

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

APRIL 16, 2019

The Special Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on the 16th day of April, 2019, in the City Council Chambers in City Hall, 515 Clark Avenue. Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Tim Gartin, David Martin, and Chris Nelson were present. *Ex officio* Member Allie Hoskins was also present. Member Amber Corrieri was absent.

1114 SOUTH DAKOTA AVENUE: Moved by Beatty-Hansen, seconded by Betcher, to adopt RESOLUTION NO. 19-149 approving the Zoning Change Agreement for 1114 South Dakota Avenue.

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

Moved by Nelson, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4383 rezoning 1114 South Dakota Avenue from Community Commercial/ Residential (CCR) to Community Commercial/ Residential (CCR) with revised Master Plan.

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

POWER PLANT UNIT 8 BOILER MAINTENANCE SERVICES: Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 19-150 approving Emergency Contract Change Order No. 2 with Jamar Company of Duluth, Minnesota, in the not-to-exceed amount of \$15,000.

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

Moved by Betcher, seconded by Martin, to approve RESOLUTION NO. 19-151 approving Contract Change Order No. 3 with Jamar Company of Duluth, Minnesota, in a not-to-exceed amount of \$75,000.

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

MASSAGE ESTABLISHMENTS/HUMAN TRAFFICKING WORKSHOP: Mayor Haila said Police Chief Chuck Cychosz and Assistant City Manager Brian Phillips will present, followed by Council questions and public input. He said an ordinance will not be passed this evening, rather direction from Council will be given if there is interest in an ordinance.

Chief Cychosz said trafficking and exploitation are real issues in Iowa. He said regulation of massage services is up for discussion, but it's important to note trafficking occurs in many other settings including construction, agriculture, and retail. He said victims are moved around the state and country to interfere with the development of trusting relationships needed to prosecute traffickers. He said the premise behind most local regulation is to require evidence of state licensure and allow City officials to verify the requirement is being adhered to. Chief Cychosz said that simply requiring the provider to display the license gives the local community a starting point to verify the

identity of the provider and allows law enforcement to investigate a misdemeanor for failure to display the license. He said when a requirement is clear and communicated effectively, it is a deterrent to illegal trafficking.

Pending legislative action was discussed by Chief Cychosz that would affect local practices. He said Senate File 267 would make the practice of massage therapy or the improper use of credentials by an unlicensed individual a serious misdemeanor. Right now law enforcement is not involved with licensing issues. He told the Council that many license actions taken by the state are a byproduct of criminal investigations pursued in this community. Chief Cychosz said information can be found on situations where credentials have been affected by criminal investigations on the State of Iowa website. Establishing a criminal violation of licensing regulations would aid the ability of law enforcement to investigate these situations. He said an amendment to this bill would shield a violator from criminal consequences if the person was a victim of someone engaged in trafficking.

Mr. Phillips said this special meeting was called by the Council at the request of George Belitsos and Michelle DeMarie. He said without knowing what action Council will take, the staff report is preliminary. He said it seems there's a wide spectrum of local government involvement in massage therapy, and as it is now, it is a state-regulated occupation and administrative process for licensing. Mr. Phillips said the next step in local involvement would be to make practicing massage therapy without a license a serious misdemeanor as proposed in the legislature currently. He said the next step would be along the lines of the Des Moines ordinance, which would require a license to be produced on demand, and allow officials to close a location until it is provided. Beyond that, he said the Iowa City ordinance requires the operator to produce information on employees providing the massage, and Johnston and Cedar Rapids go even further to require local licensing and background checks on a regular basis. Mr. Phillips said if Council is interested in moving toward intense involvement, more research by staff would be needed regarding administration, costs, and providers. He stated that staff would like to know if Council desires local involvement, and to what extent.

Council Member Gartin asked City Attorney Mark Lambert about cities getting into local regulation when the state has already claimed regulation for an activity. Mr. Lambert said local governments may regulate in the same areas unless the local regulations are in conflict with state law or if state law has an implied basis that they are regulating in all senses of the activity. He said he does not believe there is anything expressed within the state law to prohibit local regulation, and believes local government has the authority to do as Des Moines has. Mr. Gartin said he is asking more about a municipal license being required, and said he's concerned about the municipality moving into the state's authority. Mr. Lambert said he would be hesitant to go in the direction of requiring a local license since the state has licensing authority. Ms. Betcher asked what local licenses need to be provided currently. Mr. Phillips said alcohol and tobacco sales, door to door sales, and garbage hauling are activities require licenses currently, which are occupations done in public spaces.

Council Member Martin said the last time legislative activity was considered in regard to massage therapy, the deletion of the entire enforcement chapter in the *Iowa Code* was considered. He asked if the state was suggesting the localities administer enforcement. Mr. Lambert said that because some requirements have been pulled out, some could argue the state doesn't intend to enforce as

strongly, but he's not sure.

Michelle DeMarie, 4933 Utah Drive, Ames, said she is a licensed massage therapist working out of her residence. Ms. DeMarie said she is representing her profession and is surprised that there are illicit practices going on under the guise of massage therapy. She asked the Council to help her and other therapists by pursuing local control. She said the State of Iowa does a wonderful job of licensing, and adding local control could be redundant and taxing on authorities. She said the issue she's seen here and in several surrounding communities is that it's difficult for authorities to get in the door. Ms. DeMarie said there was a situation of a complaint taken where it took 18 months for authorities to get in the door. She said her understanding is that nothing would be required unless there was a concern. She said requiring licenses be displayed and valid would be a deterrent to criminal activity. Ms. DeMarie told the Council that massage therapy licenses can be looked up on the State website, and there are 49 licensed therapists in Ames. She said additional oversight may be needed, and raising awareness is needed. She said each therapist is required to have their own license and may not operate under an owner or manager's license. Ms. DeMarie said she would be thrilled if victims were more protected by additional requirements.

Mayor Haila asked if Ms. DeMarie has heard of any problems with forgery of licenses. She said that's a possibility, as it can be a lucrative profession. She said the more research she has done, the more she is in favor of a local ordinance as it would be simple, but very effective. Mayor Haila asked if she would be in favor of displaying licenses in a reception area. Ms. DeMarie said that is a step in the right direction. Ms. DeMarie said there is a main certificate and wallet cards issued with renewal dates. She said she carries a card and displays a card with her certificate, and therapists can request duplicate cards. Mr. Gartin asked her about the ordinance options. Ms. DeMarie said she and some colleagues were thrilled with the Des Moines ordinance as it helps, but doesn't further drain authorities. She said if a report was requested for each therapist, she does not feel that would be invasive.

Council Member Martin asked if it would be desirable for the manager to be required under a City ordinance to display licenses of all employees working at a location. Ms. DeMarie said yes, and that the Des Moines ordinance only "goes after" the person operating without a license; she believes the owner or manager should also be held accountable.

