

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

SEPTEMBER 13, 2016

The Regular Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 6:00 p.m. on the 13th day of September, 2016, in the City Council Chambers in City Hall, 515 Clark Avenue. Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem were present. *Ex officio* Member Sam Schulte was also present.

Mayor Campbell announced that the Council would be operating from an Amended Agenda. Item No. 17 (a-h) had been removed from the Consent Agenda at the request of the applicant. Added to the Consent Agenda was a Resolution approving the Releases of Assessment and Utility Connection Fee Obligation for Lots 12, 13, 15, and 16 in Eastgate Subdivision.

PROCLAMATION FOR 40TH ANNIVERSARY FOR CYRIDE: Mayor Campbell proclaimed September 13, 2016, as a day of recognition for the 40th Anniversary for CyRide. Accepting the Proclamation on behalf of the City of Ames were Transit Director Sheri Kyras, Assistant Director of Operations Karen Jamison, Assistant Director of Fleet and Facilities Rich Leners, Transit Scheduler/Administrative Analyst Rob Jennings, and Administrative Secretary Joanne VanDyke.

Ms. Kyras thanked the City, Iowa State University, and Student Government for their support. She noted that CyRide has provided over 127 million rides over the past 40 years.

Mayor Campbell recognized Karen Jamison, who will be retiring soon and who has been with CyRide for 40 years.

PROCLAMATION FOR SCHOOL ATTENDANCE AWARENESS MONTH: The month of September 2016 was proclaimed by Mayor Campbell as School Attendance Awareness Month. Kathy Hanson, representing the Ames Community School District; Jennifer Schmit and Rebecca Holland, representing Youth and Shelter Services; Jean Kresse and Melissa Asklof, representing United Way of Story County; Ashley Maurer, representing the Volunteer Center of Story County; Kim Hanna and Carolyn Jons, representing Raising Readers in Story County; and Jerri Heid, representing the Ames Public Library, accepted the Proclamation.

Jean Kresse, Director of United Way of Story County, stated that all agencies listed above are members of Ames Reads. Ames Reads' overall goal is to have all children read at grade level by the end of Third Grade. According to Ms. Kresse, all the community groups represented at this meeting work to reduce chronic absences of children in school.

Kathy Hanson, Ames Community School District Director of School, Community, and Media Relations, emphasized the importance of children being in school every day that it is in session. She also stated the importance of the partnerships with the agencies, which have been in place since 2013.

CONSENT AGENDA: Mayor Campbell advised that she had been asked to pull Item No. 9 (revised Outdoor Service Area for Wheatsfield Grocery) and 15 (requests from Campustown Action Association for Crafts and Draughts event) for separate discussion.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Special Meetings of August 16, 2016, and August 31, 2016, and Regular Meeting of August 23, 2016
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for August 16-31, 2016
5. Motion to set the following City Council meeting dates:
 - a. January 17, 2017, at 5:15 p.m. for CIP Workshop
 - b. February 3, 2017, at 2:00 p.m. for Budget Overview
 - c. February 7, 8, and 9, 2017, at 5:15 p.m. for Budget Hearings
 - d. February 14, 2017, at 5:15 p.m. for Budget Wrap-Up
 - e. March 7, 2017, at 6:00 p.m. for Regular Meeting and Final Budget Hearing
6. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor – Corner Pocket/DG’s Taphouse, 125 Main Street
 - b. Class B Liquor & Outdoor Service – Hilton Garden Inn Ames, 1325 Dickinson Avenue
 - c. Class C Liquor – Whiskey River, 132-134 Main Street
 - d. Class C Liquor, B Wine, & Outdoor Service - +39 Restaurant, Market, & Cantina, 2640 Stange Road
 - e. Class C Liquor & Outdoor Service – Wallaby’s Grille, 2733 Stange Road
 - f. Class C Liquor & Outdoor Service – Blue Owl Bar, 223 Welch Avenue
7. Motion approving 5-day (September 17-21) Special Class C Liquor License for Dinners by Dawn at Reiman Gardens, 1407 University Boulevard
8. Motion approving 5-day (September 22-26) Class C Liquor License for Olde Main Brewing Company at Jack Trice Stadium, 1800 South 4th Street, Tent #22
9. Motion approving 5-day (October 4-8) Class C Liquor License for Olde Main Brewing Company at ISU Alumni Center, 420 Beach Avenue
10. Motion approving 5-day (October 15-19) Class C Liquor License for Olde Main Brewing Company at Reiman Gardens, 1407 University Boulevard
11. Requests from Octagon Center for the Arts for 46th Annual Octagon Art Festival, September 25:
 - a. Motion approving Blanket Temporary Obstruction Permit for Central Business District
 - b. Motion approving Blanket Vending License
 - c. RESOLUTION NO. 1-507 approving waiver of fee for Blanket Vending License
 - d. RESOLUTION NO. 16-508 approving closure of portions of Main Street, Burnett Avenue, Kellogg Avenue, and Douglas Avenue from 6 a.m. to 6 p.m.
 - e. RESOLUTION NO. 16-509 approving waiver of fee for usage of electricity
12. Requests from Main Street Cultural District for MusicWalk on September 29:
 - a. Motion approving Blanket Temporary Obstruction Permit and Blanket Vending License for MSCD from 3:00 p.m. to 9:00 p.m.
 - b. RESOLUTION NO. 16-512 approving waiver of fees for electricity usage from 3:00 to

