Des Moines, Iowa, in an amount not to exceed \$66,750 for 2013/14 Concrete Street Pavement Improvements (Lynn Avenue/Knapp Street)
9. RESOLUTION NO. 13-248 approving Engineering Services Agreement with Stanley Consultants of Des Moines, Iowa, in an amount not to exceed \$76,400 for 2013/14 Collector Street Pavement Improvements (Sheldon Avenue)
10. RESOLUTION NO. 13-249 approving Engineering Services Agreement with Snyder & Associates of Ankeny, Iowa, in an amount not to exceed \$65,900 for 2013/14 Downtown Street Pavement Improvements (5<sup>th</sup> Street)
11. RESOLUTION NO. 13-250 approving renewal of Professional Services Agreement with Burns & McDonnell of Chesterfield, Missouri, for Fire Risk Mitigation in an amount not to exceed \$50,000 for FY 2013/14
12. RESOLUTION NO. 13-251 approving preliminary plans and specifications for 2012/13 Water System Improvements Water Main Replacement #3 (Center Avenue); setting July 17, 2013, as bid due date and July 23, 2013, as date of public hearing

13. RESOLUTION NO. 13-252 approving preliminary plans and specifications for furnishing SF6 Circuit Breakers; setting June 26, 2013, as bid due date and July 9, 2013, as date of public hearing
  14. RESOLUTION NO. 13-253 approving preliminary plans and specifications for furnishing Substation Electrical Materials; setting June 26, 2013, as bid due date and July 9, 2013, as date of public hearing
  15. RESOLUTION NO. 13-254 approving date changes for 2013 Softball Field Fencing & Lighting South River Valley Park; setting July 16, 2013, as new bid due date and July 23, 2013, as new date of hearing and award of contract
  16. RESOLUTION NO. 13-255 awarding contract to Asplundh Tree Expert Company of Fairfax, Iowa, in an amount not to exceed \$171,000 for 2013/14 Line Clearance Program
  17. RESOLUTION NO. 13-256 awarding contract to Klean Rite of Ames, Iowa, for Custodial Services for Ames City Hall in the amount of \$56,940 per year, plus \$20 per hour for emergency callback and additional work, as authorized
  18. RESOLUTION NO. 13-257 approving contract with Houck Transit Advertising of St. Paul, MN, for interior and exterior bus advertising
  19. RESOLUTION NO. 13-258 approving contract and bond for 2012/13 Downtown Street Pavement Improvements (Clark Avenue and Gilchrist Street)
  20. RESOLUTION NO. 13-277 approving contract and bond for Water Treatment Plant Five-Year Well Rehabilitation Project (Year 2)
  21. RESOLUTION NO. 13-259 approving Change Order No. 5 in the amount of \$25,304 with NAES Corporation for Power Plant Steam Turbine No. 8 Overhaul
  22. RESOLUTION NO. 13-260 approving revised Preliminary Plat for South Fork Subdivision
  23. RESOLUTION NO. 13-261 accepting completion of Intermodal Facility and authorizing release of retainage
  24. RESOLUTION NO. 13-262 accepting final completion of 2010/11 Water System Improvements Water Main Replacement (South Duff Avenue)
  25. RESOLUTION NO. 13-263 accepting final completion of Emergency Relief Projects (S. Dayton Avenue, 6<sup>th</sup> Street Bridge, and Lincoln Way Bridge at Squaw Creek)
- Roll Call Vote: 5-0. Resolutions/Motions declared adopted/carried unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**PUBLIC FORUM:** No one requested to speak.

**ENCROACHMENT PERMIT FOR BELLA HAIR SALON:** Moved by Goodman, seconded by Davis, to approve an Encroachment Permit for a sign for Bella Hair Salon at 2526 Lincoln Way. Vote on Motion: 5-0. Motion declared carried unanimously

**CLASS B BEER PERMIT FOR KING BUFFET OF AMES:** Moved by Davis, seconded by Goodman, to approve a Class B Beer Permit for King Buffet of Ames, 1311 Buckeye Avenue, Ste. B. Vote on Motion: 5-0. Motion declared carried unanimously.

**2825 EAST 13<sup>TH</sup> STREET:** City Planner Karen Marren recalled that Council had referred to staff a letter from I&S Group, Inc., seeking a waiver of subdivision standards for the property located at the northwest corner of the intersection of Interstate35 (I-35) and East 13th Street. Turn Key Investments, LLC, property owner, is proposing a subdivision of land for the construction of a new Burger King restaurant and is subject to the provisions of the City's subdivision regulations.

According to Ms. Marren, the proposed division of land is a two-lot split of approximately 1.23 acres of land abutting the off-ramp from southbound I-35. The existing commercial building on

the site will remain with the new lot created between the building at 2811 East 13th Street (Credit Union) and the existing building on the subject property. The new lot will have a shared access with the two adjacent properties.

Ms. Marren stated that I & S Group, Inc., on behalf of Turn Key Investments, is requesting a waiver of the design and improvement standards otherwise applicable for the proposed subdivision. According to Ms. Marren, in this case, only the extension of the sanitary sewer main and the construction of the required sidewalk are necessary since the site already meets the other requirements of the City's Subdivision Code. The applicant requested the waivers for the following reasons: (1) There is no connection to existing sidewalk abutting the subject lots to make a connection with any new sidewalk. (2) The proposed extension of the existing 8" sanitary sewer main would only serve the two-lot subdivision since the property abuts the I-35 Interchange and the expansion of any new development east of the interchange would require a much larger main for service. (3) Due to the required installation of the sidewalk and the extension of the sanitary sewer main, the development would be required to be processed as a Major Subdivision, requiring Preliminary and Final Plats. If the waivers are approved, the subdivision could be processed as a Minor Subdivision and be approved administratively. Ms. Marren cited the *Municipal Code* sections that give the City Council authorization to waive the sanitary sewer requirement and defer the sidewalk requirement.

According to Planner Marren, advanced planning and engineering work associated with the former regional commercial development determined that the eastward extension of the shared use path should be put on the south side of East 13th Street. Due to that, staff believes that the waiver of the sidewalk installation requirement may be appropriate since there are no current plans to have a sidewalk connection along the north side of East 13th Street in this area. Ms. Marren advised that, if Council desires to retain the option of having sidewalks installed along the north side of East 13th, a deferment in the installation of the required sidewalk could be approved until such time as a sidewalk connection to the subject property is approved.

