

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

AMES, IOWA

JUNE 10, 2014

The Regular Meeting of the Ames City Council was called to order at 7:00 p.m. on June 10, 2014, in the City Council Chambers in City Hall, 515 Clark Avenue pursuant to law with Mayor Ann Campbell presiding and the following City Council members present: Gloria Betcher, Amber Corrieri, Tim Gartin, Matthew Goodman, Chris Nelson, and Peter Orazem. *Ex officio* Member Lissandra Villa was also present.

Mayor Campbell noted that the Agenda had been amended to include a Closed Session; however, it has now been learned that a Closed Session would not be needed at this meeting.

**CONSENT AGENDA:** Council Member Betcher asked to pull Consent Item Nos.7 and 8, Movie Night and Paint Bash events in Campustown, respectively, for separate discussion.

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

1. Motion approving payment of claims
2. Motion approving minutes of Regular Meeting of May 27, 2014
3. Motion approving Report of Contract Change Orders for May 16-31, 2014
4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
  - a. Class B Beer – King Buffet of IA, 1311 Buckeye, Suite B
  - b. Class A Liquor w/ Outdoor Service – Green Hills Residents’ Association, 2200 Hamilton Drive, #100
  - c. Class E Liquor, C Beer, and B Wine – AJ’s Liquor, 4518 Mortensen Road, #109
  - d. Class E Liquor, C Beer, & B Wine – Kum & Go #200, 4510 Mortensen Road
  - e. Class E Liquor, C Beer, & B Wine – Kum & Go #214, 111 Duff Avenue
  - f. Class E Liquor, C Beer, & B Wine – Kum & Go #215, 4506 Lincoln Way
  - g. Class E Liquor, C Beer, & B Wine – Kum & Go #216, 203 Welch Avenue
  - h. Class E Liquor – MMDG Spirits, 126A Welch Avenue
  - i. Class C Liquor – Texas Roadhouse, 519 South Duff Avenue
  - j. Special Class C Liquor – Hickory Park, 1404 South Duff Avenue
5. Motion approving 5-Day Special Class C Liquor License for Gateway Hotel & Conference Center at Reiman Gardens, 1407 University Boulevard
6. Motion approving Outdoor Service Privilege for Corner Pocket/DG’s Taphouse from July 3 - 6, 2014, for Sesquicentennial beer garden
7. RESOLUTION NO. 14-330 adopting new and revised fees to be effective July 1, 2014
8. RESOLUTION NO. 14-331 approving amendment to Agreement with Ames Community School District pertaining to elementary school playgrounds used as neighborhood parks
9. RESOLUTION NO. 14-332 approving second request for time extension to submit City’s Consolidated and Action Plans to HUD
10. RESOLUTION NO. 14-333 approving renewal of contract with Willis for FY 2014/15 property insurance
11. RESOLUTION NO. 14-334 approving contract with Holmes Murphy for Excess Workers’ Compensation Insurance at an annual cost of \$88,845
12. RESOLUTION NO. 14-335 approving contract with Iowa Association of Municipal Utilities (IAMU) for 2014/15 Safety and Training Professional Services in an amount not to exceed \$134,000
13. RESOLUTION NO. 14-336 approving 2014-2034 Intergovernmental Agreements for Resource Recovery System

14. RESOLUTION NO. 14-337 approving preliminary plans and specifications for Unit No. 7 Crane Repair; setting July 9, 2014, as bid due date and July 22, 2014, as date of public hearing
  15. RESOLUTION NO. 14-338 approving contract and bond for Specialized Wet Dry Vacuum, Hydro Blast, and Related Cleaning Services for Power Plant
  16. RESOLUTION NO. 14-339 approving Change Order with NESCO, LLC, of Bluffton, Indiana, to extend Rental Contract for Aerial Bucket Truck for Electric Services
  17. RESOLUTION NO. 14-340 renewing contract with Klean Rite of Ames, Iowa, for Custodial Services for City Hall in the amount of \$57,224.70, plus \$20.10 per hour for emergency callback and additional work as authorized
  18. RESOLUTION NO. 14-341 renewing contract with Asplundh Tree Expert Company of Fairfax, Iowa, for Line Clearance Program for Electric Distribution in an amount not to exceed \$301,420 for FY 2014/15
  19. RESOLUTION NO. 14-342 renewing contract with Fletcher Reinhardt Company of Cedar Rapids, Iowa, in accordance with unit prices bid for Electric Meters for Electric Services Department
  20. RESOLUTION NO. 14-343 approving renewal of contract with Metering Technology and Elster AMCO for water meters and related parts for Water and Pollution Control
- Roll Call Vote: 6-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**REQUESTS FROM CAMPUSTOWN ACTION ASSOCIATION FOR MOVIE NIGHT ON JULY 11:** Council Member Betcher asked for more information on this event. Kim Hanna, Director of Campustown Action Association (CAA), 200 Stanton, Ste. 102, Ames, stated that *The Lego Movie* will be shown at approximately 8:30 p.m. and be preceded by an acoustic music concert at 7:00 p.m. The CAA is partnering with Cyclone Cinema from Iowa State on this event. These events are free to the public.

Ms. Betcher asked how this event will benefit Campustown. Ms. Hanna said that the event is keeping with a goal of the CAA, i.e., bringing people of all ages into Campustown for fun family activities.

Moved by Betcher, seconded by Nelson, to approve a Blanket Temporary Obstruction Permit for Welch Lot T, adopt RESOLUTION NO. 14-327 approving closure of Welch Lot T from 12:00 p.m. to midnight, and adopt RESOLUTION NO. 14-328 approving waiver of parking meter fees for Movie Night in Campustown on July 11, 2014.