9:00 p.m., waiver of parking meter fees and enforcement in MSCD from 3:00 to 6:00 p.m., closure of 10 parking spaces along Main Street from 3:00 to 9:00 p.m., and waiver of fee for Blanket Vending License

13. RESOLUTION NO. 16-518 authorizing issuance of General Obligation Corporate Purpose and Refunding Bonds, Series 2016A, in the amount of \$11,650,000
14. RESOLUTION NO. 16-519 authorizing and approving Loan and Disbursement Agreement and providing for issuance and securing payment of \$797,000 Taxable Sewer Revenue Bond, Series 2016 (Lift Station Improvements)
15. RESOLUTION NO. 16-520 approving request of Public Art Commission to carry-over funds from 2015/16 to FY 2016/17
16. RESOLUTION NO. 16-521 approving Detour Agreement with Boone County for “X” Avenue reconstruction
17. RESOLUTION NO. 16-522 approving Professional Services Master Agreement and Task Order #1 with HDR Engineers for structural engineering services at Water Pollution Control Facility
18. RESOLUTION NO. 16-523 approving Engineering Services Agreement with WHKS & Company of Ames, Iowa, for Sanitary System Evaluation - Planning and Design
19. RESOLUTION NO. 16-545 approving Releases of Assessment and Utility Connection Fee Obligation for Lots 12, 13, 15, and 16 in Eastgate Subdivision
20. RESOLUTION NO. 16-524 approving preliminary plans and specifications for Electric Distribution and Administration Buildings Roof Replacements; setting October 12, 2016, as bid due date and October 25, 2016, as date of public hearing
21. RESOLUTION NO. 16-525 approving preliminary plans and specifications for 2015/16 Water System Improvements Program #2; setting October 5, 2016, as bid due date and October 11, 2016, as date of public hearing
22. RESOLUTION NO. 16-526 awarding contract to Cintas Corporation of Grimes, Iowa, in the amount of \$68,684 for Flame Retardant Uniform Contract for Electric Services
23. RESOLUTION NO. 16-527 awarding contract to Superior Industrial Equipment of Grimes, Iowa, for Unit 8 Feedwater Pump Inspection and Repair in the amount of \$92,559.96
24. RESOLUTION NO. 16-528 approving Iowa DOT Reimbursement Agreements for construction expenses associated with N.E. Ankeny 161 kV Transmission Line Relocation
25. RESOLUTION NO. 16-529 awarding contract to Hooper Corporation of Madison, Wisconsin, for Ames Plant to N.E. Ankeny 161 kV Transmission Line Relocation in the amount of \$995,032.43
26. RESOLUTION NO. 16-530 approving Change Order with NOVA Bus of Plattsburgh, New York, in the amount of \$61,724 for Articulated Buses
27. RESOLUTION NO. 16-531 approving Change Order No. 4 to Geo-Synthetics, LLC, of Waukesha, Wisconsin, for purchase of up to an additional 700 geotube bags for Power Plant Ash Pond in the amount of \$264,880
28. RESOLUTION NO. 16-532 accepting final completion of 2014/15 Seal Coat Street Pavement Improvements (Douglas Avenue, 17th Street, Maxwell Avenue, Melrose Avenue, Durrell Circle)
29. 2013/14 Asphalt/Seal Coat Street Rehabilitation Program (Ashmore Drive, Ashmore Circle, Ashmore Court, South Franklin Avenue):
 - a. RESOLUTION NO. 16-533 approving Change Order No. 1

- b. RESOLUTION NO. 16-534 accepting final completion
- 30. RESOLUTION NO. 16-535 accepting final completion of 2014/15 Asphalt Street Pavement Improvements (Ferndale Avenue, Coy Street) and 2014/15 Water System Improvements (South Franklin Avenue, Coy Street)
- 31. RESOLUTION NO. 16-536 accepting completion of Water Plant High Service Pump #3 Replacement Project
- 32. Water Treatment Plant 5-Year Well Rehabilitation Project with Northway Well and Pump Company of Waukee, Iowa:
 - a. RESOLUTION NO. 16-537 accepting completion of Year 4 in the amount of \$101,476.40
 - b. RESOLUTION NO. 16-538 awarding contract for Year 5 in the amount of \$75,923
- 33. RESOLUTION NO. 16-539 approving Final Plat for Village Park Subdivision
Roll Call Vote: 6-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

REVISED OUTDOOR SERVICE AREA FOR WHEATSFIELD GROCERY: Council Member Beatty-Hansen advised that she asked to have this item pulled so she could abstain from the vote because of a conflict of interest.