Ms. Marren stated that, with regard to the request to waive the sanitary extension, the intent of the *Code* is to allow for future connections beyond the property being developed. However, engineering designs for the regional commercial development east of I-35 indicated that a larger sewer main than the 8" main that current exists will be required to functionally service the size and type of development there. The Subdivision proposed on the subject property is the full extent of the development west of the I-35 interchange.

In addition, Ms. Marren noted that, due to time constraints, the applicant proposed development of the property under the approval of a Minor Site Development Plan as one single lot with two conforming buildings with shared parking (the existing building plus the addition of the new Burger King site). Once the property is developed with the new building, and if approved by the Council, the applicant would then file the proposed Minor Subdivision to split the two lots. According to Ms. Marren, City staff is recommending that, if Council agrees to the waiver requests, the approval should be conditioned with a time frame of 12 months to file the application for the Minor Final Plat for the subdivision of the lot. If the Council does not agree to the request for the waivers, the Subdivision would need to be processed as a Major, which would include the installation of the sidewalk and sanitary sewer extension.

Council Member Orazem asked what would trigger the installation of sidewalk in front of 2825 E. 13<sup>th</sup> Street if the City Council deferred its installation. Ms. Marren advised that if the properties

to the east of the property in question were subdivided and sidewalks were required, the City Council could order the installation of the sidewalk for 2825 E. 13<sup>th</sup> Street.

Glenn Hunter, 204 W. Broad Street, Story City, Iowa, stated that he was representing the developer of 2825 E. 13<sup>th</sup> Street. Council Member Goodman asked Mr. Hunter if the developer would have any issues if sidewalk installation were deferred and not waived. Acting Planning and Housing Director Bob Kindred advised that the City had, in the past, required a form of security guaranteeing the installation of sidewalk at a point in time when the City deemed necessary; in other cases, a signed Sidewalk Agreement had sufficed. Mr. Hunter stated that the developer would prefer that the sidewalk installation be waived, not deferred. He noted that there is no existing sidewalk abutting the subject lot to make a connection to, and in addition, the area in question abuts the off-ramp from southbound Interstate 35, so there would be no further development, and thus, no sidewalk on that side.

Moved by Szopinski, seconded by Goodman, to adopt RESOLUTION NO. 13-264 approving the waiver request for the extension of the sanitary sewer and approving deferment of the sidewalk installation along the frontage of the property along East 13<sup>th</sup> Street, with the following conditions:

- a. An agreement will be executed between the property owner/developer and the City to ensure the future installation of the sidewalk; and,
- b. The application for subdivision must be filed with the City within 12 months of the waiver approval.

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

**URBAN REVITALIZATION CRITERIA FOR ROOSEVELT SCHOOL ADAPTIVE REUSE:**

Acting Planning and Housing Director Kindred recalled that, on May 14, 2013, the City Council had referred to staff a letter from Dean Jensen of Real Estate Service Group Incorporated (RESGI) requesting that the Council direct City staff to prepare a new Urban Revitalization Area designation for the adaptive reuse of the former Roosevelt School building at 921 9th Street. According to Mr. Kindred, *Code of Iowa* Chapter 404.1 provides authority for municipalities to establish Urban Revitalization Areas and associated plans as the mechanism for providing tax abatement in a variety of areas.

Planner Ray Anderson presented the following options for the City Council to consider as qualifying criteria for designating the Roosevelt School site as an Urban Revitalization Area.

1. The criteria include elements that were adopted for the West University Impacted Area. Tax abatement for that area facilitated renovation of the Iowa House Bed and Breakfast. An area would be considered for establishing an Urban Revitalization Area and Plan if one of the properties meets all of the following criteria:
  - a. The property includes a former public school building that is no longer used as a school; and,
  - b. The National Park Service has determined that one or more of the properties has a structure that meets the National Register Evaluation Criteria; and,

- c. Improvements are being made to one of the National Register eligible structures which preserves 70% or more of the area of existing exterior walls of the structure or restores or restores original historic materials and designs.

Mr. Kindred pointed out that Greek houses that receive tax abatement are also required to preserve 70% or more of the area of existing exterior walls. This standard is intended to conserve the architectural character of a neighborhood when the neighborhood is not designated as an historic district, as is the case in the East University Impacted Area.

2. The criteria are the same as those adopted for the West University Impacted Area, except that the Secretary of the Interior's Standards for Rehabilitation replaces Criterion "C." An area will be considered for establishing an Urban Revitalization Area and Plan if one of the properties meets all of the following criteria:
  - a. The property includes a former public school building that is no longer used as a school; and,
  - b. The National Park Service has determined that one or more of the properties has a structure that meets the National Register Evaluation Criteria; and,
  - c. The Secretary of the Interior's Standards for Rehabilitation from the U.S. Department of the Interior, National Park Service, are followed. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

Mr. Anderson noted that the Secretary of the Interior's Standards are included in Chapter 31 of the *Municipal Code* and must be followed for all historic properties that have been designated as a local historic landmark, or are located in a local historic district. The Standards are also required for properties listed on the National Register that receive federal funding and for all properties that receive State or Federal tax credits. They are recommended for all other properties listed on the National Register for all maintenance, repair, replacement, alterations, or additions to the historic structure.

3. The criteria are the same as those adopted for the West University Impacted Area, except that the City's Performance Standard for Adaptive Reuse that specifically deals with essential architectural features would replace Criterion "C." An area would be considered for establishing an Urban Revitalization Area and Plan if one of the properties meets all of the following criteria:
  - a. The property includes a former public school building that is no longer used as a school; and,
  - b. The National Park Service has determined that one or more of the properties has a structure that meets the National Register Evaluation Criteria; and,
  - c. The renovation and remodeling of structures will not destroy or obscure essential architectural features. In addition, such architectural features must be enhanced to the extent that it is feasible and prudent to do so.