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

**REQUEST FROM SEEK ENTERTAINMENT FOR PAINT BASH:** Additional information on this event was requested by Council Member Betcher. She noted that this event was being hosted by the CAA, but was not specifically created by it.

Anthony Secord, 6080 Mill Street, Excelsior, MN, representing SEEK Entertainment, provided a brief overview of the Paint Bash. This event is designed to bring the music scene and culture of Iowa State University “upwards.” It will allow people under 21 to come to the Campustown area and take people away from the party scene; there will be no alcohol allowed.

Director of CAA Kim Hanna advised that she and the CAA Board are excited to host this event. They believe that it is a unique thing for Campustown.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 14-329 approving closure of Stanton Lot Z from 2:00 p.m. on September 5 until 12:00 p.m. on September 6, 2014, for the Paint Bash being requested by SEEK Entertainment.

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

**PUBLIC FORUM:** No one came forward to speak, and the Mayor closed Public Forum.

**CONSISTENCY WITH KINGLAND DEVELOPMENT AGREEMENT FOR BUILDING MATERIALS:** Planning and Housing Director Kelly Diekmann recalled that the City Council had agreed to provide incentives to Kingland on December 10, 2013, by adopting an Urban Renewal Area and Plan with a tax increment financing (TIF) rebate of property taxes for up to ten years or \$2,064,530, whichever occurs first. The City Council also had, at that meeting, entered into a Development Agreement with Kingland Systems that described mandatory development requirements for Kingland to receive the agreed upon TIF rebate, which included a condition for substantial conformance to the site and architectural plan that was attached to the Agreement. Kingland Systems' project is to construction a three-story commercial building that will include one level of retail on the ground floor and two floors of office above it. To be eligible for the TIF rebate, one requirement is that the architecture and design is in substantial conformance with that shown to the City Council in December 2013.

Director Diekmann gave a project update, explaining the changes to the conceptual plan. He noted that during the Minor Site Plan review, staff had identified three significant changes in the look of the building: window glazing and fenestration, exterior materials of brick and metal panels, and building material colors. Conceptual building and elevation renderings from November/December 2013 and June 2014 were shown to point out the changes. Mr. Diekmann advised that the City Council is being asked to decide if the progress made by the applicant towards final design is in substantial conformance with the elements that were included as part of the exhibit from the December Agreement.

Todd Rogness, President of Kingland Systems Corporation, presented a time line showing significant milestones completed and those pending. He highlighted the primary elements of the project, which had not changed. Mr. Rogness advised that the project has now gone to the bid phase.

Andy Meyer of Bergland & Cram Architects, Mason City Office, identified himself as the Project Architect. Mr. Meyer explained to the Council the evolution from the schematic design phase to the construction documents phase. The facade remains composed of masonry, metal panel, and glass. The glass adjustments were described in detail as were the metal panels and colors of brick and masonry.

Council Member Betcher cited her concerns over the schematic provided to the Council as "Attachment 2" to the Action Form. She noted that it was not the same rendering that had been attached to the TIF Agreement. Director Diekmann noted that the Council in Fall 2013 wanted different facades. Answering a question asked by Council Member Betcher, Mr. Meyer reported that the design had moved more towards verticality, rather than having a mainly horizontal orientation.

Ms. Betcher questioned why this was coming back to the City Council when staff could have approved the design. Director Diekmann answered that the design of the project in question had evolved since first presented to the City Council. Many of the architectural details that are now

being shown were not well-defined at the time of Development Agreement approval. Because of the substantial tax incentive for the project that is tied to the architectural design of the building, Mr. Diekmann said it was important for the City Council to be aware of the design changes and determine if they were in substantial conformance with the intended architectural design referenced in the Development Agreement before construction begins.

It was asked by Council Member Betcher how the changes impacted the costs. Mr. Meyer pointed out that the changes were made to provide a more cohesive look for the project. There has been an increased cost since the project had to be redesigned; however, the new design would not have cost any more than the original one had it been initially designed that way.

Director Diekmann noted that the metal panels with their vertical orientation and dark charcoal color are the most significant change since the original representation of the project. This material is prominently featured on the corner of the building surrounding the office window, the primary material of an individual façade along Lincoln Way, and as accent treatments to all of the facades. The change of the pattern to narrower rectangles and vertical orientation reinforces the design approach of vertically oriented building facades and a modern appearance. With darkening these metal elements of the façade, the applicant has lightened one of the brick colors to champagne. He also noted that the most significant evolution in the fenestration design is the addition of black spandrel glass to shroud the internal structural elements of the building that had previously been represented as transparent in the office floors of the building. Two prominent glass features of the original concept were the large transparent expanses for the Kingland lobby near the center of the Lincoln Way façade and the corner office window. The Kingland lobby has been updated with a variegated mullion pattern similar to the metal panels. The upper level office windows now have a more traditional appearance with the individual panels and spandrel glass. Council Member Goodman asked to know the cost difference just for the glass. Mr. Meyer reported that the cost difference per square foot was nearly double for frameless verses framed.

Moved by Nelson, seconded by Orazem, finding the proposed final details of window systems, colors, and building materials to be in substantial conformance with the intended architectural design referenced within the Development Agreement.

Council Member Betcher shared her concerns about the way the City holds people to agreements and how the agreements are written. She would have preferred that specifics had been included at the time that the TIF Agreement offering over \$2 million was entered into.

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

**PRELIMINARY PLAT FOR 3699 GEORGE WASHINGTON CARVER AVENUE:** Planner Charlie Kuester explained that Hunziker Development Co., LLC, owns 121 acres at 3699 George Washington Carver Avenue. The City approved a LUPP change, annexed that land in December 2013, approved rezoning it to Suburban Residential Low-Density (FS-RL), and approved the Master Plan. The proposed Scenic Valley Subdivision comprises 116 lots for single-family detached homes and 34 homes for single-family attached homes. The Subdivision would have a net density of 3.84 units/net acre. There are also seven outlots proposed for various purposes, including storm water management, subdivision signage, and public walkways.