Moved by Nelson, seconded by Betcher, to approve revised Outdoor Service area for Wheatfield Grocery, 413 Northwestern.

Vote on Motion: 5-0-1. Voting aye: Betcher, Corrieri, Gartin, Nelson, Orazem. Voting nay: None. Abstaining due to a conflict of interest: Beatty-Hansen. Motion declared carried.

CAMPUSTOWN ACTION ASSOCIATION’S CRAFTS & DRAUGHTS: Council Member Betcher asked to have more information on this event. Representing Campustown Action Association, Ann Taylor, 217 Welch Avenue, Ames, reported that this year’s event is a bit different than what has been held in Campustown the fall. There will be craft tables set up to appeal to families of all ages. Local craft brewers will be present as will food vendors representing the Campustown Area Association.

Moved by Betcher, seconded by Beatty-Hansen, to approve the following request for Campustown Action Association’s Crafts & Draughts on Saturday, October 15:

- a. Motion approving 5-day (October 15-19) Class B Beer Permit & Outdoor Service
- b. Motion approving Blanket Temporary Obstruction Permit and Blanket Vending License
- c. RESOLUTION NO. 16-510 approving waiver of fee for Blanket Vending License
- d. RESOLUTION NO. 16-511 approving closure of Lot Y and Chamberlain Street, from Welch Avenue to fire station rear driveway, from 10 a.m. to 8 p.m.

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

PUBLIC FORUM: Mayor Campbell opened Public Forum. She closed same after no one came forward to speak.

4004 PHOENIX STREET: Fire Chief Shawn Bayouth recalled that staff had presented a staff report to the Council on August 23 on this property. On that date, Council discussed the options presented, decided to delay declaring the building dangerous to allow its sale to be finalized, and directed staff to bring back an update on it at this meeting. Sara VanMeeteren, Community Codes Liaison, stated that staff had spoken with the realtor on September 1, 2016, and as of that date, a closing date had not been set. On September 2, 2016, staff contacted the purchasers of the property to determine their intent for the property and expected time line for completion. From that conversation, it appears that the new owners intend to demolish the current structure and begin construction on a new two-story home soon after the sale goes through. The purchasers had advised that the delayed closing had caused them to miss the opportunity to have a new home built in time for the 2016 Parade of Homes. They now hope to make the 2017 Parade of Homes. At the inquiry of Council Member Betcher, Ms. VanMeeteren advised that the potential purchasers indicated that they preferred to talk to the bank themselves and preferred that the property not be declared a dangerous building.

Elizabeth Erbes, 4012 Phoenix Street, Ames, said that she is a neighbor to the home in question. She indicated that she is also an architect in the partnership, which has submitted the offer to purchase. Ms. Erbes said that they hope to have the house started before winter.

Moved by Nelson, seconded by Betcher, to allow the sale to be finalized within a 45-day time line. Vote on Motion: 6-0. Motion declared carried unanimously.

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC FACILITIES IMPROVEMENTS PROGRAM FOR NON-PROFIT ORGANIZATIONS: Planning and Housing Director Kelly Diekmann advised that, as part of the City's 2015-16 CDBG Annual Action Plan, \$100,000 was set aside to implement a Public Facilities Improvements Program for non-profit organizations.

Housing Coordinator Vanessa Baker-Latimer stated that the objective of the Public Facilities Improvement Program is to utilize and leverage CDBG funds for low- and moderate-income persons through private and public partnerships to continue the provision of public facilities needs for homeless, special populations, and low-income households. At the April 26, 2016, City Council meeting, the City Council adopted program guidelines and authorized staff to proceed with the implementation of the Program. Program guidelines were published in May. Staff conducted a pre-application workshop on June 2, and the application deadline was June 30. Vanessa Baker-Latimer stated that the City had received two applications:

1. Mainstream Living for ADA parking lot improvements at 1200 McCormick
Requested CDBG Funding: \$64,000
Agency Local Match: \$ 32,246.90
Total Project Budget: \$100,246.90

2. YSS, Inc. for facility rehabilitation at the 804 Kellogg Shelter
Requested CDBG Funding: \$69,997
Agency Local Match: \$23,333
Total Project Budget: \$93,330