4. The criteria were suggested by the owner of the Roosevelt School property in his letter to City Council requesting the URA designation. An area would be considered for establishing an Urban Revitalization Area and Plan if one of the properties meets all of the following criteria:
  - a. The building is no longer occupied as a public school and has not been converted to another use, prior to designation as an Urban Revitalization Area; and,
  - b. The building is currently is a blighted condition; and,
  - c. The building is listed on the National Register of Historic Places; and,
  - d. A maximum of 23 units will be included in conversion of the building from a school to a residential use; and,
  - e. A parking structure (garage) will be provided on site; and,
  - f. At least 70% of the existing exterior brick walls of the structure will remain and historic materials will be preserved or adaptively reused.
5. Criteria for this option would be any modification of criteria from the previous four options, as determined by the City Council.

According to Planner Anderson, to address RESGI's request, the City Council must first determine whether the Roosevelt School site meets that criteria. If Council determines that Roosevelt School site meets the State criteria, the next step in designating the site as an Urban Revitalization Area (URA) would be for Council to decide upon a policy establishing qualifying criteria.

City Attorney Judy Parks clarified the steps in the process to establish an Urban Revitalization Area. She advised that the first step, under *Iowa Code*, was to determine whether or not the property was eligible to become an URA. The second step would be to determine the criteria to be met. In order to become eligible, the area must be determined to have a predominance of buildings or improvements which, by reason of age, history, architecture or significance should be preserved or restored to productive use.

Dean Jensen, 2519 Chamberlain Street, Ste. 101, Ames, identified himself as the developer of the former Roosevelt School. He read *Iowa Code* Section 404.1 pertaining to Urban Revitalization Areas and believes that his property is eligible. Mr. Jensen stated that he will not be applying for state or federal tax credits because there is a requirement that the owner must hold the property for a significant period of time. Because he is not planning on retaining the property, it would not qualify for state and federal tax credits. According to Mr. Jensen, the property will be developed as a condominium, and the individual units will be sold.

Mr. Jensen pointed out that, after redeveloped, property taxes will be collected on this property for the first time. He estimates that approximately \$3.5 million of new tax dollars will be collected. The developer said he intends to pass along the savings from any tax abatement to the buyers of the units in the condominium.

Council Member Goodman asked Mr. Jensen if he would continue with the project if tax abatement were not granted. Mr. Jensen advised that he would be moving forward with the project regardless of whether or not tax abatement was granted. He further stated that he was requesting tax abatement due to the unique nature of this adaptive reuse project. Council Member Orazem said that he felt this was a risky project for the developer. He sees the project as an investment in the public good of the neighborhood and the community. Mr. Orazem indicated that he preferred Option No. 1 as it was most consistent with previous actions taken by the Council.

Council Member Szopinski disagreed with the need for tax abatement. She asked why this property was different than developing someplace else, stating that what Mr. Jensen is proposing for the property looks to be very marketable.

Sharon Wirth, 803 Burnett Avenue, Ames, encouraged the Council to consider granting tax abatement for the property. She sees it as indicating support for historic preservation as the property has been listed on the Historic Register. Ms. Wirth recalled that approximately one year ago, discussions of demolishing the building were held. It is Ms. Wirth's opinion that there are a lot of unknowns when a building is rehabilitated; there will be unexpected expenses incurred, and the developer is taking a risk because of those unknowns.

Speaking as the Chairperson of the Historic Preservation Commission (HPC), Ms. Wirth stated that the HPC did not have an official recommendation for the City Council. She noted that the HPC is always looking to the Secretary of the Interior's Standards for historic preservation; therefore, she felt comfortable supporting Option No. 2. According to Ms. Wirth, the HPC did urge the Council to move ahead with the adaptive reuse of the former Roosevelt School building; therefore, she also felt comfortable supporting Option No. 3.

Gloria Betcher identified herself as the Interim Executive Director of Preservation Iowa, 531 Hayward Avenue, Ames. She urged the support of the Council for tax abatement on this project. In Ms. Betcher's opinion, the project is about showing an investment in the future of the neighborhood and reusing an historic building. According to Ms. Betcher, Preservation Iowa would support the Secretary of the Interior's Standards (Option No. 2). She believes that Option No. 3 would also be desirable as there is potential for an historic district around the property. Ms. Betcher advised that she did not support Option No. 1 as what might be necessary for a Greek house would not be the same for this project.

Moved by Davis, seconded by Orazem, to determine that the area meets the definition of *Code of Iowa* Chapter 404.1 and designate the area as an Urban Revitalization Area.

Council Member Goodman stated that he would not support the motion as he felt that it was more appropriate to develop the criteria first. He indicated that he was supportive of the project, but wanted to know what would be expected first.

Vote on Motion: 3-2. Voting aye: Davis, Larson, Orazem. Voting nay: Goodman, Szopinski. Motion declared carried.

Moved by Davis, seconded by Larson, to support Option No. 3.

At the request of Council Member Orazem, Acting Planning and Housing Director Kindred further explained Option No. 3, i.e., the area will be considered for establishing an Urban Revitalization Area and Plan if one of the properties meets all of the following criteria:

- a. The property includes a former public school buildings that is no longer used as a school; and,
- b. The National Park Service has determined that one or more of the properties has a structure that meets the National Register Evaluation Criteria; and,
- c. The renovation and remodeling of structures will not destroy or obscure essential architectural features. In addition, such architectural features must be enhanced to the extent that it is feasible and prudent to do so.

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

**HEARING ON REVISION TO AMES MUNICIPAL CODE SECTION 13.402(3)(F) TO CLARIFY TIME PERIOD FOR NON-COMPLIANT RENTAL HOUSING CONDITIONS:**

Mayor Pro-Tem Larson opened the hearing. There being no one who wished to speak, the hearing was closed.

Moved by Davis, seconded by Szopinski, to pass on first reading an ordinance modifying *Ames Municipal Code* Section 13.0402(3)(f) by removing the June 30, 2013, date and allowing Retroactive Conversion Permits, Board Variances, or Administrative Approvals to continue to be accepted through the first rental inspection cycle.

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

**HEARING ON ZONING TEXT AMENDMENT PERTAINING TO SHARED COMMON LOT LINE GARAGES:**

The public hearing was opened by Mayor Pro-Tem Larson. No one asked to speak, and the hearing was closed.