Council Member Betcher said Ames has 49 licensed massage therapists and a portion of them are working out of their home with a Home Occupation Permit. She asked about that process. Ms. DeMarie said she's not a fan of exemptions, as she feels they are a roadmap to get around the rules, but a Home Occupation Permit does require more information and an added layer of oversight.

Dr. George Belitsos, 5508 West Lincoln Way, Ames, told the Council that he was speaking on behalf of the Iowa Network Against Human Trafficking and Slavery, the only statewide group addressing human trafficking and bringing parties together for the common goal to rid Iowa of human trafficking. He asked the Council to assist them in fighting this crime and to adopt an ordinance to regulate and set standards creating a clear separation between therapeutic massage and illegitimate businesses that use massage as an avenue for trafficking. He said he wants to make

Ames the least hospitable place for traffickers to do business. For nearly two years, the Network has been asking cities to adopt ordinances, and now 16 have adopted ordinances. He said he is increasingly concerned about Ames, because illicit massage businesses have moved out of towns where there is more risk and move to friendlier places with less risk of being discovered. He said the internet is driving the sex trafficking industry.

Dr. Belitsos told the Council that, in May 2017, the Network worked with the legislature about Senate File 445, which repealed *Iowa Code* Section 152 C that limited local authorities from enforcing additional regulations, such as criminal background checks. Dr. Belitsos said all 16 ordinances are different. He said that, in the staff report, it was mentioned that the state could increase regulation in the future. Dr. Belitsos said so many home rules have been taken away from cities, but this is an example of a home rule given to cities, and the state doesn't want to do any more than license massage therapists. He said that August 2017 was the last time Council considered an ordinance, and Johnston was the only city with an ordinance at that time. Dr. Belitsos told the Council there is a growing public awareness of this problem, and since January 1, 2019 nine traffickers have been sentenced to prison from Central Iowa, and now massage therapists are in support of a local ordinance. He said the City Council in Ames has been the first to take a stand for public health and safety issues many times and asked the Council to consider taking the lead on this.

Council Member Gartin asked about an ideal outcome. Mr. Belitsos said he supports business forms being filled out, holding owners/operators accountable, and the Des Moines ordinance with changes such as those Council Member Martin has proposed.

Council Member Betcher asked Mr. Belitsos about the rigorous Home Occupation Permit approval process, and asked if he is in favor of any exemptions. Dr. Belitsos said he believes all massage therapists should be subject to the same requirements.

Sia Turner, 1930 Long Road, Ames, spoke on behalf of ISU Network Against Human Trafficking. She said in 2016, two situations occurred in Ames at massage parlors resulting in arrests. She said there is no reason not to go forward with an ordinance requiring massage therapists to produce their licenses.

Diana Crosswait, 2005 Prairie View East, Ames, said she is in support of Council having more requirements. She believes law enforcement should be able to walk inside and be visible. She said licenses being displayed may not be for the correct people. She said resources for victims are very important.

Cindy Larson, 507-26th Street, Ames, said she is a licensed massage therapist working out of her home. She said she is hopeful that the Council will consider an ordinance. Ms. Larson said there is an option to be licensed nationally; a national license does require a background check.

Rebecca Christensen, 304 E. 16th Street, Ames, said she has had a Home Occupation Permit since 1995. She said she's in favor of the Des Moines ordinance and asked Council to consider enforcement.

Georgia Bluhm, 1801-20th Street, Ames, said she agrees with everyone, and said she does not want trafficking to occur in Ames. She said she has been working with the Network Against Human Trafficking and Slavery for over five years.

Delwyn Bluhm, 1801-20th Street, Ames, said this problem is becoming bigger all the time and asked Council to adopt a policy to help.

Brittany Lenihan, 1525 Airport Road, Ames, said massage therapy requires many hours of training, and the license represents the hard work involved. Ms. Lenihan said she is an Assault Care Center Extending Shelter and Support (ACCESS) employee providing support for the sexually abused, including sex trafficking survivors. She told the Council that communities combating this crime have either passed an ordinance or are in the process of doing so. She hopes to be able tell the victims what Ames is doing to protect them.

Rachel Brown, 3241 E. Main Street Road, Marshalltown, said she is representing American Massage Therapy Association (Iowa Chapter) and herself as a Licensed Massage Therapist (LMT). She said a local ordinance would allow law enforcement to get into an establishment to investigate. She said she is in favor of a more restrictive ordinance. Ms. Brown said the term “massage parlor” references an illegitimate massage business and stirs up unfavorable stereotypes, and asked the community to refrain from calling establishments by that name. She said she is working with lobbyists at the state level to encourage the state to put photographs on licenses and do background checks. Ms. Brown said she is hopeful there will be some unification of the many ordinances in the future.

Amy Dollison, 1018 NE Fountain View Dr., Ankeny, told the Council she agrees with what she has heard, and would be happy to provide information as requested. As owner of four Massage Heights locations, she said her employees cannot work if their licenses expire. Ms. Dollison said it’s very frustrating to have people call and ask for inappropriate services. She said her other owned locations are in Des Moines, West Des Moines, and Johnston, where all three ordinances are different. She said it helps her to know that those cities have the authority to shut down illegitimate massage locations, and she wants the City of Ames to have that authority.

Council Member Gartin asked for feedback about owning businesses in different cities. Ms. Dollison said the Des Moines ordinance is the easiest to comply with, West Des Moines is a little more burdensome since it requires fingerprinting, and the Johnston ordinance is the most burdensome because of its requirements. She said she would not encourage the requirement of fingerprinting, rather providing a driver’s license. Mr. Gartin asked about Ankeny. She said Ankeny does not have an ordinance at this time, but feels if Ames passes an ordinance, Ankeny will follow.

Mayor Haila asked Ms. Dollison if she believes the Des Moines ordinance is effective. She said she’s not sure, but she would like the ordinance to go one step further where therapists can turn in phone numbers that call to request inappropriate services.

LaHoma Simmonds, 433 Nature Road, Boone, said she owns her own business in Boone, and Boone passed a massage therapy ordinance last fall that follows the Johnston example. She said she felt the

process was invasive and prefers the Des Moines ordinance with some edits. She said therapists work hard for their license. Ms. Simmonds said the Boone ordinance was effective in closing a questionable business, and requires a permit if practicing in a different location or after 8:00 p.m.

Drea Meadows, 2318 Clayton Drive, Ames, said an ordinance will protect the public from going to the wrong type of business and protect the therapists as well. She said she has had customers that assumed she wasn't a licensed and legitimate therapist.

Council Member Gartin asked Chief Cychosz for input on the situations discussed. Chief Cychosz said those investigations have been done in this community in recent years and are challenging with the parties involved. He said there are certainly those that believe Ames could turn a blind eye or ignore this, and that makes Ames vulnerable.

Council Member Beatty-Hansen asked if there are businesses the Police Department wishes they could go into. Chief Cychosz said public education and awareness are very important, and encouraged anyone who sees something that looks illegal to call the Police Department. He said those types of calls have assisted law enforcement. Chief Cychosz said requiring a license and being able to go in and check establishments would be helpful. He recognized the challenge of the burden also falling on the legitimate businesses.