Mr. Kuester stated that there is a high-pressure natural gas line that runs north and south about equal distance between the borders of the Subdivision. The developer has had conversation with the gas company regarding crossing the gas line and what they may place on, within, or adjacent to it. They

are restricted to two crossings of the gas line: one would be at Weston Drive where it connects to Northridge Heights and the other one would be north of there at a new street. The crossings at those two streets leave some rather long blocks and also will result in some cul-de-sacs. All streets on all sides are interlaced with sidewalks. According to Mr. Kuester, the project includes two points of access to George Washington Carver and stubs two street connections to undeveloped land outside of the City to the north and west. It was stated by Planner Kuester that the number of dwelling units and their locations are consistent with the Master Plan, which identifies a range of 85-145 detached units and 24-45 attached units.

According to Planner Kuester, staff recommended approval of the proposed Preliminary Plat with two conditions: (1) restrictions on tree removal and slope protection within the area of LUPP Environmentally Sensitive Overlay designation that are consistent with the Master Plan, and (2) coordination of street improvements and driveway access to the attached single-family homes to ensure there is on-street parking along Aldrin Avenue. Mr. Kuester also advised that the Planning and Zoning Commission reviewed the preliminary plat on June 4, 2014, and recommended approval by a vote of 5-0.

Katherine Fromm, 3531 George Washington Carver, Ames, said her family had owned 45 acres of land in the area in question since 1972. Ms. Fromm referenced a creek that drains from her property all the way down to Squaw Creek. She told the Council that her property has been subjected to drainage from Northridge Heights and a portion of Northridge Subdivisions. Ms. Fromm said that one developer had estimated that they would be draining about 1,200 acres. She stated that finally the City gave them an easement, which meant that the City was to maintain the creek; however, according to Ms. Fromm, the City has not been doing that. The Council was told by Ms. Fromm that Squaw Creek has a lot of problems, such that the Squaw Creek Watershed Authority has been formed; however, that body has very little power. Ms. Fromm told the Council that the creek needs attention. She noted that the City must be diligent about all the properties being incorporated around its watershed. Ms. Fromm pointed out that there are conservation concerns and asked that the Council be more attentive as to what it can do, as “political animals,” to affect decisions in the state of Iowa to make such bodies as the Squaw Creek Watershed Authority have more power - either taxing or regulatory - which they currently do not have.

Council Member Gartin asked what kind of maintenance of the creek was needed. Ms. Fromm answered that there was all kind of debris in the creek. She noted that the volatility of the water is stronger when there is more run-off, which is what is occurring. The creek also increases somewhat in size. It is not a natural creek; the creek makes a right angle, and the City created, with cement pieces, a buffer around the bend. That means that it should not erode any more than it already has; however, there are still maintenance issues. Ms. Fromm pointed out that the City is expanding in all directions, and it is going to have to have more people taking care of all the issues.

Council Member Gartin asked for a response from staff to Ms. Fromm’s concerns. Mayor Campbell asked Mr. Gartin to bring those up under Council Comments.

Moved by Gartin, seconded by Goodman, to adopt RESOLUTION NO. 14-344 approving the Preliminary Plat for Scenic Valley Subdivision at 3699 George Washington Carver Avenue with two conditions:

1. Prior to Final Plat approval, the street light and street planting plan for the attached single-family home portion of Aldrin Avenue south of Weston Drive will be prepared and presented to the

Planning and Housing Department for review and approval to ensure appropriate space is reserved for off-street parking coordinated with driveway placement.

2. Prior to Final Plat approval, an easement document or similar restriction will be prepared for City staff review and approval that contains specific language regarding the protection of streets and slopes as described in the Master Plan.

Council Member Goodman, recommended that, at some point, when new streets are constructed, the Council should have a conversation about how multiple modes can operate in the City of Ames; it should consider on-street bike conveyance as a serious way to get bikers to where they need to go, rather than using one side of the road or sidewalks.

**DOWNTOWN FACADE GRANTS:** Planner Jeff Benson explained that there was still \$9,423 in 2013/14 funding in the Downtown Facade Grant Program. For FY 2014/15, \$50,000 has again been budgeted. The typical application process for FY 2014/15 is to accept applications in may and bring applications to City Council for award in July or August. Due to the late April timing of requesting Grant applications, staff was recommending that Grant awards be made for both the remaining FY 2013/14 Facade Grant funds and for the FY 2014/15 Grant funds. The available combined funds total \$59,423. A total of \$64,000 has been requested with total project costs equaling \$229,300.

Mr. Benson explained, in detail, the four Grant applications that had been received by staff, as follows:

1. 413 Northwestern - Wheatsfield Cooperative  
Requested Amount: \$15,000 for facade renovation and \$1,000 for design fees  
Project Costs: \$85,000 and design fees of \$5,000

Planner Benson noted that Wheatsfield Cooperative had formerly received a facade grant, and the current Program preference is to not approve second grants in the first round. According to Mr. Benson, the proposed area of work is for a portion of the building that was not part of the Wheatsfield Cooperative at that time and is a different facade.

2. 400 Main - Lucullan's  
Requested Amount: \$15,000 for facade renovation and \$1,000 for design fees  
Project Costs: \$30,000 and design fees of \$6,500

Mr. Benson reported that the windows that are proposed to be added will be in the same location and of the same type as the original construction. The existing mural will remain and the repair work and painting will not affect it.

It was also pointed out by Planner Benson that the Council's policy has been to award grants only for improvements to the front of the buildings, although buildings on the corner of two streets have been considered as having two front facades. However, since the east facade is on a frequently used public plaza, staff believes that this facade should be eligible as a second front facade of the building.