Moved by Davis, seconded by Szopinski, to pass on first reading an ordinance that would allow for shared common lot line garages under the following conditions:

1. Shared common lot line garages and accessory structures should only be permitted for lots in which an existing common lot line garage or accessory structure exists, or on lots where substantial proof can be submitted showing that a shared common lot line garage or accessory structure had previously existed.
2. The structure should not be allowed in the front yard or within the side yard setback adjacent to the public right-of-way in the case of corner lots.
3. In the case of a corner lot a garage or accessory building should be set back a minimum of 25 feet from the abutting streets.
4. A detached garage or accessory building on a lot with a one-story principal building should not exceed the height of the principal building.

5. Detached garage or accessory buildings on a lot with a principal building that is taller than one-story should not exceed 80% of the height of the principal building or 20 feet, whichever is lower.
6. The structure should not exceed a maximum of 1,200 square feet shared between the two properties.
7. The cumulative garage door width should not exceed 18 feet per lot. Doors less than eight feet in width, such as for lawn and garden equipment, would be exempt from this requirement.

Roll Call Vote: 5-0. Motion declared carried unanimously.

**HEARING ON REVISED MASTER PLAN FOR LOT 79 OF RINGGENBERG PARK SUBDIVISION:** The hearing was opened by Mayor Pro-Tem Larson.

City Planner Jeff Benson recalled that, on July 12, 2005, the City Council approved rezoning and a Master Plan for property located at the southwest corner of Cedar Lane and Oakwood Road, which became Lot 79 of the Ringgenberg Park Subdivision. The approved zoning designation is FS-RM (Suburban Residential Medium Density), and the Master Plan provided for 130 multi-family dwelling units on the 17.4-acre site. The property owner Friedrich Development recently submitted a revised Master Plan for the property which differed from the approved Master Plan in the following elements:

1. The size of the subject property is reduced from 17.4 to 16.14 acres, due to dedication of street right-of-way along Oakwood Road.
2. The number of proposed multi-family buildings is reduced from 13 to 12.
3. The maximum number of proposed dwelling units is increased from 130 units to a maximum of 144 units (12 per building), an 11 percent increase.
4. The net density of the proposed development is increased from 10.12 units per acre to 11 units per acre, a nine percent (9%) increase.
5. Setback of buildings from the centerline of Oakwood Road is changed from 150 feet to a range of approximately 120 feet to 170 feet.
6. All access from Suncrest Drive is removed and one access from Oakwood Road is added.
7. Parking is moved from the perimeter to the interior.
8. The landscape area is reduced slightly, but a significant portion of the open space is moved from the interior to the perimeter of the site.
9. The width of landscape buffers is not specified.
10. Mid-block walks are added connecting to walks to the south.

11. The buildings change from ten units in the two-story, “big house” design concept to more conventional two-story, 12-unit multi-family buildings.
12. The proposed uses are permitted in the FS-RM zoning district with City Council approval of the revised Master Plan. The Master Plan is intended to be a general conceptual plan, recognizing that other codes and standards of the City will need to be met and that further detail will be provided in later steps of the process, including the required Preliminary Plat and Major Site Development Plan. Both of these plans also require City Council approval.

Mr. Benson reiterated that a Master Plan is intended to be a general conceptual plan, recognizing that there are several other steps in the development process when a plan with more detail come before the Council for approval. Because the Master Plan that was approved in 2005 was fairly detailed, the developer submitted a revised Master Plan with similar detail. According to Mr. Benson, staff reviewed the proposed Master Plan in the context of the goals and objectives of the Land Use Policy Plan relevant to this project and concluded that the proposed plan is compatible with the City’s Land Use Policy Plan. Staff also concludes that the proposal is consistent with the purpose of the Suburban Residential zoning district, which is to accommodate contemporary development patterns similar to development in the past 20 to 30 years. In order for the Master Plan to be consistent with the Suburban Residential Development Principles and Regulations, staff recommended that the revised Master Plan be approved with the following conditions:

1. Various Development Agreements provide for the bike path along the west side of Cedar Lane and the south side of Oakwood Road from the northeast corner of the site to the northwest corner of the site, including the frontage of the Ringgenberg farmstead.
2. As traffic in this southwest part of Ames increases, a turn lane on Oakwood Road may be needed, for which Developer will deposit \$80,000 into an escrow account. The deposit will be made on a pro-rated basis as the dwelling units on the north side of this property are completed.
3. In order to meet net density requirements, Outlot A should be designated both as Common Open Space and Future Development. It can be developed at a later time only after City Council approves a Master Plan and/or Plat documents that remove the Common Open Space Designation.
4. The revised Master Plan should include the following landscape buffers of trees and shrubs, which are shown on the current approved Master Plan. All are to be installed with occupancy of the first residential units. These include the following buffers: X 50 feet on the north outside of the area planned for future utility line installation X 60 feet on the west X 20 feet on the east and south.
5. The proposed revised Master Plan shows building footprints with the shorter façade of each building facing either Oakwood Road or Sunset Drive.
6. The buildings will be two-story buildings.

According to Mr. Benson, there is a Development Agreement already in place that provides for completion of the bike path along the frontage of the property in question, including the farmstead

on the south side of Oakwood Road, and requires monies be deposited into an escrow account for a turn lane on Oakwood Road.

Mr. Benson stated that, on May 15, 2013, the Planning and Zoning Commission considered the proposed revised Master Plan. Input was received from a representative of Iowa State University (ISU) and members of the public. Members of the Commission and/or members of the public present at that meeting raised the following questions and concerns:

- Potential traffic impacts and whether previous studies need to be updated
- Timing of completing the bike path along Oakwood Road
- Liability for ponds
- Why the plan has changed
- Storm water issues

According to Mr. Benson, the Planning and Zoning Commission ultimately recommended that the City Council approve the revised Master Plan, with the conditions suggested by City staff and an additional condition, i.e., consideration should be given to concerns that were raised relative to the bike path, traffic impact, drainage issues, and intersection locations. Planner Benson noted that additional information had been provided to the City Council on those issues. He asked Tracy Warner, Civil Engineer, to summarize the history of those four key issues.