Both applications were reviewed by City staff for eligibility, completeness, and feasibility. The Public Facilities Review Committee then reviewed, evaluated, and scored the applications based on criteria outlined in the guidelines. Building Inspections staff reviewed each application for project feasibility and Building Code compliance. The Committee felt that both applications were vital projects to be undertaken. Ms. Baker-Latimer reported that, in order to fund both entities at their requested amounts (totaling \$133,997), an additional \$34,000 would need to be shifted from one of the current 2016-17 Action Plan activities or would need to be funded from anticipated program income. Staff is recommending that \$34,000 be shifted from the Public Infrastructure Improvements Program for 321 State Avenue. According to Ms. Baker-Latimer, based on the progress of the development of 321 State Avenue, it is not likely all of these funds will be needed immediately. Anticipated program income from the sale of properties, which is likely to occur next spring, could be shifted back into the Public Infrastructure Improvements Program for 321 State Avenue, if needed.

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 16-540 approving applications for funding from Youth & Shelter Services and Mainstream Living, contingent on approval from the State Historic Preservation Office.

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

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 16-541 reallocating \$34,000 from the Public Infrastructure Improvements Program for 321 State Avenue.

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

PRELIMINARY PLAT FOR THE IRONS SUBDIVISION: City Planner Charlie Kuester gave a summary of actions that had been taken to date by the City Council pertaining to the property known as The Irons. The Irons is a 35-lot subdivision with 34 lots for new homes and one lot for the Ames Golf and Country Club. It is located in the North Allowable Growth Area and is also in the Rural Transitional Residential Area of the Ames Urban Fringe Plan. The project design standards are a combination of Ames and Story County subdivision requirements.

Mr. Kuester recalled that the City conditionally approved the Preliminary Plat on June 14, 2016. The Council approved the Preliminary Plat with 31 residential lots and no residential lots along 190th. That vote was later reconsidered and replaced with a motion to approve 34 residential lots with the three lots along 190th Street. With the approval of the 34 residential lots, the City Council granted

certain waivers in regards to subdivision standards for the lots with access to 190th Street and for construction of a five-foot sidewalk along the full length of 190th Street. As a condition of those waivers, City Council added a specific condition for construction of an eight-foot shared use path by the developer along 190th Street in lieu of the sidewalk. That path would be approximately one-half mile long. The Story County Board of Supervisors approved the Preliminary Plat with 35 lots, but did not include the City's condition for construction of an eight-foot shared use path along 190th Street. The County's engineer had reviewed the condition to add a shared-use path along 190th Street and had recommended that it not be installed. The reasons given were that the placement of a shared-use path on 190th would be problematic because there is not enough right-of-way to build a SUDAS-compliant eight-foot shared-use path and retaining the carrying capacity of the ditch. In addition, it was noted, that the SUDAS design standard for a shared-use path would be five feet of separation from the road and eight feet of paving for the path. The County Engineer did not believe that the ditch could be filled in since it is needed for subsurface drainage and snow storage. That constraint would be similar on the north side of the road, so moving the shared-use path to the north would also be problematic. For the applicant to proceed with the project and receive Final Plat approval, the developer now requests a revision to the Preliminary Plat condition to eliminate the shared-use path condition to be consistent with the County's approval.

Planner Kuester noted that the developer was obligated to install a five-foot sidewalk from George Washington Carver to the railroad track. Council later changed that requirement to a shared-use path. According to Mr. Kuester, in light of the County Engineer's feedback, staff explored other alternatives for bike facility improvements beyond the five-foot sidewalk requirement of the Subdivision Code. One of the alternatives offered by staff would be to pave the existing six-foot gravel shoulder on the south side of 190th Street. It could be considered a one-way bicycle lane, but would only be recommended if another bicycle lane would be constructed and marked along the north side of the road. Another alternative would be to require the installation of a five-foot sidewalk, but allow for deferral. If a deferral were to be granted, financial security or cash-in-escrow would need to be filed with the City to pay for a future improvement.

Moved by Orazem, seconded by Gartin, to adopt RESOLUTION NO. 16-542 removing the condition that a shared-use path be installed along 190th Street, grant the sidewalk deferral, and require cash-in-escrow from the developer (estimated at \$130,000 to \$150,000) to be used by the City toward a future solution identified for a bicycle facility on 190th Street.

Council Member Gartin asked what would happen to the funds provided by the developer if nothing ended up being feasible. Planner Kuester advised that they could still use the funds to install the five-foot sidewalk or refund the money. Mr. Gartin questioned whether there would be an agreement to be entered into that would define what would happen to the funds if it turns out that nothing. Director Diekmann said that staff would need to look into that; the agreement hasn't been structured yet. It would come back to the Council at the time of the Final Plat.