3. 323-5<sup>th</sup> - Triplett Building  
Requested Amount: \$15,000 for facade renovation and \$1,000 for design fees  
Project Costs: \$57,000 and design fees of \$5,000

4. 537 Main - Ames Insurance Center

Requested Amount: \$15,000 for facade renovation and \$1,000 for design fees

Project Costs: \$37,000 and design fees of \$3,800

Planner Benson advised that the building at 537 Main Street proposed improvements are intended to facilitate the use of the second floor for offices by moving the second floor entrance to the front and expanding and updating the entrance porch and canopy. Although improvements would be made to the building, staff does not feel that the project would have a great impact on the facade, which is the purpose of the Program.

Randy Pyle said that he was the owner of 400 Main Street, which is over 100 years old. He purchased the building two years ago. Mr. Pyle described the proposed changes to his building, which houses Lucullan's.

Mike Stott, 1421 South Bell Avenue, Ames, explained that Wheatsfield hopes to expand its business by 5,000 square feet. The owners would like to create a facade on the east portion of the building where it is expanding that is consistent with the north facade and entrance.

Mr. Stott also described the grant request for 323-5th for the Triplett Building and showed a conceptual drawing of the building with the facade improvements being proposed.

Moved by Corrieri, seconded by Nelson, to adopt RESOLUTION NO. 14-345 approving the facade grants for 400 Main Street (Lucullan's) and 323-5th Street (Triplett Building).

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

Moved by Corrieri, seconded by Nelson, to adopt RESOLUTION NO. 14-348 approving the facade grant for 413 Northwestern (Wheatsfield Cooperative).

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

At the inquiry of Council Member Goodman, Planner Benson replied that staff would not recommend funding a project if it feels that it does not provide enough impact.

**4710 MORTENSEN ROAD:** Planning Director Diekmann advised that Cyclone Conference Center, LLC, owns a 1.71-acre undeveloped parcel between Mortensen Road and Highway 30. It is located west of Hilton Garden Inn at the southeast corner of the West Towne Condominiums. The site is currently zoned Community Commercial Residential (CCR), which allows for mixed use. The CCR zoning district requires development of commercial on the ground floor in order to have residential uses on the upper levels. The owner of this property is seeking to rezone the parcel in question to Suburban Medium Density Residential (FS-RM) in order to do an exclusively residential development. According to Mr. Diekmann, if it were to be rezoned to FS-RM, individual apartment buildings up to a maximum of 12 units would be allowed. The lot size would support up to two 12-plex apartments and one 11-plex when accounting for lot area and parking requirements. Mr. Diekmann noted that the *Municipal Code* requires that the City Council determine whether it wishes to have a Master Plan prepared to accompany the rezoning request.

Mr. Diekmann said that, based on an examination of the site and the preliminary conversations with the owner's representative, staff determined that:

1. The owner proposes only one housing type.
2. The site in question contains no wetlands, flood plain, or other documented sensitive conditions or natural resources.
3. No public improvements will be required.
4. Staff has found no specific situations that would require more careful consideration.

It was also noted by Director Diekmann that City Council would still need to review and approve a Major Site Development Plan if the rezoning is approved. He also pointed out that Section 29.1507(3) describes the factors that are reviewed by staff before making a recommendation on whether a Master Plan should be required.

Moved by Goodman, seconded by Orazem, to not require a Master Plan for FS-RM Rezoning for 4710 Mortensen Road.

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

**CDBG ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE STUDY:** Housing Coordinator Vanessa Baker-Latimer presented the 2013 Update to CDBG Analysis of Impediments to Fair Housing Choice Study. She noted that, as a requirement of the federal Community Development Block Grant (CDBG) Program, each entitlement community is required to conduct an Analysis of Impediments to Fair Housing Study for its jurisdiction at least once during its 3- or 5-Year Consolidated Plan period. The purpose of the Analysis is to identify impediments and barriers to Fair Housing within the respective entitlement community. That information is then utilized to create a “working document” for how the barriers and impediments can be addressed and/or eliminated within the programs and projects outlined in the Annual Action Plan.

The Council was told of the major differences between the 2008 and 2013 Study. In 2013, renters were separated from homeowners. “Listening Sessions” were held in both 2008 and 2013. The main barrier cited by renters in the 2008 survey was the lack of available decent rental units in affordable price ranges was the No. 1 impediment; that is still the case for 2013. The cost of housing was cited in 2013 as a huge impediment for renters. The requirement for an excessive down payment was cited as the No.1 impediment for people wanting to get into home ownership. According to Ms. Baker-Latimer, there were 4,335 Low- to Moderate-Income households in 2006-2010 with only 965 rental units (that does include students). Also, per Ms. Baker-Latimer, it appeared that there was not a gap in housing for families as there were 740 LMI families with 965 rental units; however, the accuracy of that data could not be verified. Until staff can get more information regarding that, that data have been removed until the Final Study is published.

At the inquiry of Council Member Orazem, Ms. Baker-Latimer advised that the CHAS data is what HUD puts together in partnership with the American Communities Service Bureau; it is an acronym for Comprehensive Housing Affordable Strategy information. HUD provides that data to cities to prepare their Consolidated Plans and other information needed.

Council Member Goodman asked to know what the cost was (e.g., 30% of LMI) and whether it was a qualitative idea that they are too expensive or that there are not enough units over a cost/bedroom. Ms. Baker-Latimer introduced Nora Lasahasana, who is with Iowa State University and with whom the City contracted to perform the Impediment Study. According to Ms. Lasahasana, it is a specific number (household size) germane to each county. It was clarified that the number is broken down by size of family household and income; not by price per bedroom or price per unit. HUD sets the income limits.