Pertaining to the bike path question, Ms. Warner advised that representatives of the City, University, and developer have met several times since the public meeting and have made progress on determining where and how the bike path can be constructed. She specifically noted that the cooperation of Iowa State University in implementing the project had been instrumental in the progress that had been made to extend the section along Oakwood Road. With the reconstruction of State Avenue, there will be a widened shoulder that will allow for somewhat of a separation, yet sharing, of the road with bicyclists in the area up to Mortensen Road. Regarding timing of completion of the bike path along Oakwood Road, Ms. Warner advised that the City has had that project in mind for some time; finalization of design could move forward rather quickly. At the inquiry of Council Member Goodman, Ms. Warner answered that there are no plans to add curb and gutter to the section of Oakwood Road that had formerly in the County.

Pertaining to potential traffic impacts, Ms. Warner stated that, before the rezoning of this property in 2005, a traffic impact study was completed, which took into consideration 200 single-family and 210 medium-density homes. Based on that study, Cedar Lane has been constructed and a Development Agreement is in place providing funding for a turning lane at Cedar Lane if it is needed in the future. Since then, ISU purchased 40 acres on the south portion of Ringgenberg Subdivision; therefore, there are 113 single-family lots versus the 200 that the Traffic Study took into account and 144 units with medium density, instead of 210. In addition, the intersection of Airport Road/Oakwood/University has been studied with some of the Research Park requests, and it is currently functioning at very acceptable levels. In 2010, the Long Range Transportation Plan was approved. As part of the basis for future transportation planning, it included the residential development of this property and the other property planned for future Urban Residential land use between Ringgenberg Park Subdivision and University Boulevard. Other than the planned extension of Cottonwood Road connecting to University Boulevard as properties develop, the Plan did not identify any future roadway projects needed in this area.

According to Ms. Warner, storm water management is addressed in detail at the time of the filing of the Preliminary Plat and site plans. The drainage pattern of the subject property is from south to north. It is a separate drainage area than the south portion of Ringgenberg Park Subdivision that has been developed with single-family detached homes. A portion of the property drains to the existing storm sewer on the south side of Oakwood Road. Due to localized flooding in this area during the severe storm events of 2010, federal funding was sought to improve this system, but was not received. During the platting process, plans will be developed and presented for City Council approval to manage the storm water consistent with the Ordinances, Codes and standards of the City. Ms. Warner noted that the medium-density site is divided into two different sub-watersheds; part of it will be draining to the northwest and a portion of it will go to the northeast where there is an existing 12-inch storm sewer pipe that goes into the storm sewer pipe that ties into the network that was installed in Oakwood Road in 1996. She noted that the submitted revised Master Plan includes a lot more detail pertaining to storm water management than staff normally sees at this stage.

Planner Benson advised that staff believes that the issues raised by the Planning and Zoning Commission had been considered and recommended that the revised Master Plan be approved with the following modifications:

- a. Outlot A to be designated both as Common Open Space and Future Development;
- b. Add the following widths to the landscape buffers:
  - I. 50 feet south of the Oakwood Road right-of-way
  - ii. 60 feet on the west
  - iii. 20 feet on the east and south
- c. Add note that all landscape buffers are to be installed with occupancy of the first residential units;
- d. Add note that no buildings will exceed two stories;
- e. Add note that a shorter façade of each building shall face either Oakwood Road or Sunset Drive;

Kurt Friedrich, Friedrich Development, 100 Sixth Street, Ames, showed the Council the revised Master Plan, which included landscaping components. He stated that more details will be provided in the Preliminary Plat and Major Site Development Plan.

Mr. Friedrich read letters of support that he had received from neighbors who own homes in Ringgenberg Park Subdivision. He also noted that he had received letters of support from Dr. Tim Taylor, Ames Community School District; Steve Carter, ISU Research Park; Dan Culhane, Ames Economic Development Commission; and Mike Roof, Beringer Engelheim.

According to Mr. Friedrich, to-date 109 single-family homes had been built in the Ringgenberg Subdivision, 72 single-family homes in Suncrest Subdivision (to the east), and it is hoped that 34 single-family lots will come soon on the Christofferson Subdivision piece. When Friedrich purchased and established the plan for the development of the area in question, the north end was zoned for medium density from the beginning. It is estimated that this project will bring in an additional tax base to the City of \$12 to \$14 million. According to Mr. Friedrich, apartments had been built in Ames as condominiums since the late 1990s; condominiums may be sold as individual units or rented. Mr. Friedrich advised that today's market calls for rentals by

professionals and young families, as it is becoming more difficult for young people to finance condominiums.

Mr. Friedrich advised of the Friedrich Realty's tenant make-up of its nearly 300 rental units. Of those units, 35% are occupied by families; 53% are occupied by professionals, single persons, and/or retired persons; 8% by graduate students; and, only 4% of their tenants are under-graduate students, all of whom have co-signors. That sort of demographic is expected to exist in the proposed Ringgenberg condominiums. According to Mr. Friedrich, this part of the community is rapidly growing. There is only one option for rentals in this area, which is Wessex, and Wessex is full with a waiting list. He stated that Friedrich Realty will be owning and managing all of the rental units in this development. The property in question is the last medium-density-zoned property in Ames. The demand is there now, and it is important that the City get started on this project to meet that need so that Ames does not lose residents to other communities.

The original Master Plan was shown to the Council. Mr. Friedrich explained the changes that were being requested to the Plan. He said that they plan to start with the first five buildings on the west side of the property. According to Mr. Friedrich, the developer feels that the changes that they are proposing to the Master Plan are critical to the success of the project and actually improve the development for the vast majority of owners. After meeting on the drainage issues with the City; Steve Jones, a well-known storm water expert; and neighbors, Mr. Friedrich felt that the majority of those in attendance at that meeting felt that the Plan was a good plan. He stated that there is 57% open space in the planned development and he is "more than willing" to continue to have dialog about drainage. If it is deemed appropriate, the size of the detention areas could be enlarged. It was also pointed out by Mr. Friedrich that, after the sale of some of the land to ISU, anticipated traffic will be less due to the fewer number of residential units (210 versus 144). According to Mr. Friedrich, the developers had met with Cathy Brown, a representative of ISU, and it is the developer's desire to get started immediately on the construction of the bike path from Wessex to State Avenue. Mr. Friedrich believes housing diversity is good for the community; it has been a part of Ames for the past 85 years. He pointed out that 60% of Ames' population rents.