Council Member Nelson asked how staff had come up with the estimate of \$130,000 to \$150,000 for a sidewalk. Planner Kuester said that estimates had been calculated approximately a year ago

when staff investigated infrastructure costs and came up with standard costs for the City to install a sidewalk. Director Diekmann commented that the developer had indicated the cost would be over \$100,000; however, staff has not seen a formal estimate for the City's Engineering Division to review.

Planner Kuester said that they are not just looking at the one-half-mile stretch, but the entire two miles to make it a complete transportation system.

Chris Gardner, Huxley, developer of The Irons, said the direction he thought he was given by the Council in June was to work with the County staff to get this project accomplished. That discussion was held with City and County staffs and the developer. At that point, the County Engineer said that the placement of a shared-use path on 190th Street would be problematic because there is not enough right-of-way to build a SUDAS-compliant eight-foot shared-use path and retain the carrying capacity of the ditch. According to Mr. Gardner, a one-way sidewalk was not ever discussed. He first learned of that option at this meeting. Mr. Gardner said he is not sure how the dollar figure suggested by City staff was calculated. He emphasized that the path has not been designed, and it is not known if it is even feasible. In June, it was stated that the cost would be \$100,000 for a ten-foot path, not a five-foot sidewalk. Mr. Gardner noted that he understands that the installation of a five-foot sidewalk is required by the Subdivision Code. He noted that the concrete alone for a five-foot sidewalk would be \$40,000; however, staff is stating the escrow needed would be around \$150,000. At the inquiry of Council Member Gartin, Director Diekmann said the cost would be calculated at the time of the Final Plat. Mr. Gardner wanted to ensure that he would only be responsible for the cost of a five-foot sidewalk just on the piece of ground that he owns.

Director Diekmann stated that the City's Long-Range Transportation Plan currently does not have a project for a shared use path on 190th. The County does not have it in its plan.

Council Member Betcher offered her opinion that, if 190th Street is envisioned to be a highly traveled east-west artery, curb cuts should not be introduced. If that is the plan, she does not believe that the three houses should be located on 190th Street. In addition, she questioned the practicality of installing a sidewalk for a mile and one-half that has no possibility of being extended.

Council Member Beatty-Hansen said she is concerned about the lack of pedestrian access to this area if it a busy highway.

Council Member Orazem expressed his appreciation of at least a one-way lane as it would be better than bicyclists on the road in conflict with vehicular traffic. He liked the idea of putting the money aside.

Council Member Nelson recalled that the Council had already asked the developer to go above and beyond the normal requirements on the west side of the Subdivision and install a ten-foot path instead of an eight-foot path.

Roll Call Vote: 4-2. Voting aye: Corrieri, Gartin, Nelson, Orazem. Voting nay: Beatty-Hansen, Betcher. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

DOWNTOWN FACADE GRANTS: Planner Kuester explained the Program. He described the applications, as follows:

300 Main Street (Ali Cakes, et al): The grant application consists of the removal of 20 windows along the Kellogg Avenue facade and their replacement with new windows. The 11 windows on the upper floor are the original wood widows. They are covered with aluminum storm windows that impair the historic character. The sashes exhibit serious signs of decay and rot. The applicant has provided pictures showing the poor conditions of the windows and they cannot be repaired. The windows proposed by the owner are “two over two,” which means the upper and lower sashes each have two glass panels. Historic photos and the survey sheets of the Downtown Historic Survey show “one-over-one” windows. The owner is amenable to using that style as a condition of grant approval.

Council Member Gartin questioned if this application meant the intent of the Downtown Facade Grant Program. Director Diekmann indicated that it did, but ranked on the lower end of the spectrum.

Council Member Betcher indicated that wooden windows do not always have to be replaced; some can be restored.

Jon Sloan, co-owner of 300 Main Street, commented on the condition of the second-story windows. They are in fairly poor condition and are covered by storm windows that are in poor condition and detract from the character of the windows. New windows would not require storm windows and would match the first-floor windows. Replacing the windows of both stories would have the biggest impact.

238-240 Main Street (Quilting Connections): The building has, in the past, had two store fronts. The owner requested a grant for the Main Street facade and a grant for the Kellogg Avenue facade.

Moved by Orazem, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 16-543 approving the Downtown Facade Grant for 300 Main Street in the amount of \$15,000 for the Kellogg Avenue facade with the following conditions:

- a. The property owner must enter into a grant agreement within the next six months to ensure access to the allocated funds and for consistency with the grant program requirements.
- b. Use one-over-one windows for replacement windows, subject to staff approval.