Council Member Gartin questioned the definition of “decent” rental housing. He inquired how HUD’s definition of “decent” housing differs from the City’s Rental Code definition of habitable housing. Ms. Baker-Latimer said she could provide information to the City Council as to what the differences are, e.g., the presence of chipping or peeling lead paint. Council Member Goodman pointed out that the City Council could not use the results of the Study as a policy document for the City; it is what HUD wants to know, but doesn’t help the Council to achieve its goals.

Mr. Gartin asked if, in terms of the population being served, there had been some thought to expanding the survey to include the people who work in Ames, but because of the cost of housing in Ames, they had to make a decision to live in other communities. He suggested that perhaps Ames employers could survey those employees. Ms. Lasahasana advised that the data, as required by HUD, pertain to Ames residents. Ms. Baker-Latimer said that HUD requires data from Ames residents only. It would be possible to survey people as desired by Council Member Gartin; however, HUD would not require or receive that data, and there would be extra costs.

Ms. Baker-Latimer noted that the top impediments were incorporated into the CDBG Action Plan as an attempt to address those needs. The needs that came out in the Impediment Study matched the CHAS data from the City’s Consolidated Plan. Pertaining to the impediment of cost of housing, staff recommended that a rehab program for single-family home owners, public facilities for non-profit organizations, and continuing the rental affordability programs be included in the Action Plan.

It was noted by Ms. Baker-Latimer that one of the impediments noted in 2008 that is no longer listed in 2013 is discrimination complaints. It appeared that an effort to educate the public on fair housing proved successful.

Council Member Orazem asked if it would be possible to locally offer tax abatement for housing construction as a way to leverage the City’s own assets if it is felt that the state or federal government was not going to provide adequate funding. Ms. Baker-Latimer said that it would be possible if the Council made the decision to do that and would allocate funding for that purpose. She noted that the City had lost several affordable housing units that had tax credits, as those tax credits had been paid-off or expired, and the units have gone to market rate. City Manager Schainker asked if Mr. Orazem was referring to new construction or existing housing. Mr. Orazem answered he was thinking new construction, but existing could be a possibility. Mr. Schainker said that staff would have to study the possibility of taking an existing unit and giving it tax credits versus building a new unit.

Council Member pointed out that there was a large number of apartments that would be opening up in the near future, naming specifically, Copper Beech. He asked if the fact that the available supply of housing in Ames was about to increase substantially was considered in the recommendations. Ms. Baker-Latimer said it was not. Mr. Gartin then questioned whether that fact would be relevant to the analysis of the availability of rental housing in Ames. Ms. Baker-Latimer said that, from what staff had been told, those units were not conducive to families as they were more like studios and the common areas would be shared. If the units were more like apartments and the owners would be interested in making the units available to the Section 8 Program, the units might be affordable by the low- to moderate-income families. Council Member Gartin relayed his opinion that the more units available, the lower the price should go. He felt this would have an impact on the overall pool of housing units. Ms. Lasahasana noted, however, that more and more landlords are choosing not to participate in the Section 8 Program.

The meeting recessed at 9:22 p.m. and reconvened at 9:30 p.m.

**SOUTH DUFF AVENUE TRAFFIC ACCESS STUDY:** Transportation Engineer Damion Pregitzer noted that this project began after the City Council referred a letter dated June 11, 2013, from developer Chuck Winkleblack regarding access management on South Duff Avenue from South 5<sup>th</sup> Street to approximately Squaw Creek. That letter asked the City Council to direct staff to conduct a study of the South Duff Corridor and to evaluate the consolidation of several access drives along both the east and west sides of the street into a single signalized intersection. Staff then held several meetings with numerous property and business owners along the affected portion of South Duff Avenue. The report on those meetings was presented to the City Council at its December 10, 2013, meeting. Mr. Pregitzer summarized the findings of that report.

According to Mr. Pregitzer, the discussion at the December 10, 2013, meeting focused on how the proposed project could improve traffic flow and safety along South Duff Avenue as a response to increased congestion caused by recent and future redevelopment. Most of the property owners who were present at that Council meeting emphasized that a raised median would have a negative impact on their businesses and property values. Mr. Pregitzer reported that the Iowa DOT, however, has indicated that it will not authorize the installation of a new traffic signal without a raised median to address safety concerns. At the December 10, 2013, meeting, the City Council directed staff to meet with affected property owners to determine their willingness to provide cross-access easements and to determine the willingness of property owners to participate in the local match for the project if it moved forward. Staff then contacted all of the property owners who would be affected by a raised median. All of the property owners except Chuck Winkleblack and the Area Management of WalMart were opposed to any project containing a raised median.

The Council's attention was brought to the frequency of accidents along the corridor. The crash rates along the South Duff Corridor are 148% (all crash types) and 155% (just injury crashes) as compared to similar arterials in Iowa. The appropriate mitigation technique to reduce the crash rate was found to be a raised median.

Mr. Pregitzer reported that WalMart is willing to grant an unconditional access easement across its property. A second group appears to be willing to grant access easements, but desires to negotiate terms with the neighboring properties that would cover items such as maintenance and/or damages to their property. A third group of property owners with undeveloped properties feel unable to commit to access easements at this time. A fourth group is so opposed to the project that they are unwilling to consider access easements. According to Mr. Pregitzer, City staff recently updated the Iowa DOT on the progress of the project and confirmed two outstanding issues: the City is still eligible to receive the U-STEP funding, and (2) the Iowa DOT will not approve a new traffic signal without a raised median.