Kim Townsend, 2609 Timberland Road, Ames, told the Council that "this was not about fear of change; it was about a commitment that was made to the community and a trust that has been broken." Ms. Townsend gave a Power Point presentation outlining in detail the history of the area in question since 2004-05, the currently approved Plan (big-house condos), and the new proposed Plan. She noted a signed petition of 146 signatures of persons in the neighborhood stating that they preferred the low-density residential-type development that had been presented earlier to them. Also referenced by Ms. Townsend was a letter sent to her by Robert Friedrich, Jr., on January 11, 2005, initiating the big-house concept with the community. Ms. Townsend showed past renderings of building elevations that had been shown to the residents in 2005. According to Ms. Townsend, the residents "bought in" to what was being shown to them: the variations in the shape and footprint, which made the residents feel like they were residential homes. Ms. Townsend feels that there is no residential feeling with the new Plan; there is no transition to the existing neighborhood. She said this is not about just wanting low-density; it is about what fits with the existing neighborhood. She referenced the supplemental information that she had provided to the Council members and asked them to deny the proposed revised Master Plan based on the information and petitions that she had provided.

Leonard Bond, 2601 Oakwood Road, Ames, said that he was concerned that the “ground rules seemed to be changing.” He noted some of the statements that had been told to the neighbors by the developer at previous meetings and what had been stated and shown tonight. Mr. Bond believes that there is a potential for negative property tax impacts for current adjacent property owners. Issues regarding drainage still remain as do the concerns over light pollution.

Chris Williams, 2311 Cottonwood Road, Ames, said he would focus his comments on traffic engineering, a field that he has worked in. He noted that he had two advanced degrees in Traffic and Transportation Planning and Highway Engineering and cited projects that highlighted his expertise. Mr. Williams said that he is concerned about the revised Plan as he believes it is a matter of shared liability when traffic accidents occur. In Mr. Williams’ opinion, the proposed Plan does not meet current design standards and best practice. He believes that the currently approved Plan mostly meets design standards and best practice, with the exception of Suncrest. Mr. Williams provided information to the Council on transportation land development. Specifically regarding traffic, Mr. Williams pointed out that the currently approved plan (130 Units) would constitute 715 trips/day. The proposed plan (144 Units) would constitute 792 trips/day. If the homestead is removed, and a total of 180 units are developed, it could result in a 38% increase in traffic (990 trips/day). Mr. Williams cautioned about making a curb cut on Oakwood, which is an arterial street, stating that that would not constitute best practice. Also, according to Mr. Williams, the proposed bike path has conflict points next to an arterial with currently inadequate highway/street design. The alternative path has conflict points at appropriately designed collectors at lower speeds. Mr. Williams noted that the Long-Range Transportation Plan calls for extending Cottonwood to University Boulevard. In his opinion, when safety is considered in residential subdivision design, “the internal street system is to be discontinuous so to discourage through-traffic from penetrating the subdivision;” that represents a safety issue.

John Haila, 2408 Suncrest, Ames, said that he moved to the area about a year and a half ago. When he moved to the area, he knew that there would be additional development in the area and has no problem with additional development. Mr. Haila told the Council that he had not seen the original Master Plan until a few months ago, but he liked that Plan. He is very disheartened by the proposed revised Plan as it looks to be more of an apartment-type complex and would not be a good fit for the neighborhood. Mr. Haila advised that his main objections are from the standpoint of the change in the design of the site, its lay-out, and its lack of fitting in with the neighborhood. He requested that the Council take into consideration that, eight years ago, the residents spent a great deal of time with Bob Friedrich to develop a concept, a Plan, and exterior appearance. Mr. Haila asked that the City Council request the developer to revisit the exterior design and site lay-out to fit better with the neighborhood. Since the developer is willing to have additional discussion regarding storm water detention, Mr. Haila asked that the discussion also include landscaping and overall site design.

David Bovenmyer, 2611 Woodview Drive, Ames, stated the he much preferred the big house concept and supported all those who had previously spoken. He would like to see the design be more like originally agreed to by the residents and one that would be a better fit for the neighborhood.

Mike Bryant, 2516 Woodview Drive, Ames, said that he shared some of the concerns already expressed; however, he had a much larger concern. His home lies downstream from the proposed development. Approximately 15 years ago, there was a large problem with drainage, and the City

addressed it and solved it by installing a 30" line on the south side of Oakwood Road that ran east to what was then Elwood Drive and then south. In August 2010, water came over Oakwood Road. Mr. Bryant said that the situation changed when Cedar Lane was cut down and made into curb and gutter. The line that began at Woodview Drive was extended under Cedar Lane into the Ringgenberg Farm. Mr. Bryant told the Council that the system in place is not capable of "taking one more drop of water." In 2010, water came out of the intake that was the beginning point. The water that came over Oakwood Road was four inches deep and 150' to 175' wide. Water went in through basement windows. According to Mr. Bryant, what is being contemplated is changing Oakwood Road; however, that is their dam to hold back the water. He implored the Council not to allow that to happen.

Tim Morris, 2409 Suncrest Drive, Ames, said that he had many of the same concerns that had already been brought forth. He does not want traffic to be diverted into the neighborhood.

Mike Stott, SP & A Architects, 1421 South Bell, Ames, said that his firm had been retained to prepare an architectural plan for the condominiums. He said that the developer is extremely adamant that they provide a good product. The direction given to him was to use a lot of stone and masonry; a Prairie Style upscale look for the buildings. The condominiums will be very high-end "almost luxury" type of housing. Mr. Stott advised that the developer wants to address the issues.

Mayor Pro-Tem Larson closed the hearing when no one else requested to speak.

Planner Benson pointed out that the next step, regardless of whether the revised Master Plan is approved or not, is a Major Site Development Plan, which is more detailed and includes elevations. He noted that Master Plans are generally less detailed.