Mr. Gartin asked if there are any comments on the Des Moines model. He said the Legal Department has looked at it, and there is some clarification needed including clearer accountability for those not in compliance.

Mayor Haila said staff can work on an option and bring it back for Council consideration. Ms. Beatty-Hansen said an edit that includes accountability of the business owner could be added. Mayor Haila said he appreciates the therapists inviting some regulation to protect the public and therapists.

Council Member Betcher asked if the process already in place for Home Occupation Permits should be considered. Mr. Phillips said he will look into the Home Occupation Permit requirements. Ms. Betcher said if a business registration addition is considered, she wants to know if it's a repetitive requirement.

Moved by Martin, seconded by Beatty-Hansen, to ask staff for possibilities for an ordinance or further decision points along the lines of the Des Moines ordinance, with added provisions for holding owners and managers responsible and assisting during an investigation when warranted.

Council Nelson said he's concerned about the option of requiring business registration forms, as that would be hard to maintain and would create the opportunity for outdated information.

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

Mayor Haila said the process could take some time as staff drafts an ordinance and brings it back to Council for consideration.

Council Member Gartin said Council will be in contact with Dr. Belitsos and Ms. DeMarie with any updates.

DISPOSITION OF COMMUNICATIONS TO COUNCIL: At the Mayor's request, Council considered Communications to Council before Comments.

Moved by Betcher, seconded by Beatty-Hansen, to request a memo from staff regarding Mr. Torresi's letter dated April 10, 2019.

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

Mr. Martin recognized receipt of a letter from a concerned citizen.

The Council acknowledged the Mayor and Council's Bike Ride information that was provided.

COUNCIL COMMENTS: Member Gartin reminded motorcyclists to be safe.

Mayor Haila said there continues to be much action in the Iowa Legislature. He said there is a property tax bill that is very concerning. He said an amendment is being considered that would abolish rental caps retroactive as of January 1, 2019. He told the Council the Iowa League of Cities is trying to get a network of mayors set up that could be mobilized for legislative issues, mentoring, education, etc. Mayor Haila said there is a universal grave concern about the property tax bill. He commented that staff does an outstanding job on the budget process and working to keep the levy as low as possible while providing the best services.

ADJOURNMENT: The meeting adjourned at 7:41 p.m.

Diane R. Voss, City Clerk

John A. Haila, Mayor

Erin Thompson, Recording Secretary

**MINUTES OF THE JOINT MEETING OF THE AMES CITY COUNCIL
AND AMES HUMAN RELATIONS COMMISSION AND
REGULAR MEETING OF THE AMES CITY COUNCIL**

AMES, IOWA

APRIL 23, 2019

**JOINT MEETING OF THE AMES CITY COUNCIL AND
AMES HUMAN RELATIONS COMMISSION**

The Joint Meeting of the Ames City Council and Ames Human Relations Commission was called to order by Mayor John Haila at 6:01 p.m. on the 23rd day of April, 2019, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. In addition to the Mayor, City Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, David Martin, and Chris Nelson were present. Representing the Ames Human Relations Commission (AHRC) were Madesh Samanu, Liming Pals, Wayne Clinton, Jill Crosser, and Joel Hochstein. *Ex officio* Member Allie Hoskins was absent.

Joel Hochstein, Ames Human Relations Commission (AHRC) Chairperson, referred Council to the Annual Report. He discussed the highlights of the report which included the continued programming with Inclusive Ames and with Iris. There have been several events with Inclusive Ames and the annual summer event with Iris, however Iris will be going to Des Moines next year, so they will not be in the new report. Awards will still be given out every year. There was a new partnership with the Building Inclusive Organization Symposium that the Human Relations Commission did in conjunction with City of Ames, Chamber of Commerce, and Iowa State University. The Report contains all the available data they can get from the State of Iowa, which is where the complaints are processed. There was an increase in discrimination complaints from 17 last year to 31 this year with 25 of those regarding employment. The Strategic Plan includes what Council asked them to do from the workshop in August.

Commission Member Wayne Clinton said one of the advantages of the Report is that they have data they can focus on to discuss what factors contribute to why certain segments of the population feel there needs to be change in the employment practices. This helps the AHRC to be a facilitator to address some of these concerns. Mr. Hochstein said employment is a repeat complaint between this year and last year with a trend towards race, color, and physical and mental disabilities.

City Council Member Gloria Betcher asked if the AHRC is clear on which strategies for the future rely on staff input and which are Commission-oriented activities. Mr. Hochstein said they have not yet sorted that out. Ms. Betcher said some of them seem to be more staff-oriented, which is something to consider when dividing the duties between Commission Members and staff.

Mr. Hochstein said they have not done any outreach yet, but will meet with the NAACP to learn more about strategies. City Council Member Tim Gartin suggested also connecting with the High School Civil Rights group, who are focused on inclusiveness and climate. Commission Member Madesh Samanu said they will work with the University to try to educate the students during orientation so they can know their resources.

ADJOURNMENT: The joint meeting adjourned at 6:14 p.m.

REGULAR MEETING OF THE AMES CITY COUNCIL

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:14 p.m. on April 23, 2019, in the City Council Chambers in City Hall, 515 Clark Avenue. Present were Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, David Martin, and Chris Nelson. *Ex officio* Member Allie Hoskins was absent.

PROCLAMATION FOR “ARBOR DAY,” APRIL 26, 2019: Mayor Haila proclaimed April 26, 2019, as “Arbor Day.” Accepting the Proclamation were John Jacobson and Bob Schumer.

Mr. Jacobson thanked Smart Water and Smart Energy, which help fund their programs. He encouraged everyone to get a \$50 voucher for a new tree on May 4th. Mr. Jacobson also welcomed the newest member Paul Tauke, the City Forester.

PROCLAMATION FOR “ECONOMIC DEVELOPMENT WEEK,” MAY 6 - 11, 2019: The week of May 6 - 11, 2019, was proclaimed “Economic Development Week” by Mayor Haila. Individuals accepting the Proclamation from the Chamber of Commerce were Drew Kemp and Dan Culhane.

Mr. Kemp thanked the Council, the Board of Supervisors, Iowa State University, Des Moines Area Community College, and anyone involved in community betterment and community investment, for their support.

PROCLAMATION FOR “BIKE MONTH AND BIKE-TO-WORK WEEK,” MAY 13 - 19, 2019: Mayor Haila proclaimed the month of May 2019 as “Bike Month” and the week of May 13 - 19, 2019, as “Bike-to-Work Week.” Accepting the Proclamation were Jeri Neal and Carol Williams, members of the Ames Bicycle Coalition.

Ms. Williams thanked all participating and supporting businesses and invited the community to participate in the events planned, which are listed on the Ames Bicycle Coalition’s *Facebook* page.

PROCLAMATION FOR “HISTORIC PRESERVATION MONTH,” MAY 2019: Mayor Haila proclaimed the month of May 2019 as “Ames Historic Preservation Month.” Accepting the Proclamation was Peter Hallock, Chairman of the Ames Historic Preservation Commission.