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

TRINITAS REQUEST TO INITIATE AN URBAN FRINGE PLAN LAND USE FRAMEWORK MAP AMENDMENT: Director Diekmann said that the City Council, on August 9, 2016, had referred a letter from Travis J. Vencel, representing Trinitas, for staff to prepare an explanatory review of its multi-tiered request. Mr. Vencel’s letter asked the Council to authorize staff to move forward with four requests:\

1. Initiate an amendment to the Ames Urban Fringe Plan Land Use Framework Map from Highway Oriented Commercial to Urban Residential.
2. Initiate the annexation.
3. Authorize staff to proceed with a traffic study and sanitary sewer analysis of capacity to serve the proposed development.
4. Initiate a Zoning Text Amendment to allow the use type, “dwelling house,” as an allowable use in an F-PRD zone to allow for up to five-bedroom rental homes.

According to Mr. Diekmann, the property in question consists of two parcels (Belitsos/Wolfe and Crane) that total approximately 39 gross acres. A third property owned by Belitsos/Wolfe with an existing home would also be included in the proposed changes, but ultimately would not be part of the development. The area is adjacent to and immediately west of the Ames corporate limits on the south side of Lincoln Way and along the Boone County line of 500th Avenue.

The Council was told by Director Diekmann that Trinitas has requested initiation of the four requests in order to support construction of a “cottage” style residential development at a proposed density level similar to that allowed in an FS-RL District. In that District, ten dwelling units per acre is the maximum density level allowed. The developer would seek a rezoning to a Planned Residential Development (PRD) to meet its design interests to allow for rental homes known as dwelling houses that are larger than what is permitted within FS-RL.

Director Diekmann explained four issues:

Issue No. 1: Ames Urban Fringe Land Plan and Land Use Policy Plan (LUPP) Amendment. There are two key components to this issue. The first is that if the site is to be annexed, it must be an Urban Service Area in the Ames Urban Fringe Plan (AUFPP). Secondly, as part of the area desired for development along Lincoln Way is presently shown as commercial in the AUFPP, if the area is annexed, a decision will be needed as to whether some or all of the area should be retained for commercial uses, rather than residential. The AUFPP currently designates the site as Highway-Oriented Commercial and Urban Residential. The north half of the Belitsos/Wolfe parcel adjacent to Lincoln Highway is designated as Highway-Oriented Commercial, generating the need for the Fringe Plan Amendment.

Council Member Betcher expressed her concerns about how much staff time would be invested by this request. Director Diekmann stated that staff will provide an update to the Planning Work Plan in October.

Travis Vencel stated that the developer would plan to initiate construction in the third quarter of 2017 (late summer). He clarified that the developer is not asking for initiation of a text amendment to at this time. The initiation of a text amendment does not make or break its project. It is the developer's opinion that the text amendment would make the project better.

Director Diekmann explained the major items that are needed for the proposed project to proceed.

Council Member Gartin asked for guided direction from staff on this request. He asked what was being asked of Council at this meeting. Director Diekmann asked for Council direction as to whether Council is interested in pursuing the amendment to the Ames Urban Fringe Plan.

Moved by Orazem, seconded by Gartin, to direct staff to initiate an amendment to the Ames Urban Fringe Land Use Framework Map from Highway-Oriented Commercial to Urban Residential. Vote on Motion: 5-1. Voting aye: Betcher, Corrieri, Gartin, Nelson, Orazem. Voting nay: Beatty-Hansen. Motion declared carried.

REQUEST OF MAIN STREET CULTURAL DISTRICT PERTAINING TO DOWNTOWN NATIONAL REGISTER NOMINATION FORMS: Moved by Orazem, seconded by Nelson, to approve the request of Main Street Cultural District (MSCD) for staff to share draft Downtown National Register Nomination Forms with the MSCD.

Vote on Motion: 6-0. Motion declared carried unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

REQUEST FOR UNDERGROUND GEOTHERMAL WELLS WITHIN CONSERVATION EASEMENT IN QUARRY ESTATES, 1ST ADDITION: Municipal Engineer Tracy Warner pointed out that, on July 12, 2016, the City Council referred a request from Attorney Brian Torresi to place underground geothermal wells within the Conservation Easement in Quarry Estates Subdivision, 1st Addition. Ms. Warner stated that the City acquired the Conservation Easement during plat approval; it was consistent with the Conservation Subdivision requirements of Chapter 23 of the *Ames Municipal Code*.

Council Member Gartin asked to know what the City would be giving up if it allows geothermal wells within the conservation easement. Ms. Warner stated that the intent of the conservation area is to preserve the existing natural plants and features of the site, including protecting the water quality and groundwater. Ms. Warner stated that disturbance to existing soils and vegetation from any maintenance of the systems could be destructive.