Ms. Townsend said that the plans showing elevations were presented at the hearing on the original Master Plan in 2005. Mr. Benson said that elevations were not required, and those were presented to show what the concept for the buildings were at that time. The Resolution approving the Master Plan at that time did not include approval of any elevations or architectural style. Council Member Goodman said that the elevations and architectural drawings may not have been required as part of the Master Plan; however, the developer presented them in 2005, and he, as a Council Member at that time, felt that the drawings were indicative of what was to be built.

Council Member Goodman specifically asked Kurt Friedrich if he would be willing to dig deeper into the possible impacts of drainage and possibly explore going beyond the Code expectations. Mr. Friedrich confirmed that he would be willing to do that.

Mr. Goodman also asked Mr. Friedrich if he would be willing to meet with the neighbors to discuss the things that they were not comfortable with. Mr. Friedrich said that he would not be opposed at sharing with the neighbors as the design plans develop. He noted that they have a couple architectural plans that they are considering and would be happy to share the products that are being worked on and try to come up with something that everyone can be proud of. Mr. Friedrich noted, however, that he feels strongly that what they are working on is what the market wants. He believes that the big house concept is really not what is desired in the Ames marketplace. With an investment of \$12 - 14 million, he wants to have control over what is being designed and built. They are the stewards of the properties that have to be rented and sold to the public, and they must be comfortable with their product.

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 13-266 approving the revised Master Plan with the following modifications to the Plan:

- a. Outlot A to be designated both as Common Open Space and Future Development
- b. Add the following widths to the landscape buffers:
  - i. 50 feet south of the Oakwood Road right-of-way
  - ii. 60 feet on the west
  - iii. 20 feet on the east and south
- c. Add a note that all landscape buffers are to be installed with occupancy of the first residential units
- d. Add a note that no buildings will exceed two stories:
- e. Add a note that a shorter façade of each building shall face either Oakwood Road or Sunset Drive;

and in addition, ask that staff have a non-binding discussion with the developer about going above the existing storm water requirements and that the developer have a discussion with neighbors on traffic lay-out and design elements of the project.

City Manager Schinker asked for clarification of the motion. Mr. Goodman said that, in his motion, he intentionally included City staff in the discussion of storm water issues. He preferred that the neighbors and the developer have a discussion first on traffic and design elements. City staff would be involved ultimately in that discussion regarding what was required by Code.

Mr. Larson said he could support the motion as long as it was noted that it would be a non-binding discussion between staff and the developer. He felt that the general public should not be micro-managing when the developer is investing \$12 - 14 million. The City has a broad responsibility to ensure that the public is served and the Code is consistently followed. He can support a recommendation that people work together in an attempt to make as many people happy as possible.

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

The meeting recessed at 10:00 p.m. and reconvened at 10:07 p.m.

**HEARING ON 2012/13 CYRIDE ROUTE PAVING IMPROVEMENTS NO. 2 (TODD DRIVE):**

Mayor Pro-Tem opened the hearing and closed same after no one came forward to speak.

Moved by Davis, seconded by Orazem, to adopt RESOLUTION NO. 13-267 approving final plans and specifications and awarding a contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$201,992.08.

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

**HEARING ON RESOURCE RECOVERY PLANT PRIMARY SHREDDER REPLACEMENT:**

The public hearing was opened by Mayor Pro-Tem Larson. He closed the hearing as no one requested to speak.

Moved by Davis, seconded by Szopinski, to adopt RESOLUTION NO. 13-268 approving reallocation of programmed funding.

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

Moved by Davis, seconded by Szopinski, to adopt RESOLUTION NO. 13-269 approving final plans and specifications and awarding a contract to A-Lert Construction Services of Fredonia, Kansas, in the amount of \$1,310,100.00.

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

**UPDATE ON ANNEXATION OF 2212 OAKWOOD ROAD (CHRISTOFFERSON):** Planner Benson stated that, on May 28, 2013, the City Council held a public hearing regarding the voluntary annexation of property at 2212 Oakwood Road, which is owned by Floyd and Anna Christofferson. After the public hearing, the Council approved Resolution 13-228 approving this voluntary annexation. Having heard concerns from neighbors regarding storm water run-off in the area, Council also directed staff “to work with the developer and neighbors to explore going beyond existing Codes with regard to storm water management and to look at additional expectations to protect future and adjacent properties.” Three days following the Council’s approval of the annexation, on May 31, 2013, a letter was delivered to the City Manager’s Office by Floyd and Anna Christofferson withdrawing their application for annexation of their property at 2212 Oakwood Road.

City Manager Schainker pointed out that *Iowa Code* allows either the property owner or the applicant to withdraw a voluntary annexation application within three days of the public hearing.

Council Member Goodman said that the annexation in question was exactly the type that the City prefers. He asked if additional conversation was going to occur in the future.

Civil Engineer Warner advised that, as directed by City Council, on June 6th, Public Works staff held a meeting to discuss storm water management concepts of the proposed Christofferson development as they relate to concerns from the adjoining existing subdivisions. In addition to staff, those in attendance included Kurt Friedrich, Scott Renaud (developer’s engineer), Steve Jones (engineer hired by Chris Williams), Mark Stephenson (Oakwood Church), Marty Martinez (2311 Suncrest), and Brian Birkland (2914 White Oak).. Chris Williams, who previously spoke before City Council regarding the annexation, was invited, but indicated that he was unavailable to meet on this subject before July. Floyd Christofferson had accepted the invitation, but at the last minute was unable to attend. A summary of the discussion, including possible storm water management improvements, was provided by Ms. Warner.

Council Member Davis asked Mr. Schainker if staff would be willing to meet with Floyd Christofferson to inform him of the discussions that had occurred. City Manager Schainker said that City staff would again attempt to meet with Mr. Christofferson.

Mayor Pro-Tem Larson noted that Steve Jones was present at this meeting and asked if he would be willing to address the Council.

Steve Jones stated that he was retained by Chris Williams. Mr. Jones said his first visit to the site was on May 24, 2013, with Chris Williams. Subsequent to that date, Mr. Jones met with Scott Renaud to learn more about the storm water drainage layout in the Suncrest/Sundown/Cottonwood area, the Ringgenberg area, and the Oakwood Road area. Mr. Jones said that he is currently working on a final report that will detail his findings and include

his recommendations. He did not feel that that there would be any issues with sharing the report. Mr. Jones presented a summary of his preliminary findings.