Mr. Hallock congratulated the City on the recent designation of the Downtown as a National Historic District. The City of Ames now has two National Historic District areas: Old Town and Downtown, with Old Town also a Local Historic District.

PRESENTATION OF 2019 HISTORIC PRESERVATION AWARDS: Mayor Haila presented the following Awards:

1. Adaptive Reuse: RES-Development, Inc., for The Crawford located at 415 Stanton Avenue.

This Award recognizes retention of the principal features of a building and, in a sympathetic way, modifying it for modern uses. Changes are not required to be strictly consistent with the original appearance of the modified building or of other historic buildings constructed in the same time period.

Crawford School was originally built in 1930 as a one-room red brick neighborhood school house and expanded with additions in 1938 and 1968. However, prior to its purchase in 2017, it was named one of Preservation Iowa's seven most-endangered historic properties. Working closely with the SCAN Neighborhood, RES-Development converted and expanded the structure into 30 age-restricted condominiums, while retaining and replicating important architectural detailing.

Luke Jensen and Duane Jensen, RES-Development, Inc., accepted the Award.

Mr. Luke Jensen said he and his partners are really pleased with the outcome of The Crawford and they believe their work demonstrates the commitment to preservation and sustainable development that the Award represents.

2. Restoration: Chris Nelson/Angstrom Land Co. for 827 Northwestern Avenue.

This Award involves returning a building or a feature of a building to its own original appearance, based on historic photographs or working drawings of the particular building or careful consideration of the fabric of the structure itself. Like historic rehabilitation, restoration involves removing later work and either repairing distinctive features of a building or replacing those features that are missing.

Originally constructed in 1915 as a neighborhood grocery, the building was an important neighborhood gathering place. However, in 2016, the building had structurally and mechanically deteriorated almost beyond repair. With a lot of labor and love by Chris Nelson and his family, it has been restored as a commercial building resembling its original character.

Chris Nelson, Angstrom Land Co., LLC, and his family, accepted the Award.

Mr. Nelson gave credit to his entire family for their work on the building for two years. He said it was really special and fun to rehabilitate this building because it had a special connection to his family.

CONSENT AGENDA: Moved by Betcher, seconded by Martin to pull item 21, Ames Velo Grand Prix, for separate discussion.

Moved by Martin, seconded by Beatty-Hansen, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of Special Meeting Held April 2, 2019, and Regular Meeting held April 9, 2019
3. Motion approving Report of Contract Change Orders for April 1-15, 2019
4. Motion approving Outdoor Service privilege for sidewalk café - Olde Main Brewing Company, 316 Main Street
5. Motion approving 6-month Class B Beer Permit with Outdoor Service - Ames on the Half Shell, Bandshell Park
6. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Beer Permit with Sunday Sales - Swift Stop #2, 3406 Lincoln Way
 - b. Special Class C Liquor License with Sunday Sales - Great Plains Sauce & Dough Co., 129 Main St.
 - c. Class E Liquor License, Class B Wine, Class C Beer and Sunday Sales - Walgreens #12108, 2719 Grand Ave.
 - d. Class B Beer with Sunday Sales - Jeff's Pizza Shop LLC, 2402 Lincoln Way
 - e. Class C Liquor License with Catering, Outdoor Service and Sunday Sales - Mother's Pub , 2900 West St.
 - f. Class C Liquor License, Class B Wine, Outdoor Service and Sunday Sales - Bar la Tosca, 400 Main St.
7. RESOLUTION NO. 19-152 approving re-appointment of Council Member Chris Nelson to the Ames Transit Board of Trustees
8. RESOLUTION NO. 19-153 confirming re-appointment of Jacob Schrader and Juan Bibiloni to serve as Iowa State University Student Government representatives to Ames Transit Agency Board of Trustees
9. RESOLUTION NO. 19-154 authorizing Mayor to sign a Letter of Support for CyRide's FY 2019 Low- or No-Emission Grant Application
10. RESOLUTION NO. 19-155 approving Conflict of Interest Waiver for Ahlers & Cooney Law Firm to represent the Ames School District in reviewing Memorandum of Understanding with the City of Ames regarding a School Resource Officer
11. RESOLUTION NO. 19-156 approving Quarterly Investment Report for period ending March 31, 2019
12. RESOLUTION NO. 19-157 approving Ames Intermodal Facility Commercial Tenant Lease with Executive Express
13. RESOLUTION NO. 19-158 approving Ames Intermodal Facility Commercial Tenant Lease with Jefferson Lines
14. RESOLUTION NO. 19-159 approving Police Department's request to apply for and participate in the ICAP Law Enforcement Policy and Training Grant Program
15. RESOLUTION NO. 19-160 approving extension of the Memorandum of Understanding with St. Ambrose University for Analysis of Racial Proportionality of Traffic Stop Data

16. RESOLUTION NO. 19-166 approving preliminary plans and specifications for 2017/18 Downtown Street Pavement Improvements Project - Main Street Alleys (Duff - Douglas, Kellogg - Burnett); setting May 22, 2019, as bid due date and May 28, 2019, as date of public hearing
17. RESOLUTION NO. 19-167 approving preliminary plans and specifications for Power Plant - Unit 7 Turbine Generator Overhaul; setting May 22, 2019, as bid due date and May 28, 2019, as date of public hearing
18. RESOLUTION NO. 19-168 approving preliminary plans and specifications for Power Plant Maintenance Services Contract; setting May 21, 2019, as bid due date and May 28, 2019, as date of public hearing
19. North River Valley Well Field:
 - a. RESOLUTION NO. 19-169 approving preliminary plans and specifications for North River Valley Well Field Project; setting May 29, 2019, as bid due date and June 11, 2019, as date of public hearing
 - b. RESOLUTION NO. 19-170 approving Change Order to Professional Services Agreement with HDR to add bidding and construction phase services
20. RESOLUTION NO. 19-171 approving contract and bond for 2017/18 Shared Use Path Maintenance Program - Stange Road
21. RESOLUTION NO. 19-172 approving contract and bond for 2017/18 Shared Use Path Maintenance Program -Daley Park
22. RESOLUTION NO. 19-173 approving contract and bond for 2017/18 Storm Water Erosion Control (Kinyon-Clark)
23. RESOLUTION NO. 19-174 approving renewal of Contract with RESCO of Ankeny, Iowa, for the purchase of transformers for Electric Services in accordance with unit prices and actual quantities ordered and inclusive of applicable sales tax
24. RESOLUTION NO. 19-175 approving renewal of Contract with ChemTreat, Inc., of Glen Allen, Virginia, for FY 2019/2020 Chemical Treatment Program for Power Plant in an amount not to exceed \$290,500
25. RESOLUTION NO. 19-176 approving renewal of Contract with Northway Well and Pump Company of Waukee, Iowa, for Year Three of five-year contract for Water Plant Well Rehabilitation
26. RESOLUTION NO. 19-177 accepting completion of CyRide Bus Lifts Replacement Project
27. RESOLUTION NO. 19-178 accepting completion of the Water Pollution Control Facility Primary Clarifier Blasting/Coating Project
28. RESOLUTION NO. 19-179 accepting completion of Water Pollution Control Facility Screening System Improvements Project
29. RESOLUTION NO. 19-180 accepting completion of Water Pollution Control Facility Security Camera Replacement Project
30. RESOLUTION NO. 19-181 accepting partial completion of public improvements and reducing security held pertaining to South Fork Wrap-Up

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

AMES VELO GRAND PRIX: Council Member Gloria Betcher asked what outreach had gone on before the Ames Velo Grand Prix event to prevent something like last year, where a citizen broke through the barriers to go to a parking lot. Jason Quinn, Ames Velo, and Scott Wall, Race Director, were present to answer questions about the event.