Kurt Friedrich, Friedrich Land Development, 100 Sixth Street, Ames, introduced Steve Kapaun, Harvest Heating & Cooling, who has expertise in geothermal systems. Mr. Kapaun distributed

information to explain how geothermal wells (boreholes) work. The product has a 50-year warranty and its life span is infinite. According to Mr. Kapaun, there should be no maintenance required.

Ms. Warner pointed out that this is the first request of its kind. The Council's decision would be setting a precedent.

Council Member Betcher said she did not want to go down the road of allowing "structures" in conservation easements. She emphasized that she did not want private structures in City conservation easements. Ms. Betcher noted that she cannot see how the City could approve this kind of "structure" without changing the *Code*. She believes that the Easement was placed for a reason. In the opinion of Council Member Betcher, the City does not have a very good track record of holding people to agreements and does not want to have to approve an agreement regarding maintenance of the structures.

Council Member Orazem pointed out that developers would have to maintain the systems into perpetuity.

Municipal Engineer Warner noted that the depth of the wells could reach the aquifer.

Council Member Gartin asked what would be lost if the wells ultimately were abandoned. He believes that the prairie grass would still be doing what it is supposed to do. Council Member Beatty-Hansen offered that the abandoned wells would not be the problem. However, the homeowners would still want a geothermal system, so new wells would be dug, which would disturb the environment again.

It was also asked by Council Member how many homes would be built within the conservation easement area. Mr. Friedrich said it is unknown at this time how many homes will want to install geothermal systems. The range of the conservation easement range from 40 feet to 100 feet for Lots 14 to 20, respectively. The requirement was for a 30-foot conservation easement; the easement on those lots is actually much deeper than what was required. Nothing except grass, which can be replaced, will be disturbed if a geothermal system is installed. Mr. Friedrich pointed out that there are measures in place to protect the integrity of the green space. He also noted that the conservation easement is located on private property. According to Mr. Friedrich, it takes a few years to establish prairie grasses. He also stated that the most that they would infringe on the easement would be approximately five feet.

Council Member Gartin asked if people would be able to tell where the wells are located once they are installed. Mr. Kapaun said there would be no indication on the surface. He again noted that he had never had a system failure in all the years that he has been installing them.

Moved by Betcher, seconded by Beatty-Hansen, to deny the request.

Council Member Betcher again stated that this type of construction within the conservation easement cannot be approved without changing the *Code*. She does not want the *Code* to be changed as it has not had a chance to see if it works; it hasn't been in place long enough.

Justin Dodge, 2013 Greenbriar Circle, Ames, explained that Hunziker Land Development has an agreement that requires annual inspections with the City to ensure that there will not be any "creep" into the easement. He also suggested that the City's conservation easement requirements be revisited.

Council Member Nelson said he would like to see a more narrow scope of where geothermal wells would be allowed in conservation easements.

Council Member Gartin said that the fear that something could go wrong in the future has to be balanced with the information that has been provided to the Council at this time. The burden is 100% on the developer. Mr. Gartin stated that if there was any chance of contamination of the watershed, he would never be in favor of it. He pointed out that people are not going to even know that this has occurred; it will not interfere with the function of the easement; and it will only go into the easement approximately five feet of a deep easement.

Vote on Motion: 2-4. Voting aye: Beatty-Hansen, Betcher. Voting nay: Corrieri, Gartin, Nelson, Orazem. Motion failed.

Moved by Gartin, seconded by Orazem, to approve.

Vote on Motion: 4-2. Voting aye: Corrieri, Gartin, Nelson, Orazem. Voting nay: Beatty-Hansen, Betcher. Motion approved.

MILLENNIUM MARKETING CAMPAIGN: Public Information Officer System Gwiasda provided the background and summarized the actions taken to date.

Moved by Orazem, seconded by Corrieri, to adopt RESOLUTION NO. 16-544 approving an Agreement with ZLR Ignition regarding Millennium Marketing Campaign.

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

HEARING ON 2015/16 AIRPORT IMPROVEMENTS PROGRAM (AIRPORT TERMINAL BUILDING): Traffic Engineer Damion Pregitzer reviewed the budget and the projected expenses.

Mr. Pregitzer stated that the Engineer's estimate was \$262/square foot for the building. According to Mr. Pregitzer, it is very uncommon to get more than four or five bids for a building; the City received ten bids. The low bid for the terminal project is approximately \$118,000 over budget. It is the recommendation of the staff for the Council to accept the report of bids and delay award of the contract. That would allow staff time to determine if changes can be made to lower the cost of the project. It would also provide staff time to negotiate the FBO agreement with North Iowa Air Service.

City Manager Schainker also noted that another issue that has to be addressed is the City's new requirement for a sidewalk to be installed along Airport Road prior to the issuance of a Building Permit. He recalled the previous action of the Council to set aside \$100,000 to "fill in the gaps" in incomplete sidewalks. Staff needs to review that requirement; however, he did not believe that requirement should be added to this project.

Mayor Campbell opened the public hearing.

Grant Reimers, Woodruff Construction, asked if award of the contract would occur at this meeting. The Mayor stated that it was the recommendation of City staff that the award be delayed until staff had more time to review the estimated costs of the project.

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

Moved by Beatty-Hansen, seconded by Corrieri, to approve Alternative #3 and accept the report of bids and delay award of the contract.

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

HEARING ON VACATING WATER MAIN EASEMENT AT 1010 DICKINSON AVENUE:

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

Moved by Nelson, seconded by Betcher, to adopt RESOLUTION NO. 16-513 approving vacating the Water Main Easement at 1010 Dickinson.

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

HEARING ON TRANSFER OF RIGHT-OF-WAY AT SOUTH DAYTON PLACE AND U. S. HIGHWAY 30 TO THE IOWA DEPARTMENT OF TRANSPORTATION: The Mayor opened the public hearing. It was closed after there was no one who came forward to speak.

Moved by Nelson, seconded by Betcher, to adopt RESOLUTION NO. 16-514 approving the transfer of right-of-way at South Dayton Place and U. S. Highway 30 to the Iowa Department of Transportation.

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

HEARING ON WATER POLLUTION CONTROL ADMINISTRATION BUILDING HVAC PROJECT: The public hearing was opened by Mayor Campbell. No one requested to speak, and the Mayor closed the hearing.

Moved by Beatty-Hansen, seconded by Betcher, to adopt RESOLUTION NO. 16-515 approving final plans and specifications and awarding a contract to Wolin & Associates of West Des Moines,

Iowa, in the amount of \$363,020.

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

Moved by Orazem, seconded by , to adopt RESOLUTION NO. 16-546 authorizing the transfer of \$80,000 in savings from the WPC Decant Line Replacement Project to this project budget.

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

HEARING ON SQUAW CREEK WATER MAIN PROTECTION PROJECT: Mayor Campbell opened the public hearing. After no one came forward to speak, the hearing was closed.

Moved by Betcher, seconded by Nelson, to adopt RESOLUTION NO. 16-516 approving final plans and specifications and awarding a contract to Peterson Contractors, Inc., of Reinbeck, Iowa, in the amount of \$324,746.50.

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

HEARING ON SCAFFOLDING AND RELATED SERVICES AND SUPPLIES FOR POWER PLANT: The public hearing was opened by Mayor Campbell. She closed same after there was no one who requested to speak.

Moved by Orazem, seconded by Gartin, to adopt RESOLUTION NO. 16-517 approving final plans and specifications and awarding a contract to All American Scaffold of Des Moines, Iowa, in an amount not to exceed \$145,000.

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

ORDINANCE CHANGING NAME OF GRANT AVENUE TO HYDE AVENUE: Moved by Betcher, seconded by Nelson, to pass on third reading and adopt ORDINANCE 4273 changing the name of Grant Avenue to Hyde Avenue.

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

ORDINANCE REZONING 720 SOUTH DUFF AVENUE: Moved by Betcher, seconded by Nelson, to pass on third reading and adopt ORDINANCE NO. 4274 rezoning 720 South Duff Avenue from Agricultural (A) and Highway-Oriented Commercial (HOC) to Highway-Oriented Commercial (HOC).

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 Gartin, seconded by Betcher, to refer to staff for a memo the letter from Sheila Dunne Jones requesting that the City review the traffic signage within the Hillside

neighborhood and install stop signs to improve pedestrian safety.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Gartin, seconded by Corrieri, to refer for a staff report the request from Luke Jensen, RES Development, Inc., regarding a prospective urban infill townhome project at 2100 Mortensen Parkway.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Gartin, seconded by Orazem, to refer to staff the letter from Joseph Sines, Bottlesode, requesting to fly a sUAS within a five-mile radius of the Ames Airport.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Gartin, seconded by Betcher, to refer to staff for a memo the request from MICA dated September 7, 2016, for additional funding for the Story County Dental Clinic.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Corrieri, seconded by Nelson, to refer to staff for a memo the request of residents for no parking zones on the south side of 24th Street adjacent to Inis Grove Park and the west side of Broadmoor Avenue from 24th Street to Duff Avenue.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Betcher, seconded by Beatty-Hansen, to request that the Public Art Commission “commission” the statue “Time Swept” for placement at the Ames Airport Terminal.
Vote on Motion: 6-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Betcher to adjourn the meeting at 9:08 p.m.
Vote on Motion: 6-0. Motion declared carried unanimously.

Ann H. Campbell, Mayor

Diane R. Voss, City Clerk