The estimated project cost of a new traffic signal and raised median along South Duff Avenue from South 5<sup>th</sup> Street to the Squaw Creek Bridge, according to Mr. Pregitzer, is \$325,000. Approximately 55% of the funds could come from an Iowa DOT U-STEP grant, leaving the remaining \$150,000 to be funded from local private and public resources. Chuck Winkleblack, representing Hunziker Development, and WalMart have expressed a willingness to share the cost of the improvements. Under that scenario, \$175,000 of the cost for installing both a signal and a median would come from an Iowa U-STEP grant, and the remaining cost would be split three ways among the City, WalMart, and Hunziker (\$50,000 each). The City's portion could be funded from the Road Use Tax fund available balance. It was pointed out by Mr. Pregitzer, the willingness of the development to incorporate a traffic signal into its site design presents a unique opportunity for Council to address South Duff traffic congestion. However, implementing traffic control and safety measures would significantly change traffic access to individual business sites along the corridor. According to Mr.

Pregitzer, the basic question before City Council is whether or not to pursue at this time the safety and congestion project or to maintain the status quo in the South Duff Corridor.

Mr. Pregitzer described the next steps to be taken if staff were directed to move forward. Also, the Iowa DOT Grant would have to be approved and easements secured.

Council Member Nelson pointed out that some traffic congestion would be relieved when the Grand Avenue Extension has been completed.

Jeff Bundy, representing the Bundy Family, who owns the properties at the corner of South Duff and South 5<sup>th</sup> Street, told the Council that he wants to keep the configuration as it is. Mr. Bundy added that safety was not the origin of the new concept. Mayor Campbell referenced the number of accidents continuing to occur on South Duff. Mr. Bundy acknowledged the frequency of accidents, but said that he did not believe a raised median and traffic signal was the answer. He said he would like to see the number of accidents from South 5<sup>th</sup> to Lincoln Way and from Squaw Creek Bridge to S. 16<sup>th</sup> Street. Council Member Gartin asked Mr. Bundy how his property potentially would be impacted. Mr. Bundy said that there had been at least two potential tenants who had indicated that they would not be interested in the property if a median was installed on South Duff. Mr. Gartin noted that that was two potential buyers, but that didn't mean that no one was interested in that property. Mr. Bundy said that he had heard from other building owners in similar situations that their tenants did not renew their leases. Mr. Gartin noted that in this circumstance, motorists would not be asked to drive a long way out of their way; it would be a fairly short stretch of road.

Discussion ensued on the need to secure connecting cross-access easements behind all of the businesses. City Manager Schainker advised that the way it has been planned is that there would be a temporary road in the back to handle traffic for three businesses. Before any deal is finalized, however, staff would have to work with Hunziker to get an easement to allow vehicles to drive through its development. Jeff Bundy noted that to go north from the Hunziker property, an easement also would be necessary to go through Enterprise to his property. Council Member Goodman questioned whether staff could talk to Chuck Winkleblack to request that space be kept available to make the properties accessible - with or without a signal. He indicated the need to "have Enterprise and Mr. Bundy on board." In that way, a signal could be added at some point in the future. Transportation Engineer Pregitzer suggested that the City Council direct staff to work with Hunziker Development and Enterprise Car Rental to secure the space.

Council Member Goodman asked at what level the South 5<sup>th</sup> and Duff Intersection was currently operating. Transportation Engineer Pregitzer said he believed it was at least an E, but could be an F; "it is pretty bad." To add the signal would at least bring it out of the F ( range for failure).

Council Member Gartin shared his opinion that the number of accidents to date does not warrant the installation of a raised median and traffic signal. He could support those improvements if staff could state that its long-term modeling would support, for safety and traffic flow reasons, that the raised median and traffic signal would be beneficial and would be done eventually. City Manager Schainker noted that modeling will occur as part of the Long-Range Transportation Plan study. Council Member Goodman said that he had come prepared to vote for Option 1, but now he does not know if the improvement would be appreciable enough. He would rather focus on other ways, which he believes would be much more expensive. In the meantime, he would like to know what improvements at 5<sup>th</sup> and Duff could be realized if Option 1 was integrated as the solution. Transportation Engineer Pregitzer referenced the signal modeling information presented at the December 10, 2013, meeting; that showed the quantitative benefit from adding a new signal. That

report also showed the cost-benefit analysis for the crash reduction. He could also provide what the actual efficiency gain was; that had been provided to the Council in another report.

Moved by Gartin, seconded by Goodman, to approve Option 2 and reject the project and maintain access along South Duff Avenue in its current configuration.

Council Member Nelson asked what opportunities would cease if that motion were to be approved. Mr. Pregitzer said that, as development/redevelopment occurs, the property owner would only be held to the current zoning development standard. Even with new arterial street connections, as the City continues to grow, the traffic would revert to what it is now. It will also be more difficult for staff to implement similar improvements.

Vote on Motion: 3-3. Voting aye: Betcher, Gartin, Goodman. Voting nay: Corrieri, Nelson, Orazem. Mayor Campbell opted not to break the tie since, ultimately, a resolution, which requires four votes to be adopted, would be necessary.

Moved by Orazem to approve Option 1 (direct staff to move forward with the project creating a new signalized intersection between South 5<sup>th</sup> Street and the Squaw Creek Bridge with a raised median) with the idea of having the planning integrate with the anticipated long-term planning occurring over the next six months for the 5<sup>th</sup> Street and Grand Avenue Extension.

City Manager Schainker pointed out that the Transportation Plan update will study the problems that are being seen at South Duff; those will be taken into account.

Council Member Corrieri stated that Option 1 recognizes that there would be improvements made to Duff Avenue and it recognizes the opportunity to receive funding from outside sources, so the City's investment would be much smaller. She also believes that a significant amount of research had already been done by staff, which indicated that appreciable improvements were needed. She saw no reason to refer it back to staff.

Motion failed for lack of a second.

Moved by Goodman for staff to provide the old Council Action Form containing the information regarding the improvement from the signal and the cost-benefit analysis of the accident average, and then place it on a future agenda.