Planner Benson advised that staff will continue to work with all interested stakeholders to identify ways to address the storm water concerns in this area. Should the owners of the Christofferson property again desire to seek annexation, a new application will need to be submitted and the full annexation process will again need to be followed.

**MUNICIPAL AIRPORT'S FIXED BASE OPERATOR (FBO) CONTRACT:** Transportation Engineer Damion Pregitzer noted that a one-year extension to the FBO Contract was approved last year because the Airport Terminal Project was pending. The City now has a time line on the construction of the Terminal; it is included in the CIP for FY 2015/16. Another extension of the current contract is being recommending so that the Request for Proposals for a new FBO Contract would coincide with the opening of the new Airport Terminal facility.

Mr. Pregitzer stated that he had met with the current FBO, Hap's Air Service, to discuss the contract. Hap's had expressed some concern about CIP projects that had affected the surfaces and asked that, while the West Apron Rehabilitation was occurring (July, August, and September of 2013), they receive a reduction in the lease payment.

Moved by Davis, seconded by Szopinski, to adopt RESOLUTION NO. 13-270 directing the City Attorney to draft an addendum to the FBO lease with Hap's Air Service to extend the contract to such time that the new Ames Terminal Building is constructed or upon 30 days written notice of a newly established termination date; and include a 50% reduction in the FBO lease for the months of July, August, and September 2013 only, totaling \$5,125.

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

**CLOSURE OF HYLAND AVENUE:** Moved by Davis, seconded by Orazem, to delegate to staff the ability to administratively approve the closure of Hyland Avenue to facilitate the safe installation of the new sanitary sewer service.

At the inquiry of Mr. Larson, Civil Engineer Eric Cowles stated that it is anticipated that the closure would be needed for seven days.

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

**WOODVIEW UTILITIES ASSESSMENT PROJECT:** Moved by Goodman, seconded by Davis, to adopt the Preliminary RESOLUTION NO. 13-271.

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 Davis, to adopt RESOLUTION OF NECESSITY NO. 13-272 and setting July 9, 2013 as the date of public hearing.

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 Davis, to adopt RESOLUTION NO. 13-273 adopting the Preliminary Plat and Schedule and Engineer's estimate.

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 Davis, to adopt RESOLUTION NO. 13-274 approving the Woodview Drive Water and Sewer project Covenant for Assessment of Costs of Improvements. 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 Davis, to adopt RESOLUTION NO. 13-275 approving the Preliminary Plans and Specifications for Woodview Drive Water and Sewer project; setting July 17, 2013, as the date of letting and July 23, 2013, as the date for report of bids. Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**PEDESTRIAN CROSSING AT 12<sup>TH</sup> STREET AND DUFF AVENUE:** Moved by Davis, seconded by Szopinski, to direct the City Attorney to draft a Memorandum of Understanding stating that McFarland Clinic agrees: [1] to an amount to be paid to reimburse the City for the costs associated with the improvement (excluding engineering), [2] that the City reserves the right to modify or remove the equipment after it is activated if it is found for some reason to have a negative impact on safety or maintenance, and [3] that upon failure of the equipment, the replacement will be at the City's discretion.

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

Moved by Davis, seconded by Szopinski, to approve the installation of the Rectangular Rapid Flash Beacon treatment, thereby directing City staff to design and install push-button activated RRFB at the north side east-west pedestrian crossing of Duff Avenue and 12<sup>th</sup> Street.

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

**POWER PLANT MAINTENANCE SERVICES:** Moved by Davis, seconded by Goodman, to adopt RESOLUTION NO. 13-276 awarding a contract to ProEnergy Services, LLC, of Sedalia, Missouri, in an amount not to exceed \$550,000 for Power Plant Maintenance Services.

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

**ORDINANCE SETTING SPEED LIMIT ON STATE AVENUE:** Moved by Davis, seconded by Szopinski, to pass on first reading an ordinance setting the speed limit on State Avenue from a point 250 feet north Meadow Glen Road to a point 250 feet south of Oakwood Road.

Roll Call Vote: 5-0. Motion declared carried unanimously.

**ORDINANCE REZONING PROPERTY AT 920 CARROLL AVENUE FROM S-GA (GOVERNMENT/AIRPORT) TO UCRM (URBAN CORE RESIDENTIAL MEDIUM DENSITY):** Moved by Davis, seconded by Orazem, to pass on second reading an ordinance rezoning property at 920 Carroll Avenue (former Willson-Beardshear school) from "S-GA" (Government/Airport) to "UCRM" (Urban Core Residential Medium Density).

Roll Call Vote: 5-0. Voting aye: Davis, Goodman, Larson, Orazem, Szopinski. Motion declared carried unanimously.

**WATER RATIONING ORDINANCE:** Moved by Goodman, seconded by Davis, to pass on second reading the revised Water Rationing Ordinance.

Roll Call Vote: 5-0. Motion declared carried unanimously.

Moved by Davis, seconded by Szopinski, to pass on second reading an ordinance revising Appendix N.

Roll Call Vote: 5-0. Motion declared carried unanimously.

**STREET AND SECURITY LIGHTING RATE ORDINANCE:** Moved by Davis, seconded by Orazem, to pass on second reading the Street and Security Lighting Rate Ordinance.

Roll Call Vote: 5-0. Motion declared carried unanimously.

**COUNCIL COMMENTS:** Moved by Orazem, seconded by Davis, to refer to staff the letter from Chuck Winkleblack dated June 7, 2013, asking staff to study the South Duff corridor between the river and S. 5<sup>th</sup> Street.

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

Moved by Davis, seconded by Szopinski, to refer to staff the letter from Shelly Jaspering for a memo back to the Council regarding her request to reserve a handicapped van-accessible parking space on the west side of the parking lot that is beside Tom Evans Park.

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

Moved by Goodman, seconded by Orazem, to refer to staff the e-mail from Matthew Mauk listing his concerns and possible solutions for traffic on 6<sup>th</sup> Street.

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

**ADJOURNMENT:** Moved by Davis to adjourn the meeting at 10:52 p.m.

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Diane R. Voss, City Clerk

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Jami Larson, Mayor Pro-Tem