Mr. Quinn explained the process for getting approval for the Main Street portion of the race is that they have to get written consent from every entity on the course. Mr. Wall said last year was the same process; however, that particular business wasn't yet open when they were obtaining the consents, so they weren't aware of the event. Mr. Quinn said last year, they adjusted the time slots of the races, which was successful. The downtown closure starts at 4:00 p.m., so fewer businesses are obstructed. They are trying to curate a healthy-living summer time event to encourage activities with kids and families in the community.

Moved by Betcher, seconded by Corrieri to approve the following items for Ames Velo Grand Prix:

Ames Velo Grand Prix:

- a. Ames Main Street Criterium on Saturday, June 29:
 - i. Motion approving blanket Temporary Obstruction Permit
 - ii. Motion approving blanket Vending License
 - iii. RESOLUTION NO. 19-161 approving waiver of fee for blanket Vending License
 - iv. RESOLUTION NO. 19-162 approving closure of Main Street from Clark Avenue to Douglas Avenue, Douglas Avenue from Main Street to Sixth Street, Sixth Street from Douglas Avenue to Burnett Avenue, Burnett Avenue from Sixth Street to Main Street, Fifth Street from Douglas Avenue to Clark Avenue, Kellogg Avenue from Main Street to Sixth Street, and Clark Avenue from Fifth Street to Main Street from 4:00 p.m. to 11:00 p.m.
 - v. RESOLUTION NO. 19-163 approving closure of 280 metered parking spaces from 2:30 p.m. to 11:00 p.m. along the race route and approving suspension of parking enforcement
- b. ISU Research Park Circuit Race on Sunday, June 30:
 - i. Motion approving blanket Temporary Obstruction Permit
 - ii. Motion approving blanket Vending License
 - iii. RESOLUTION NO. 19-164 approving waiver of fee for blanket Vending License
 - iv. RESOLUTION NO. 19-165 approving closure of University Boulevard from Ames Fitness Center south parking lot to Collaboration Place, Collaboration Place, and Plaza Loop from 8:00 a.m. to 5:00 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 Haila opened Public Forum.

Elliott Smith, 1116 Marston Avenue, Ames, requested feedback on the 48-hour parking regulation. He asked why the rules are in place and wanted to know if there is any interest or desire to extend it. It's an issue to him because he walks everywhere and to drive a car every two days seems excessive. He clarified that he is asking for either an extension of 48 hours to a week or five days instead of every two days, or another method to identify abandoned cars on street parking other than non-movement.

No one else came forward, and Mayor Haila closed Public Forum.

AMES COMPREHENSIVE PLAN 2040: Planning and Housing Director Kelly Diekmann and RDG consultants Cory Scott and Marty Shukert reviewed approaches for Council to consider for the Comprehensive Plan 2040. Mr. Diekmann explained Option 1 for considering infill redevelopment options first which would inform staff of the land use needs for expansion; Option 2 first identifies the preferred approach to land use planning and development philosophies before vetting location preferences; and Option 3 highlights location issues first before considering detailed land use options. Within all of these options, staff believes that it is understood that major land use differences to be considered will focus on housing (single-family and multi-family) and local/community commercial components, while the industrial and regional commercial assumptions are that the East Industrial, ISU Research Park, and 13th Street areas, respectively, will remain unchanged from the current plan.

Mr. Diekmann explained that staff believes that choosing Option 1 and Option 3 would best serve the City at this time due to the significant unknowns about the viability of the location of growth and changes. Additionally, choosing Option 3 lets the City consider its longer term growth needs beyond 2040 by evaluating 15,000 people four different times (essentially 60,000 people), which may be important in making decisions about priorities for the next 20 years that will also influence the long-term future of the City. He said Council would choose Option 2 if defining specific philosophies for growth up front is the priority for the City. Because this direction that is being requested from RDG is an important step in the work plan of defining the scope for evaluating options before selecting a preferred option later this summer, staff would recommend that public input be taken at this meeting.

Mr. Scott discussed the presentation and timeline for options to move forward with the planning. Mr. Shukert explained that the different scenarios are constructed around the issues that are most important to the community, such as economic stability in Oklahoma City, a hybrid concept in Cedar Rapids, and urban infill in Brookings, South Dakota, which then provides the vision for the community.

Mayor Haila asked at what level the property owners would participate in the discussion. Mr. Diekmann said this is the technical evaluation step; the middle step is where public input is accepted and then Council decides how much direction they want from individuals. Council Member Betcher asked at what point high school students will be asked for input on the Plan. Mr. Scott said it depends on the interest from the teachers and faculty. He said the conversation will be initiated in

June or July, with the expectation that the schools will be ready for classroom meetings in October.

City Council Member Chris Nelson said some areas make sense to do one way and others in another way; each area may be completely unrelated. He asked how to get through that information. Mr. Diekmann said this decision tonight is deciding what the Council wants to know first, not just the only thing they want to know.

In response to Mr. Shukert's discussion of the proposed growth rate, City Council Member Tim Gartin asked to get more information on why they are so confident in the growth of 15,000. Mr. Diekmann said the national average for a city the size of Ames is 1%; their projection is slightly higher as they are not projecting a stagnant population. Also, the projection is without student influence and is only looking at permanent residents. Also, he explained that the competitive position of Ames justifies looking at a higher growth rate than a national average. He said choosing a smaller growth rate limits the vision for the future; overshooting just means you are prepared for that amount.

Mayor Haila opened Public Input.

Jeri Neal, 916 Ridgewood Avenue, Ames, said Options 1 and 3 seem to be anchored in growth as the primary principal of concern. This isn't clear on how this will be different than what the City already does. Currently, growth moves forward and then the City decides how to accommodate it, she would like to get away from that order. She said Options 1 and 3 don't put climate change front and center. She would like part of the planning process to include pushing the people and businesses to become more carbon-neutral with land use being a huge factor to consider. One way to accomplish this is to think about incorporating carbon outcomes from the very beginning. Ms. Neal said Option 2 is not as easy to grasp and has been put down through the presentation, but it has the option to look at whole systems outcomes, which is necessary to plan and adapt to climate change.

Kim Christiansen, 2985 South Dakota Avenue, Ames, referenced a letter he had sent to the City Council. He would like there to be flexibility for an agricultural buffer between the City and the farms.

Kent Vickne, 2625 Meadow Glen Road, Ames, said he also had sent a letter to the Council Members discussing his concerns. He and his neighbors have safety concerns regarding fires. In Washington Township, they have their own fire department; if Kelley is incorporated into Ames, \$25,000 will be removed from their budget and fire trucks will have to come from Slater, which increases the response time. Also, a feed mill is being built, which means more farm equipment traffic, which creates a concern for additional residential traffic. He said Iowa State is a unique area and there isn't much land for the City to grow in the southwest area. He would like the southwest area to be taken off the table.

Phil Iasevoli, 3108 South Dakota Avenue, Ames, elaborated more on what Kim Christiansen said. He suggested to the Council, staff, and consultants to consider a buffer zone from Highway 30 south

to the Iowa State-owned and operated grounds. He explained there are over 3,500 acres in Washington Township; there are five Iowa State teaching farms, two of which are being revamped with all new construction. There also is a very good possibility that there will be a feed mill to supply feed to the teaching farms across Iowa State and to private individuals just north of the Curtiss Farm on State Avenue. He requested that Council and RDG consider that development in this area is limited because of the acreage and because there are a lot of traditional agricultural practices that take place by Iowa State and private farmers in that area, which means there are the usual agricultural practices that you see every day, year round. On the roads there are a lot of slow-moving traffic, tractors and equipment, semi-tractor trucks, and noise from equipment and livestock. On top of that, there are odors from chemical applications, manure, and facilities to store the manure. He said the urban residential type of setting next to the agricultural area is going to bring a lot of issues for everyone.

Kurt Friedrich, Friedrich Companies, 100-6th Street, Ames, said he was involved in the last process of updating the Comprehensive Plan 20 years ago. He said he is in favor of the 1 and 3 options with the focus on infill and focus on locational aspects of updating the Plan as being the next step in the process. Locations will determine the concepts or philosophies that are employed in those locations. He said he would like Council to consider infrastructure to serve these areas and the costs. Another issue is rural water buyouts and how they deal with those impediments. He said he encourages more collaboration with the County and also Gilbert. He said while it would be unwise to say the City should grow in one area, it is obvious to him that there is energy and momentum to grow more to the north, and Gilbert is part of that conversation and so is the County.

Cindy Hildebrand, 57439-250th, Ames, lives next to the south expansion area. She said there currently are many kinds of wildlife in her wetlands complex. She remembers discussion from the last land use planning and that consultant said compared to other cities he had worked in, Ames had less of its natural landscape left than just about any city that he had worked in and he strongly urged that Ames protect what is left. Ms. Hildebrand said green infrastructure is just as important as any other infrastructure that you consider. Mayor Haila asked her to explain what she meant by green infrastructure. She said green infrastructure is anything that isn't lawn or cornfield; it's permanent vegetation that helps soil health, air quality, and water quality.

Chuck Winkleblack, Hunziker Companies, 105 South 16th Street, Ames, said he had sent an email and summarized most of what he wanted to say. He said the infill portion is very important, but community buy-in is needed. It sounds great until they start talking about where that's going to happen and talking to the people in the area that will be redeveloped. He said the Council also needs to be cognizant of what's available. In the past, prices were driven sky high because of limited availability. Land owners don't want to sell, which limits options for the developers and the community. Building next to where the infrastructure is already makes sense.

Dan Culhane, Ames Chamber of Commerce, said substantial job growth was a concern discussed previously. He said the vast majority of people live south of Ames; the dollars they earn in the City go to the other communities that they live in instead of staying in the City. If there is a way to

increase the footprint for people to live here, it would be to the benefit of the City as they will continue to attract really good jobs, and he would like to see those people be able to choose to live in Ames.

Mayor Haila closed public input. He said they are trying to be proactive and let the public know when public input will be invited. It may not be at every meeting, but they do accept and read emails. He asked Mr. Diekmann to comment on the southwest development purpose if Council decides to go with any of them. Mr. Diekmann said the Option 3 exercise is to take the 15,000 population growth and put it individually into each of the areas so there is a true depiction of differences in the ability to serve a large population and what is necessary to do that. He explained this will not commit the Council to a land use pattern, it just will tell them what it would be like if they put everyone in one location. Mr. Diekmann verified for Mayor Haila that just because some area is picked to be looked at, it might be eliminated for various reasons unless Council decides to eliminate it tonight.

Further discussion ensued regarding what data could be generated by the different scenario options and what types of developments would be possible.

Moved by Gartin, seconded by Corrieri, to direct staff to move forward with Options 1 and 3.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Gartin, seconded by Corrieri, to direct staff to continue the process of studying development in all of the areas on the growth map.

Ms. Betcher asked if the results will identify sections that are more likely than another. Mr. Scott said they will provide advantages and disadvantages for each of the areas, which will help Council to make informed decisions and provide direction to RDG.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Gartin, seconded by Betcher, to direct staff to work under the presumption that they will be looking at an additional 15,000 people as the working premise for the development of this model.

Council Member Martin clarified that this is the 1.5% model.

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

Mayor Haila asked when additional public input might be occurring in the next 45 to 75 days. Mr. Diekmann said that in the next 60 days, they will work on the technical information for people to respond to first. He said the online survey is available until the end of April and they will update the results in May on the initial phase of engagement. He said the public's next participatory element will be when Council is reviewing the draft scenario information from RDG.

Mayor Haila declared a recess at 8:34 p.m. The meeting reconvened at 8:44 p.m.

HEALTHY LIFE CENTER UPDATE: City Manager Steve Schainker said the last meeting direction was to follow through on some savings on the project and then Council directed staff not to adopt those savings so as not to jeopardize the quality of the building. Council asked staff to look at the contingency to see if they could save any money there.

Parks and Recreation Director Keith Abraham reviewed the second page of the Council Action Form regarding what could be cut from the plans and what the current final projection is.

Mr. Schainker referred to Table 1 of the staff report and brought attention to the change in the bond issue. There is a deficit of \$500,000 from what the projected donations were, so the total bond issue went from \$28,109,000 to \$28,609,000. He said Table 5 estimates the property tax change and is based on certain assumptions which may not be the same one or two years from now. The rate would have to go up to \$.78 per thousand to pay for the bond issue plus the operating deficit. He explained that they put in about \$96,000 every year to the municipal pool, which will go away, and they will still save about \$60,000 because the municipal pool isn't there, which can be applied towards the \$404,561 deficit and help reduce the tax rate increase. Mayor Haila asked if the bond amount will change. Mr. Schainker verified that the bond amount in Option 1 will change to \$28,609,488 and may go up in May for final numbers as well.

Moved by Nelson, seconded by Gartin, to approve moving forward with the Healthy Life Center project and direct staff to prepare the necessary language for a bond referendum for an August 6, 2019 election.

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

Mayor Haila said the Council will take public input at its May 14, 2019 meeting on this matter.

NEW RADIO SYSTEM: Police Chief Chuck Cychosz said Iowa State Purchasing was the main purchasing agent for this contract. The current contract is the product of negotiations to provide the best possible radio solutions at the best possible price while maintaining the history, tradition, and effectiveness of the City's radio interoperability across the County. He said the request is asking for permission from City Council for the StoryComm representative from the City (Steve Schainker) to sign the contract.

Mr. Schainker said this is a complex partnership. The citizens of Story County will benefit from the partnership; it will also provide safety to the employees and emergency responders.

Chief Cychosz said there was a clarification in the contract that was important over the life of the system to ensure that everyone understands that the radios are owned by the City or the purchasing entity and not by StoryComm collectively. That doesn't mean that they can't set aside a bank of 30 radios for emergency use, but what is purchased for the City will be owned by the City for the life of the contract.

Chief Cychosz explained the fees have several components that determine the cost. There is

licensing over the life of the system, which can be projected into the tower fee, and the more radios on the system, the lower the fee is. He said until there is a contract and a vendor, the City cannot enter into serious negotiation for leases on the tower sites; there is likely to be some lease cost that will have to be incorporated in the radio tower fees. In preparing the information for Council, staff provided estimates at the high end to be able to hopefully provide good news later on.

Mayor Haila opened public input. Seeing none, he closed public input.

Mr. Schainker explained the term length of the contract was extended from 10 years to 15 years to accommodate the attractive pricing from RACOM. The contract itself is between StoryComm and RACOM for the total system.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 19-182 approving the 28E Addendum No. 1 with StoryComm.

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

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 19-183 authorizing City's StoryComm representative to vote to approve the Contract with RACOM for a radio vendor should the final Contract be in line with performance and financial expectations.

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

EXCEPTION TO SECTION 22.32(c)(2)(v) TO ALLOW ALCOHOL SERVICE IN SIDEWALK CAFÉ AT DELLA VITI, 323 MAIN STREET, STE. 102: Moved by Corrieri, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 19-184 approving an exception to Section 22.32(c)(2)(v) to allow alcohol service in Sidewalk Café at Della Viti, 323 Main Street, Ste. 102. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON SALE OF CITY-OWNED PROPERTIES TO HABITAT FOR HUMANITY OF CENTRAL IOWA, INC.: Mayor Haila opened the public hearing.

Tom Prockno, President of Habitat for Humanity of Central Iowa, 406 Joy Circle, Gilbert, thanked the City of Ames for allowing them to partner with the City in building homes in the City of Ames.

Mayor Haila closed public hearing.

Moved by Beatty-Hansen, seconded by Corrieri, to adopt RESOLUTION NO. 19-185 approving the sale of 1228 Stafford Avenue in the amount of \$40,000.

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

Moved by Beatty-Hansen, seconded by Corrieri, to adopt RESOLUTION NO. 19-186 approving the sale of 3305 Morningside Street in the amount of \$40,000.

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

HEARING ON PROPOSED AMENDMENTS TO THE ZONING CODE: Planner Eloise Sahlstrom said this item had come to Council before. She was now asking the City Council to review the proposed Ordinances, hold a public hearing, and proceed with first reading for approval of each of the three Ordinances. She also asked Council to establish a fee for the licensing.

City Council Member Tim Gartin asked if the changes to the rental housing cap from the legislature were going to impact this at all. Mayor Haila clarified that the rental cap legislation makes it unlawful that vacation rentals be capped or not allowed in near campus neighborhoods. This will introduce another type of rental. City Attorney Mark Lambert said the recent legislation did not have a direct impact on these Ordinances as short-term rentals are their own thing.

Mayor Haila asked Council to consider the impact of vacation rentals, which could be potentially, through creative means, turned into student housing or other types of housing.

City Council Member Bronwyn Beatty-Hansen explained that she was initially supportive of the vacation rental option, as she thought they would have the cap as a tool to prevent affordable homes from getting prospected out in areas, but now that it's gone away, she is not supportive of the vacation rental concept. She said Mr. Lambert said the recent legislation doesn't directly affect this, but it actually does because it takes the cap away as a tool. Ms. Betcher and Mr. Martin both said they have been voting no on short-term rentals because of the vacation rental aspect. Ms. Corrieri asked that they talk about other alternatives to regulate vacation homes before cancelling option completely.

Ms. Betcher asked what options are available if they want to consider some other sort of enforcement mechanism. Ms. Beatty-Hansen said they could move forward with the options that they could agree on and then give Council more time to look at vacation rentals. Mr. Nelson asked if they should just table the whole thing since it's so intertwined. Mr. Diekmann said if they aren't going to approve the vacation rentals, he would rather them remove it from the Ordinance now and bring it back later, rather than have a first reading and look at the second reading and wonder what changed. There is no necessity to move on the first reading tonight if Council is going to change the Ordinance substantially. Mr. Diekmann said a small delay is ok, but Council would need to move forward with a decision soon.

Moved by Martin to revise the Ordinance to eliminate the vacation rental portion and bring the balance back at the next opportunity.

Ms. Corrieri asked if public input on the proposed Ordinance was not going to be held tonight.

Mayor Haila asked Mr. Martin to withdraw his motion to allow for public input.

Motion withdrawn.

Ms. Betcher asked if they discuss how to enforce vacation rentals, could the Ordinance go back in easily or is it a case of discussing what you can do about enforcement before revising to remove the vacation rentals. Ms. Corrieri said she thinks it's odd that they would knowingly allow something to go on in the City for so long and then slam the door on it when these people have invested money in the community to run their businesses.

Mayor Haila opened the public hearing.

Jeff Hart, 1405-16th Street, Ames, said Council would be wise to take a step back and look at all of the rental policies across the board due to the change from the legislature. He said property owners already put money back into the community with upkeep and investing in their properties. Then they are being asked to pay a fee for licensure; but if renters in rental properties rent out a short-term room, are exempt from licensure and fees. She believes that "It's a slap in the face to the property owners who are paying the taxes and the upkeep."

Ryan Houck, 65697-190th Street, Nevada, said he is opposed to taking the vacation rental option away. He suggested to require a property owner to live within a certain mile-radius if Council is worried about not enough control or eyes on the property.

Shannon Stack, 1613-24th Street, Ames, acknowledged that she is pro Air BNB. It is her job; she is not able to get a public job because of a neurological disease. She said she is bringing people to Ames to show off the community. She feels Air BNB owners have been made into criminals and that they need to be monitored because they are doing something wrong, but they aren't. She commented that too much time and energy had been invested in this to just end it. Ms. Stack clarified that she has a hosted home share in her basement.

Mayor Haila closed the public hearing.

Ms. Beatty-Hansen said Ames needs affordable housing, and while more lodging options are needed also, affordable housing is the priority. Mr. Gartin said the Legislature has made an effort to single out a couple communities in Iowa to prohibit them from doing what they do. The arguments about wanting to have control over the market has been made clear that Legislature is not ok with that kind of municipal meddling with the market. Mr. Diekmann said short-term lodging is not rental. By *Iowa Code*, if you are staying somewhere for 31 days or less, you are a transient occupant.

Ms. Corrieri said she believes it is irresponsible to throw something out after spending so much time on it. Mr. Martin said the words in his motion were to bring back something that the majority would vote to approve and that leaves the possibility to come up with something in the vacation rental category that the majority would also approve later. His motion tonight is not to forbid them from

ever considering vacation rentals again. Ms. Betcher said she doesn't want to do this and create more work to have to undo it later. She suggested that Council remove the vacation rentals and move forward with the rest of the Ordinance so there is something in place for the other categories. She asked if it would take more work to reinsert something else about vacation rentals later.

Mr. Diekmann said it would just require the publication of another ordinance, which would include the same steps of reading it. He said the basic structure is there; it shouldn't take a lot of work. Ms. Corrieri asked if current vacation rentals would be allowed to continue to operate until an ordinance is approved or if they would no longer be able to operate once the third reading is approved. Mr. Diekmann said they could delay implementation of an ordinance. Mr. Lambert said Council can direct staff not to enforce anything on vacation rentals while working on a policy. Mr. Diekmann said the outcome of the reading of the Ordinance needs to have direction to continue to do something about vacation rentals.

Moved by Gartin, seconded by Corrieri, to approve Alternative 1.

Mr. Diekmann noted that Council needs to vote on three different ordinances, not just Alternative 1.

Motion withdrawn.

Moved by Gartin, seconded by Corrieri, to pass on first reading an Ordinance to amend the Zoning Code Chapter 29.

Roll Call Vote: 3-3. Voting aye: Corrieri, Gartin, and Nelson. Voting nay: Martin, Beatty-Hansen, and Betcher. Motion failed.

Moved by Martin, seconded by Betcher, to direct staff to bring back a revised Ordinance that eliminates the vacation rental with further direction that staff continue a holding pattern in enforcement of the vacation rental and to provide a staff report on how to address vacation rental options.

Mr. Gartin asked the nay-sayers what direction they could give staff to move towards where they want to go. Ms. Beatty-Hansen said she would entertain the radius idea because it would limit outside investment in Ames for profit, but it would allow for local versions of that to allow. Mayor Haila said the people who are affected by the Legislature's actions need to have a chance to bring their concerns to Council.

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

HEARING ON FIRE STATION #1 PARKING LOT RECONSTRUCTION: Mayor Haila said they are repairing the concrete because the soil has settled. He asked if the fill that had settled is being taken out or being recompacted to prevent this from happening again. Fire Chief Rich Higgins said that would be a question for Public Works.

Mayor Haila opened the public hearing. He closed the hearing after there was no one wishing to speak.

Moved by Betcher, seconded by Beatty-Hansen, to approve RESOLUTION NO. 19-187 approving final plans and specifications and awarding a contract to Manatt's Inc., in the amount of \$78,437.08. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON TEAGARDEN DRAINAGE IMPROVEMENTS: The public hearing was opened by Mayor Haila. He closed the hearing after there was no one wishing to speak.

Moved by Martin, seconded by Betcher, to accept the Report of Bids.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Martin, seconded by Nelson, to continue the hearing to May 14, 2019.
Vote on Motion: 6-0. Motion declared carried unanimously.

HEARING ON 2018/19 COLLECTOR STREET PAVEMENT IMPROVEMENTS (HICKORY DRIVE): Mayor Haila opened the public hearing and closed it after there was no one wishing to speak.

Moved by Betcher, seconded by Corrieri, approve RESOLUTION NO. 19-188 approving final plans and specifications and awarding a contract to Manatt's Inc., in the amount of \$1,222,195.85. 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 STORM WATER FACILITY REHAB (SOMERSET SUBDIVISION POND IMPROVEMENTS): The public hearing was opened by the Mayor. He closed the hearing after no one came forward to speak.

Moved by Nelson, seconded by Betcher, to reject all bids and direct staff to rebid at a later date.
Vote on Motion: 6-0. Motion declared carried unanimously.

HEARING ON STEAM TURBINE NO. 7 PARTS PROCUREMENT: The public hearing was opened and closed by the Mayor.

Moved by Betcher, seconded by Gartin, to accept the Report of Bids and delay award of contract.
Vote on Motion: 6-0. Motion declared carried unanimously.

ORDINANCE AMENDING CHAPTER 14 OF THE AMES MUNICIPAL CODE TO ELIMINATE THE INVESTIGATIVE FUNCTION OF THE HUMAN RELATIONS COMMISSION: Moved by Gartin, seconded by Corrieri, to pass on second reading the ordinance amending Chapter 14 of the *Ames Municipal Code* to eliminate the investigative function of the

Human Relations Commission.
Roll Call Vote 6-0. Motion declared carried unanimously.

ORDINANCE TO ALLOW PROPERTIES TO INCREASE THE NUMBER OF OCCUPANTS BY COMPLETING THE CODE REQUIREMENTS TO MAKE A ROOM WITH A LEGALLY EXISTING EGRESS WINDOW IN A CODE-COMPLIANT BEDROOM: Moved by Corrieri, seconded by Betcher to pass on third reading and adopt ORDINANCE NO. 4384 to allow properties to increase the number of occupants by completing the *Code* requirements to make a room with a legally existing egress window a Code-compliant bedroom.

Roll Call Vote 5-1. Voting aye: Corrieri, Betcher, Gartin, Nelson, Beatty-Hansen. Voting nay: Martin. Ordinance declared adopted, signed by the Mayor, and hereby made a part of these Minutes.

DISPOSITION OF COMMUNICATIONS TO COUNCIL:

Memo from Planning and Housing Department - April 19, 2019, RE: Cornbred Sign on the former depot building:

Moved by Betcher, seconded by Corrieri, to direct staff to place on a future agenda.
Vote on Motion: 4-1-1. Voting aye: Betcher, Gartin, Beatty-Hansen, Corrieri. Voting nay: Martin.
Abstaining due to conflict of interest: Nelson. Motion declared carried.

COUNCIL COMMENTS: Moved by Martin, seconded by Beatty-Hansen, to refer to staff for a memo for a mechanism to provide relief from the situation brought up by Mr. Smith regarding having to move his car.

Ms. Corrieri mentioned that these tickets are complaint-driven and asked if Mr. Smith had talked to his neighbors. Council Member Martin said he will talk to Mr. Smith about discussing the issue with his neighbors.

Motion withdrawn.

Mr. Martin brought up a letter from Mr. Goodman who was asking for a referral. Ms. Beatty-Hansen said this can be referred to staff when they receive it in the Non-Agenda packet.

Moved by Beatty-Hansen to adjourn the meeting at 9:59 p.m.

Rachel Knutsen, Recording Secretary

John A. Haila, Mayor