Motion died for lack of a second.

Moved by Corrieri, seconded by Orazem, to approve Option 1 (direct staff to move forward with the project creating a new signalized intersection between South 5<sup>th</sup> Street and the Squaw Creek Bridge with a raised median) with the caveat that staff negotiate with Hunziker for access to the Enterprise property.

Vote on Motion: 4-2. Voting aye: Betcher, Corrieri, Nelson, Orazem. Voting nay: Gartin, Goodman. Motion declared carried.

**DUFF AVENUE (6<sup>TH</sup> STREET TO 10<sup>TH</sup> STREET) SPEED STUDY:** Transportation Engineer Pregitzer presented the Speed Study for Duff Avenue (6<sup>th</sup> Street to 10<sup>th</sup> Street), which was requested by the Historic Old Town Association (HOTA) and directed by the City Council to be conducted. The HOTA had concerns about the speed of vehicles in this area. The Council was advised by Mr.

Pregitzer that Duff Avenue at the area in question is four-lane, classified as an arterial street, and its posted speed is 30 miles-per-hour (mph).

Mr. Pregitzer outlined the three major criteria staff considers when assessing speed. They look at what the posted speed is and compare that to at what speed people are actually traveling. In both directions, people are traveling fairly consistently at approximately 35 mph. It was noted by Mr. Pregitzer that this area, although a four-lane arterial, is lined with residences. The only metric available to evaluate speeds under those circumstances is the Traffic Calming Handbook, which was adopted by the City Council in 2011. The recommendation in that Handbook and the policy adopted by Council is that traffic calming techniques only apply to local streets and some residential collector streets. Mr. Pregitzer advised that when the speed information is analyzed, the area of concern is when there is 3 - 5% of that distribution going ten or more miles per-hour-over the posted speed limit ("warning level"). At that point, the City could consider low-cost improvements, but not physical changes to the roadway. In this case, the area that is in the warning level is between 6<sup>th</sup> Street and 7<sup>th</sup> Street in the northbound lanes. The southbound lanes do not seem to be at issue. Staff then looked for ways to effect a reduction in the northbound lanes.

Transportation Engineer Pregitzer said that, in light of the inappropriateness of utilizing traffic calming along a 4-lane arterial, the Council might want to consider two other approaches, as follows:

1. Increase speed enforcement in the area through an increased police presence.

Mr. Pregitzer advised that he had discussed this with the Police Department, and was told that increased enforcement in this area could occur.

2. Staff would use a speed trailer to see if providing dynamic feedback to motorists helps their awareness and lowers speeds.

Mr. Pregitzer noted that, over time, this measure might not be long-lasting as people become complacent to it.

In addition, transverse markings, which give a visual queue as to how fast the motorist is traveling, might be a possibility. The speed limit could also be painted on the pavement.

According to Mr. Pregitzer, another challenge is that this area serves as a major connection to the hospital and to other arterial streets, and more permanent physical improvements (speed humps) would slow emergency vehicles. Also, a concern with more physical improvements is that motorists tend to avoid traveling on those streets, which means that they cut through residential areas and increase their speeds to make up for going on an alternate route.

Mr. Pregitzer stated that staff would like to try the dynamic feedback signs, with the Council considering the investment of \$13,000 for two signs. If those did not solve the issue, those signs could be used in other locations, so there would not be a loss of investment.

City Manager Schainker said that it came to his attention today that the affected neighborhood residents received the Council Action Form pertaining to this item late last Friday. He suggested that the City Council hear the testimony of those residents who were present; however, not take action tonight.

Ann Kinzel, 720 Duff Avenue, Ames, said that it was extremely disappointing to the neighborhood residents to receive notice at 3:30 p.m. last Friday that this item was going to be on tonight's Council Agenda. That timing did not allow the Neighborhood Association to meet on the contents of the Council Action Form and to formulate its response. This issue had been going on for so long, Ms. Kinzel felt that there was no urgent need to deal with it at this meeting. Regarding the report, Ms. Kinzel expressed her frustration that it was assumed that all arterial streets are the same. She believes that Duff is a very unique arterial street and recommended that the City review its arterial street policies. Ms. Kinzel noted that the Neighborhood Association had requested statistics on enforcement of the traffic laws on Duff Avenue; however, they have never received those statistics. She said she had personally called or written to the City Department in charge of street signs asking for the branches to be trimmed around the 30-mph speed limit sign near 9<sup>th</sup> Street on the south side. The only sign between Main Street and 13<sup>th</sup> Street is effectively obscured by greenery, so people cannot see that the speed limit is 30 mph. Ms. Kinzel is also troubled that people are traveling five mph over the speed limit in a residential area when the posted limit is 30 mph and staff does not feel that is a strong enough reason for staff to make more permanent remedies. In her opinion, that is quite a deviance in speed.

Council Member Gartin asked Ms. Kinzel to explain the primary concerns of the Neighborhood. Ms. Kinzel, speaking for herself, said that noise was not an issue for her; it is speed.

Dave Carter, 709 Douglas Avenue, Ames, pointed out that the posted speed limit is 30 miles-per-hour, but, according to the report, 65-75% is traveling in excess of the speed limit. Traveling four blocks at 40 mph instead of at 30 mph means an eight-second or less difference – that is all drivers will save in time. Mr. Carter does not believe it is worth an eight-second difference to make the residents of the area and those walking to any of the three parks in the vicinity suffer from the traffic traveling at excess speeds.

Council Member Betcher asked where the City's policy came from that traffic-calming thresholds applied only to residential roadways federally classified as local roads. Transportation Engineer Pregitzer reiterated that the City Council adopted the Best Practices for Traffic-Calming in 2011. However, the Council could consider specific areas of Ames to be studied and perhaps re-prioritized. The Traffic-Calming Handbook does not provide an option to opt-out arterial streets. Ms. Betcher suggested that the Council could consider a policy to address arterials that run through the middle of residential neighborhoods.

**6<sup>TH</sup> STREET AND NORTHWESTERN AVENUE TRAFFIC ANALYSIS:** Transportation Engineer Pregitzer recalled that the City Council had referred a letter from Matthew Mauk concerning the increase in traffic density that had occurred after the three-lane with bike lanes conversion took place on 6<sup>th</sup> Street between Grand Avenue and Hazel Avenue. He reviewed the recommendations offered by Mr. Mauk:

1. Making 6<sup>th</sup> and Northwestern a 4-way stop
2. Reducing the width of the 6<sup>th</sup> Street/Northwestern intersection to support a shorter pedestrian crossing distance
3. Reducing the speed limit to 25 mph

Mr. Pregitzer provided information regarding the current condition of this section of 6<sup>th</sup> Street, including the following:

1. The posted speed limit is 30 miles-per-hour

2. 6<sup>th</sup> Street is federally classified as a Minor Arterial street
3. 6<sup>th</sup> Street is designated in Section 26.62 of the *Municipal Code* as being a “through street,” which requires two-way traffic control along the length of the roadway at all connecting streets unless otherwise designated by an engineering study

Transportation Engineer Pregitzer advised that the City follows the federal standard (Manual on Uniform Traffic Control Devices), which outlines all criteria to be followed for a 4-way stop. He reviewed the safety standards (number of accidents and whether they resulted in personal injury) and volume thresholds (200 vehicles-per-hour). The intersection does not meet either of those criteria, so a 4-way stop is not warranted. Regarding reducing the speed limit to 25 mph, the analysis revealed that the speeds are within the 5+/- of the speed limit. Since the crash data does not reveal a large number of accidents, the speed should not be arbitrarily lowered. The data suggests that the speed and traffic control device should be kept as is; the City will continue to monitor this, however.

Council Member Betcher shared her observation that there will be a lot more foot traffic in this area because of the pending expansion of Wheatsfield and the renovation of the former Roosevelt School into condominiums. She feels that the analysis did not take into account the expected increase in pedestrians needing to cross 6<sup>th</sup> Street at Northwestern to get to a destination. Ms. Betcher said that she did not see that the report took that into account. If an increase in foot traffic is observed, Mr. Pregitzer said the City would continue to monitor the intersection.

Council Member Goodman said he was hoping that staff would show how motorists at the top of the bridge might be impacted by the 6<sup>th</sup>/Northwestern intersection. Mr. Pregitzer made some suggestions, such as the passive warning (sign that notes a higher-volume ped crossing ahead). High-visibility crosswalks could also possibly be added. An add-on to typical bike lane markings - extensions through intersections (solid line that is dashed through) - could be used. Mr. Goodman asked that the intersection be marked as soon as possible. Mr. Pregitzer said that would be done.

**DIAL-A-RIDE SERVICES:** Transit Director Sheri Kyras advised that the 2014/15 Budget year represents the third and final year of the contract with HIRTA to provide Dial-A-Ride (DAR) service as required by the Americans With Disabilities Act (ADA).

Moved by Orazem, seconded by Nelson, to adopt RESOLUTION NO. 14-346 renewing the contract with the Heart of Iowa Regional Transit Association (HIRTA) for FY 2014/15 Dial-A-Ride services at approximately a four percent (4%) rate increase.

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

**HEARING ON 2014/15 SHARED-USE PATH MAINTENANCE (SOUTH 4<sup>TH</sup> STREET):** Mayor Campbell opened the public hearing. She closed same after no one came forward to speak.

Moved by Goodman, seconded by Betcher, to adopt RESOLUTION NO. 14-347 approving final plans and specifications and awarding a contract to A&D Contracting, LLC, of Sioux City, Iowa, in the amount of \$100,753 .

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

**AIRPORT OBSTRUCTION ORDINANCE:** Moved by Goodman, seconded by Orazem, to pass on second reading an ordinance revising Article 2, Article 4, and Article 13 of the Zoning Code in

order to establish obstruction restrictions for land within the FAA Airport Imaginary Surfaces Airspace Zones.

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

**ORDINANCE MODIFYING *MUNICIPAL CODE* REFERENCE IN SIGN CODE:** Moved by Goodman, seconded by Orazem, to pass on third reading and adopt ORDINANCE NO. 4185 modifying *Ames Municipal Code* Section 21.114(3) providing the electronic message sign standards.

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

**COUNCIL COMMENTS:** Moved by Goodman, seconded by Corrieri, to refer to staff the letter from Heartland Baptist Church requesting a change to the *Municipal Code* pertaining to accessory buildings so as to be allowed to build a maintenance building on Church property at 3333 Stange Road.

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

Moved by Goodman, seconded by Corrieri, to refer to staff for a memo the letter from Chuck Brekke dated June 3, 2014, requesting a change to the Ames Urban Fringe Plan to allow rezoning of parcel No. 1008400420 from A-2 to A-1 to build a single-family dwelling.

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

Council Member Gartin referenced the allegations made by Ms. Fromm about the lack of maintenance of the creek on her property. He asked that staff respond to those via a memo. Public Works Director John Joiner came forward to address Mr. Gartin's request. He stated that he was aware of the creek and the City's obligation to maintain it. According to Mr. Joiner, routine maintenance has been performed on the creek by the City. He is not aware of any current issues; however, he will send out a staff member to visit with Ms. Fromm tomorrow.

**CLOSED SESSION:** This item had been pulled by staff.

**ADJOURNMENT:** Moved by Corrieri to adjourn the meeting at 11:25 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor