

REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

NOVEMBER 26, 2013

The Regular Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 7:00 p.m. on the 26th day of November, 2013, in the City Council Chambers in City Hall, 515 Clark Avenue. City Council members present were Jeremy Davis, Matthew Goodman, Peter Orazem, Victoria Szopinski, and Tom Wacha. Council Member Jami Larson and *Ex officio* Member Alexandria Harvey were absent.

Mayor Campbell announced that the Council would be working from an Amended Agenda. A 5-Day (December 7 - 11, 2013) Class C Liquor License for Olde Main Brewing at Reiman Gardens had been added under Permits, Petitions, and Communications..

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

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of November 12, 2013, and Special Meeting of November 13, 2013
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for November 1-15, 2013
5. Motion setting January 28, 2014, and February 25, 2014, at 6:30 p.m. as Conference Board meeting dates
6. RESOLUTION NO. 13-526 accepting Abstract of Votes for November 5, 2013, Regular City Election
7. RESOLUTION NO. 13-527 approving contract with Wellmark for administrative and claims processing services for Flexible Spending Account (FSA) Program effective January 1, 2014
8. RESOLUTION NO. 13-528 approving preliminary plans and specifications for the 2013/14 CyRide Route Pavement Improvements Program #1; setting January 8, 2014, as the bid due date and January 14, 2014, as the date of public hearing
9. RESOLUTION NO. 13-529 approving contract and bond for Water Pollution Control Facility Blower Replacement Project
10. RESOLUTION NO. 13-530 approving Change Order No. 8 with A&P/Samuels Group for Library Renovation and Expansion Project
11. Roll Call Vote: 5-0. Resolutions/Motions declared adopted/carried unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

PUBLIC FORUM: No one spoke during this time.

SPECIAL CLASS C LIQUOR LICENSE FOR CREATIVE SPIRITS AMES: Moved by Davis, seconded by Szopinski, to approve a new Special Class C Liquor License for Creative Spirits Ames, 4820 Mortensen Road, Suite 101.

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

TRANSFER OF LIQUOR LICENSE & OUTDOOR SERVICE FOR A.J'S ULTRA LOUNGE: Moved by Davis, seconded by Orazem, to approve the permanent transfer of the Class C Liquor License & Outdoor Service for AJ's Ultra Lounge from 2518 Lincoln Way to 2401 Chamberlain Street.

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

CLASS E LIQUOR LICENSE FOR AJ'S LIQUOR III: Moved by Goodman, seconded by Davis, to approve a Class E Liquor License for AJ's Liquor III, 2401 "A" Chamberlain Street. Vote on Motion: 5-0. Motion declared carried unanimously.

5-DAY CLASS C LIQUOR LICENSE FOR OLDE MAIN BREWING COMPANY: Moved by Davis, seconded by Orazem, to approve a 5-Day (December 7-11) Class C Liquor License for Olde Main Brewing Company at Reiman Gardens, 1407 University Boulevard. Vote on Motion: 5-0. Motion declared carried unanimously.

STORM WATER EASEMENT FROM STONE BROOKE HOMEOWNERS' ASSOCIATION: Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 13-531 accepting a Storm Water Easement from Stone Brooke Homeowners Association. Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARINGS ON AMENDMENT TO MASTER PLAN AND MAJOR SITE DEVELOPMENT PLAN FOR LOT 79 OF RINGGENBERG PARK:: Planner Jeff Benson noted the three items on the Agenda that pertained to Lot 79 of Ringgenberg Park. He provided summaries for each of the items.

Master Plan. Mr. Benson advised that the property in question is located at the southwest corner of Cedar Lane and Oakwood Road. He reported that the City Council had approved a Master Plan for the subject property on June 11, 2013, that allowed 12 buildings (144 apartment dwelling units). A revised Master Plan had recently been proposed that would eliminate four of the apartment buildings and add a 50-unit Independent Senior Living Facility (for persons 55 years of age or older) at the northeast corner. The Senior Living Facility will require subsequent approval of a Special Use Permit by the Zoning Board of Adjustment if the Master Plan revisions are approved. In addition, three single-family home lots are proposed along Suncrest Drive as a part of the proposed Master Plan changes.

Mr. Benson advised that, although the proposed uses are permitted in the FS-RM Zoning District, the proposed changes require City Council approval of the revised Master Plan due to the reconfiguration of buildings and change in use. He also noted that all of the proposed changes to the Master Plan are within the eastern portion of the site; the western portion of the site is unchanged from the approved Master Plan. If the Master Plan amendment is approved, the actual number of dwelling units would increase from 144 to 149, and the net density would increase to 11.5/units/acre.

According to Planner Benson, staff had concluded that the revised Master Plan is consistent with the Suburban Residential Development Principles and Regulations, with the goals and objectives of the Land Use Policy Plan, and with the purpose of the Suburban Residential Zoning District. In addition, the Planning and Zoning Commission had recommended approval of the revised Master Plan on November 6, 2013.

Major Site Development Plan (MSDP). Planner Benson stated that a proposed Major Site Development Plan had been submitted for approval to allow the construction of five apartment buildings in the western portion of the site. According to Mr. Benson, that is the area where the Master Plan is unchanged so the MSDP may be approved regardless of what is done with the amended Master Plan.

It was pointed out by Mr. Benson that the MSDP presents a lot of detail about the proposed construction, including all the landscaping around the perimeter of the property. The proposed MSDP includes all of the landscape buffers on the north portion of Ringgenberg Park to be built with the first phase. Staff had determined that the landscape plan was consistent with the previously approved Master Plan as well as the proposed Amended Master Plan. In addition, the parking plan meets the criteria for approval.

Preliminary Plat. Per Planner Benson, the purpose of the Preliminary Plat is for the division of property into separate parcels and to plan for the streets, utilities, and other public improvements needed to support the proposed uses of the property. The Preliminary Plat submitted for the property in question divides the property into 12 lots and two outlots. Eight one-acre lots are for 12-unit apartment buildings, one 3.6-acre lot is for the Independent Senior Living Facility, three 0.3-acre lots are for single-family detached residences, and two outlots are for common open space. Mr. Benson advised that the proposed allocation of land uses is consistent with the proposed Master Plan.

According to Planner Benson, staff had concluded that the proposed Preliminary Plat was consistent with the goals and objectives of the Land Use Policy Plan relevant to this project and with the proposed Master Plan for the site. He advised that the Planning and Zoning Commission had recommended approval of the Preliminary Plat on November 6, 2013.

The hearings for the Master Plan and Major Site Development Plan were opened by Mayor Campbell.

Shane Wright, Real Estate Equities Development Company, 1400 Corporate Center Curve, Eagan, Minnesota, advised that the developers believe that they have a “perfect” scenario for the Village Cooperative (Independent Senior Living Facility) on the northeast section of Lot 79. The scenario works well because the neighborhood residents were involved from the very beginning in meetings with the developer and City staff. He said that many of the potential buyers of the dwelling units were also present at those meetings. The four components - the neighborhood, City, developers, and the buyers of the units - were all involved since the project was proposed at the site in question. Feedback from all components was valuable.

The hearings were closed after no one else came forward to speak.

Council Member Szopinski pointed out that the concerns of the neighbors formerly expressed over the Village Cooperative at a different location appeared to have been resolved. Mr. Wright explained changes that had been agreed upon in response to the neighbors’ requests and concerns. He added that there was a lot of follow-up discussion between the neighbors and developer.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 13-532 approving the amended Master Plan to allow four 12-unit apartment buildings to be replaced with 50-unit independent senior living facility.

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

Moved by Davis, seconded by Orazem, to adopt RESOLUTION NO. 13-533 approving the Major Site Development Plan to allow construction of five 12-unit apartment buildings.

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

Moved by Davis, seconded by Goodman, to adopt RESOLUTION NO. 13-534 approving the Preliminary Plat for Ringgenberg Park Subdivision, 4th Addition.

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

HEARING ON REZONING 3333 STANGE ROAD: Planning and Housing Director Kelly Diekmann provided an overview of the three items on the Agenda pertaining to the property at 3333 Stange Road. Director Diekmann advised that the property is comprised of 33 acres and currently zoned Agricultural. The applicant has requested to split the property into a south 12-acre lot with FSRM zoning and a north 21-acre site with FSRL zoning. A Master Plan has also been submitted to be approved. The Master Plan commits to two types of uses across the entire site: the north two-thirds of the site would be developed as a church and the south one-third would be a combination of units for a Senior Living Facility. The Master Plan further details the types of uses for Skilled Nursing, Independent Living, and possibly a Memory Care use on the southeast corner of the site as a future phase. There are no public road extensions through the site; however, there is a Plat with the project, so street and infrastructure improvements are required. Along with development of the site in question, Stange Road will be completed and include a multi-use path along the west side of Stange Road. A sidewalk will be installed along George Washington Carver.

Mr. Diekmann noted that, if this development is approved, it will complete the area around Somerset and Northridge; it is the last large parcel in the area. He advised that staff recommended approval of the two uses that fit well into the neighborhood and can be supported by the infrastructure. According to Mr. Diekmann, both of the proposed uses would be subject to Special Use Permit review by the Zoning Board of Adjustment.

At the inquiry of Council Member Goodman concerning parking, Director Diekmann replied that both uses will meet the requirements of the individual sites. There is nothing that precludes them from having shared parking, but in the meetings that staff had held with the applicants, they had indicated that the requirements would be met individually.

Mr. Diekmann answered the question of Council Member Szopinski stating that the Senior Living Facility would have a main driveway off of George Washington Carver, and the church would have its driveway off of Stange. There is no intent to have an access route off of Sheffield Avenue. The southeast corner of the site east of Sheffield is planned as a second phase of development; there is no lay-out for the memory care component of the project at this time.

Council Member Goodman asked what the density requirement was for the proposed uses. Director Diekmann responded by stating that neither of the uses had a density requirement.

The public hearing was opened by Mayor Campbell.

Gibb Wood, Managing Partner of Scenic Development, 10390 South Cottage Court, Olathe, Kansas, recalled that the Senior Housing project was originally planned to be built on the Athen property across the road from 3333 Stange. They had initially looked at the 3333 Stange location, but it had just been purchased by the Church. When issues occurred with the

annexation of the Athen property due to uncertainties with Xenia Rural Water, Scenic Development began looking at other sites. Mr. Wood said he contacted the pastor of the Church to see if there was any land available. He was told that there would be some land available. The Council was shown a conceptual drawing of the planned elevations. Mr. Gibbs said their goal is to keep the facility looking as residential as possible.

According to Mr. Wood, a traffic study was completed. The traffic to be generated by the Church and the Senior Living Facility is projected to be 75% less than that of single-family housing. The proposed project would provide 39 units of independent living, 34 units of assisted living, and a 38-bed skilled nursing facility. It will be a rental model designed for the middle-market.

Randy Abell, 2713 Northridge Circle, Ames, identified himself as the Pastor of Heartland Baptist Church. He advised that the Church had grown, and they wanted to expand their programs.

The Mayor closed the hearing after no one requested to speak.

Rezoning. Moved by Davis, seconded by Orazem, to pass on first reading an ordinance rezoning the north portion of the parcel at 3333 Stange Road from Agricultural (A) to Suburban Low-Density Residential (FS-RL) and south portion of parcel from Agricultural (A) to Suburban Medium-Density Residential (FS-RM).

Council Member Goodman shared that he believed the proposed uses were not the best use of the land in question; however, the land had been sold and the new owners had the right to develop the property as they are proposing. Council Member Wacha shared that this was a very difficult decision for him in light of the need that Ames has for single-family homes in the Ames School District. It was pointed out by Council Member Wacha that the Council had two opportunities from this meeting alone when there could have been single-family lots in the Ames School District, but it did not do that. He noted that he would be supporting the motion because the applicant owns the land and meets all the requirements to be allowed to develop the property in this way. He said he wished, however, that the Church could have found a location somewhere else in Ames. Council Member Goodman added that this is occurring because of the lack of expectation in terms of land that is existing in the Ames School District. Council Member Orazem pointed out that several single-family homes could be made available to families if the people moving into the Senior Living Facility currently live in Ames.

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

Master Plan. Moved by Davis, seconded by Orazem, to adopt RESOLUTION NO. 13-535 approving the Master Plan to allow the north lot to be developed as a church and the south lot to be developed as a continuing care retirement community.

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

Preliminary Plat. Moved by Davis, seconded by Orazem, to adopt RESOLUTION NO. 13-536 approving the Preliminary Plat.

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

HEARING ON ZONING TEXT AMENDMENT TO ALLOW CLUBHOUSES IN RESIDENTIAL HIGH-DENSITY ZONE:

Director Diekmann advised that, in order to meet the direction of Council given to staff on September 10, 2013: to address clubhouses in the High-Density Residential Zone, as well as to clarify some of the existing regulations for recreation and accessory residential uses, staff proposed multiple amendments. The first category of amendments would add the definition of “clubhouse” to the Code, allow it as an accessory use to residential developments, and modify the zoning use and development standards accordingly. The second category of amendments would distinguish recreation and accessory functions of residential developments from principal Entertainment, Restaurant, and Recreation Trade commercial uses, and delineate commercial uses within the Residential High-Density Zoning District. According to Mr. Diekmann, the general allowance for Entertainment, Restaurant, and Recreation Trade uses in the High-Density Residential Zone is very broad and allows uses that staff believes are incompatible with the intent of the residential zone. Staff recommended limiting the range of use to restaurants, since recreational activities are now proposed as an accessory use. It was also being clarified that 5,000 square feet is allowed per development of each commercial use category of office, retail, and Entertainment, Restaurant, and Recreation Trade with additional square footage requiring a Major Site Plan approval.

Council Member Goodman asked if the clubhouse facility would be taxed as commercial or residential. Mr. Diekmann replied that he could not answer a taxation question.

Council Member Wacha asked if the proposed ordinance was modeled after an ordinance already adopted by another city. Director Diekmann stated that the proposed ordinance was not modeled after another city’s ordinance. He said that clubhouses were formerly allowed in residential areas of Ames with approval of a Special Use Permit, but at some point, the *Municipal Code* was changed to eliminate that provision.

Mr. Diekmann clarified, at the request of Council Member Orazem, that a bar per se would no longer be an allowed use in the High-Density Zone in a mixed-use building.

The hearing was opened by Mayor Campbell. Scott Renaud, FOX Engineering, advised that he was present representing the developers of Copper Beech. After no one else requested to speak, the hearing was closed.

Moved by Davis, seconded by Orazem, to pass on first reading an ordinance to allow clubhouses in the Residential High-Density Zone.

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

VACATION OF PUBLIC UTILITY EASEMENT AT 2801 E. 13TH STREET: Mayor Campbell opened the public hearing and closed it after no one asked to speak.

Moved by Goodman, seconded by Davis, to adopt RESOLUTION NO. 13-537 vacating the public utility easement and accepting a new easement at 2801 E. 13th Street..

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

MULTI-USE CONVENTION SPACE: City Manager Steve Schainker recalled that, at the Council’s last meeting (November 12, 2013), the Ames Convention & Visitors Bureau (ACVB) had presented its request for a Referendum that, if approved, would authorize the City to issue up to \$19 million in General Obligation Bonds to be used to partially fund the construction of a

new multi-purpose convention facility and renovation of the Scheman Building. He addressed several issues that staff felt would be of interest to the Ames voters, as follows:

1. Based on current year valuation, the increase in the property tax rate would be \$0.575/\$1,000 of taxable value or a 5.3% increase in the tax rate. The additional cost for the residential property class is estimated at \$30.35/\$100,000 of taxable valuation for residential and \$57.46 for commercial and industrial.
2. The new multi-purpose facility will be jointly owned by Iowa State University and the City of Ames. The renovated Scheman Building will continue to be owned by the University.
3. The University will assume the responsibility to manage the facility.
4. It is being recommended that a three-person policy committee be formed to deal with the major policy direction for the space.
5. The facility would include six rooms on the ground floor of the Scheman Building for community access, without charge and based on availability, for functions sponsored by non-profit organizations and the City.
6. The City's budget for Fiscal Year 2014/15 will be completed by the time the results of the bond issue would be known. The earliest date that the debt could be included in the City's budget would be for Fiscal Year 2015/16. If the project were to move forward sooner than that, the University's \$19 million share would need to be drawn down first.
7. The University intends to bring this matter to the Board of Regents at its February 2014 meeting so that the voters will know whether or not the University's share of the project financing (also \$19 million) will be committed.

City Manager Schainker emphasized that this type of facility will not generate enough money to cover its operating costs. It has been estimated that the annual deficit could be approximately \$230,000. However, if the Council decides to support the project, it is important that the City not assume the financial obligation. To address that issue, Iowa State University will be responsible for all finances related to the operations of the new facility, including any deficits. It is anticipated that the ACVB will enter into a separate agreement with the University to pledge its funds to offset any operating deficits at the new facility. The ACVB had projected that the new space will help generate sufficient additional Hotel/Motel Tax revenue from visitors to cover the annual operating deficits.

According to Mr. Schainker, if the Council approves placing this issue on a Referendum, the election would occur on March 4, 2014. The City's bond attorney has developed the language, which would be: "Shall the City of Ames, in Story County, Iowa, issue its bonds in an amount not exceeding \$19,000,000 for the purpose of paying one-half of the cost of constructing a multi-use convention facility located at the Iowa State University Center, to be jointly owned by the City and Iowa State University, and of renovating the Iowa State University Scheman Building?"

Mr. Schainker also told the Council members that if they wished to proceed with the Referendum, they should also provide direction to the staff as to how the cost of the proposed Election should be paid. The options presented were to: (1) paid by the ACVB or (2) paid for from the Available

Balance in the Hotel/Motel Fund Balance. The Election is estimated to cost approximately \$15,000; it has not been budgeted in the City's 2014/15 Budget.

Kevin Cook, 1403 Linden Drive, Ames, advised that he was speaking as President of the Ames Convention & Visitors Bureau Board of Directors. According to Mr. Cook, overnight visitors to Ames are a strong economic driver for the community, providing more than \$76 million in direct spending (food, lodging, shopping, entertainment, and transportation). He pointed out that, in addition to the economic impact visitors have on Ames, 5% of the Hotel/Motel Tax is set aside for the community grant program. In 2014, more than \$75,000 will be awarded to local organizations to fund a variety of local events and projects to improve the quality of life for Ames residents.

Matt Converse, 415-26th Street, Ames, identified himself as the Board Chairman of the Ames Economic Development Commission (AEDC). He said that the AEDC's mission is to organize and promote sound economic growth in Ames and Central Iowa by stimulating the expansion of existing industry and attracting new enterprises. The multi-use convention space would be beneficial to both existing industries and businesses looking to locate in Ames. It would be used for corporate meetings, shareholder meetings, industry conventions, trade shows, and enhancing continuing education opportunities.

Bronwyn Beatty-Hansen, 919 Grand Avenue, Ames, said that she serves on the Board of the ACVB. Since serving on the Board, she had seen how much of an impact the conference and convention business has on Ames. The proposed multi-use convention center and expansion of the Scheman Building is essential for bringing Ames into the 21st Century in terms of the conference business. It would allow Ames to compete once again in that arena.

Terry Stark, 63184 - 260th Street, Nevada, identified himself as the owner of Chocolaterie Stam in Downtown Ames. He said that he is the current President of the Main Street Cultural District and serves on Boards of Directors for the Octagon, Chamber of Commerce, and Convention & Visitors Bureau. He noted that if the Referendum passes and the project is completed, people will see their money going to great things in the community.

Stacy Dreyer, 104 Stanley Drive, Gilbert, identified herself as a community volunteer who has sat in on many meetings regarding the proposal for the new convention space. She said that she was very excited to learn how the proposal would benefit the community. Ms. Dreyer noted that Ames is currently limited in locations where larger events can be hosted. Also, community meeting space is a top need in Ames, and several meeting rooms for public use are planned for the new convention facility.

Mark North, 5722 Alta Vista Road, Ames, identified himself as the SMG Manager at the Iowa State Center. Mr. North named 23 groups who formerly held their conventions and/or conferences in Ames, but have moved elsewhere because of the lack of available space. Due to space restrictions, the Iowa State Center cannot pursue certain conferences/conventions because it does not have adequate space. Mr. North also read a letter from Tom Johnson, Executive Director of the Iowa Veterinary Medical Association (IVMA), who is a client of the Iowa State Center. In the letter Mr. Johnson explained that, although they had always held the spring and fall conference in Ames, the IVMA had outgrown the Scheman. Mr. North asked the City to seriously consider expanding its convention space.

Jeff Johnson, 3037 Evergreen Circle, Ames, expressed his strong support for expansion of the Scheman Building and additional convention space. He believes that Ames had always been a progressive city, and he personally felt that the City “was punished” by the Iowa Visions Fund in that other communities got what Ames already had. Since that appeared to be the way things were going to work, Ames needed to continue to take care of itself and be progressive. Mr. Johnson pointed out that, with the proposed multi-use convention center and expansion and updating of the Scheman Building, the City will have the opportunity to reclaim and attract events to Ames.

Randy Novak, 1424 Nebraska Avenue, Ames, identified himself as the Bureau Chief of the Fire Service Training Bureau located on the ISU Campus. Mr. Novak said the Bureau is a user of Scheman. During its annual Fire School, it has “maxed-out” the facility. The Fire Service Training Bureau and the Iowa Fire Services are supportive of the effort to add more convention space. He invited the Council to join them on February 15 and 16, 2013, to see how the space is used at the 90th Annual State Fire School. Over 1,000 fire fighters will be trained to provide life-saving services for the citizens of Iowa.

Jeff Iles, 3306 Stockbury Street, Ames, identified himself as a Professor of Horticulture at Iowa State University. He stated that the Shade Tree Short course brings approximately 600 people to Ames every February. Like the Fire Service, they have outgrown the Scheman. They need better convention space for exhibitors. Mr. Iles believes that any time you bring people to Ames for education, it is a good thing, and the proposal being presented would do that.

Brian Dieter, speaking as the Chair of the Board of the Ames Chamber of Commerce, noted that the Chamber’s mission is to provide its members services that strengthen the economic vitality in Ames and enhance the quality of life in the community. Approximately 700 members of the Chamber benefit from exposure, networking, and becoming part of a unified voice on business issues. The Chamber members look forward to serving to serving the additional visitors that the expanded facility would attract. Local businesses would also benefit from using the facility as would the residents of Ames.

Dorothy Schumer, 5585 Arrasmith Trail, Ames, noted that she had been working with the Chamber of Commerce for a long time - before the Ames Convention & Visitors Bureau had been created. Ms. Schumer believes that expansion of the Scheman is the next step, and it needs to be done now.

John Grzywacz, 901 Park Circle, Huxley, advised that he owns a residence at 1315 Duff Avenue and leases a property for his business, CIT Signature Transportation Company, at 1501 East Lincoln Way in Ames. Speaking as a property tax payer and as a Board Member of the ACVB, support of the project being discussed really helps the vibrancy of his company. A lot of things happen in Ames, and those dollars filter into local businesses a little at a time. People may not see the overall impact of that; however, each dollar touches each business in the Ames community. It really makes a difference for small local businesses.

Moved by Szopinski, seconded by Goodman, to adopt RESOLUTION NO. 13-538 setting the date of the Special Election and issuance of General Obligation Bonds and approving the text of the public measure.

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

Decision on Financing Special Election Costs. City Manager Schainker provided two options: (1) ACVB reimburse the City for the election, and (2) City identify funds in its available balances. If the Council decides to go with the latter, Mr. Schainker recommended that it be directed to be paid for out of the available balance in the Hotel/Motel Tax Fund.

Moved by Davis, seconded by Wacha, to direct that the ACVB reimburse the City for the cost of the Special Election.

Julie Weeks, 2212 Ironwood Court, Ames, Executive Director of the ACVB, stated that it was the ACVB's preference that the City pay for the costs of the Election out of its Hotel/Motel Tax Fund. She added that the monies in that Fund actually come from the hotels in Ames.

Council Member Davis said that he made the motion because the initiative was coming from the ACVB.

Council Member Orazem noted that the City of Ames has benefitted from the operation of the Scheman Building for a very long time without paying for its construction.

Vote on Motion: 1-4. Voting aye: Davis. Voting nay: Goodman, Orazem, Szopinski, Wacha. Motion failed.

Moved by Orazem, seconded by Goodman, to pay the costs of the Election from the City's available balance in the Hotel/Motel Tax Fund.

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

LOCAL CONSIDERATION FOR LOCAL OWNERSHIP IN BIDDING OPPORTUNITIES:

Management Analyst Brian Phillips recalled that, at the March 26, 2013, City Council meeting, Casey Johnson, representing Ames Ford Lincoln, asked that the City implement a policy allowing local ownership of businesses to be considered in bids. The Council had directed staff to provide a report on the mechanisms for local consideration and how common local consideration language is across the State of Iowa.

Mr. Phillips noted the distinction between *consideration* and *preference*. He explained the City's current bidding policy and what is prescribed by the *Iowa Code*. It was noted by Mr. Phillips that *Iowa Code* does not allow for benefit to be given to a bidder based on geography for public improvement projects.

Examples of other Iowa cities with local consideration were given. There are also many cities in Iowa that do not offer local consideration in their bidding processes. Mr. Phillips also stated that City staff had evaluated 227 formal invitations to bid from FY 2012. He provided an illustration of the effect of various percentages of consideration that could be given to local vendors.

According to Mr. Phillips, staff is recommending that no changes be adopted to allow for local consideration in City bids. Data showed that even a modest local consideration policy could move substantial business to the local economy; however, City staff believed that providing local consideration beyond the City's existing policies presents several challenges. The City's policy is for open and competitive bidding opportunities, and City staff believes that provides the best possible cost for the materials and services purchased by the City. More extensive local consideration policies could create inconsistencies in implementation among the different City

departments. In addition, even a local consideration policy that affected only purchases made centrally by the Purchasing Division would require additional staff time to evaluate.

The Council was given the next steps by Mr. Phillips if it decided to proceed with a policy requiring local consideration.

Council Member Goodman pointed out that he favors offering some sort of local consideration for local ownership in bidding opportunities. He shared his belief that if you keep dollars local, they yield more dollars in the community.

Moved by Davis, seconded by Szopinski, to direct that no changes be adopted to allow for local consideration in City bids.

Council Member Wacha said that he believed staff's concerns can be dealt with.

Vote on Motion: 1-4. Voting aye: Davis. Voting nay: Goodman, Orazem, Szopinski, Wacha. Motion failed.

Moved by Orazem, seconded by Wacha, to direct staff to prepare modifications to the *Municipal Code* and the City's Purchasing Policies to require 1% local consideration.

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

The meeting recessed at 8:50 p.m. and reconvened at 8:57 p.m.

FLOOD MITIGATION ALTERNATIVES: John Dunn, Director of Water and Pollution Control, advised that staff was recommending a three-pronged approach for achieving the Council's goal of mitigating the impacts of flooding in the Ames Community. The three elements of the recommended course of action included: (1) undertaking conveyance improvements on the Squaw Creek and South Skunk River, (2) exploring regulatory changes to how the flood plain is managed, and (3) working through the Squaw Creek Watershed Management Authority to undertake long-term flood improvements higher up in the watershed.

Conveyance Improvements. The recommended conveyance improvements include two projects. The first project would be to reshape the Squaw Creek channel immediately upstream and downstream of the South Duff Avenue bridge crossing. As modeled by the consultants, this alternative would reduce the water surface elevation of the 1% annual chance flood (i.e., the "100-year flood") by two feet at South Duff Avenue. The benefit of the improvement would be less upstream of Duff Avenue. This alternative is believed to have a high likelihood of being eligible for FEMA grants. To begin moving forward on this element, staff recommended that \$85,000 be identified in the current year's budget to begin the application process for FEMA and other grants. The success of the grant applications would likely be known by December of 2014. Design work for the improvements could then occur during FY 15/16, with the construction permits from the Iowa DNR and Army Corps of Engineers being acquired on a parallel path. Construction then could most likely take place during FY 16/17. If the City is successful in obtaining FEMA funding, a 25% state/local match would be required. Staff recommends that the City's portion of these costs be shown in the Capital Improvements Plan as coming from general obligation bonds.

The second project involves the improvements to the U.S. Highway 30 bridge. The initial

response from FEMA was that this project would not be eligible for disaster mitigation funds. However, staff still intends to actively explore other grant opportunities for this project. The bridges were constructed in 1964, and at this time, are not on the Iowa Department of Transportation's (IDOT's) current five-year plan for replacement. Director Dunn offered the following options for undertaking and funding this mitigation project:

1. Request that IDOT accelerate the timing of the project.
2. Wait for the IDOT to advance the project on its own timeframe.
3. Seek IDOT or federal funding opportunities to help accelerate the improvements.
4. Offer to help partially fund the project to accelerate the timing.
5. Choose to fund the project entirely with local funds and proceed immediately.

Mr. Dunn told the Council that, at this time, staff was not recommending that the Highway 30 bridge be included in the City of Ames Capital Improvements Plan, and is also not recommending that any local funds be designated for this work. Instead, staff proposed to engage IDOT staff in discussions seeking to accelerate the timing for state and federal funds to undertake the project. The City Council, Ames Chamber of Commerce, and others may also wish to contact the Governor's Office, Iowa DOT administrators, and area legislators to see what options may exist for advancing the priority of the Highway 30 bridge replacement.

Floodplain Regulatory Controls. Staff proposed to hold a Council workshop on existing floodplain regulations and possible strategies to manage the flood plain differently to mitigate the impact of future flooding. This workshop could be held as early as February or March 2014 and could be held in conjunction with a discussion of the proposed Post-Construction Storm Water Ordinance.

Squaw Creek Watershed Management Authority (WMA). Director Dunn advised that the City of Ames is a founding member of the Squaw Creek Watershed Management Authority (WMA). The WMA is being administered through Story County, which was recently awarded a \$160,000 State grant to develop a strategic master plan for the watershed. With input from a WMA Technical Advisory Committee, the Board of Supervisors selected the firm of Emmons & Olivier Resources, Inc. (EOR), to prepare the master plan. Included in the scope of work is an assessment of the flood risks in the watershed, an assessment of options for reducing flood risk in the watershed, monitoring various flood risk activities in the watershed, education of residents in the watershed about flooding risks, and seeking funding for flood mitigation in the watershed. A number of public input and education activities are being planned; and EOR's work is scheduled for completion in September 2014.

City Manager Schainker advised that the Ames Flood Mitigation Study concluded that the most cost-effective physical mitigation measures involved improving the conveyance capacity of Squaw Creek. The staff's three-prong approach offers an opportunity to make immediate, meaningful improvements in the South Duff business corridor, where the highest dollar damage potential exists; while continuing to pursue other meaningful measures that cannot be accomplished in the near term.

Moved by Wacha, seconded by Orazem, to adopt a Resolution implementing the following flood mitigation strategy:

1. Include the Squaw Creek channel reshaping project (\$5,920,000) in the Capital

Improvements Plan update.

2. Engage the Iowa DOT in discussions to accelerate the Highway 30 bridge replacement.
3. Remain actively engaged in the Squaw Creek Watershed Management Authority, and support efforts to pursue additional flood mitigation measures higher up in the watershed through that entity.

Council Member Goodman offered his opinion that the beneficiaries of this are primarily businesses on South Duff who have taken risks. Those businesses were asked if they wanted to participate in FEMA grants to assist with projects that would mitigate flooding around their businesses. They said they did not want to participate and stated that they had private insurance to protect their businesses. Mr. Goodman said that he preferred to use the estimated \$6,000,000 to protect water and sewer lines, instead He did not see the strategy as yielding the desired results.

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

City Manager Schainker said since the Strategy was voted down, the only other option was whether the council wanted to discuss floodplain regulations as a strategy. Those regulations would mainly pertain to new development.

Mayor Campbell asked Assistant City Manager Bob Kindred to speak about the progress of the Squaw Creek Watershed Management Authority. Mr. Kindred pointed out that the Management Authority recently received a grant of \$160,000 State grant to develop a strategic master plan for the Watershed. The Management Authority Board of Supervisors has selected Emmons & Olivier Resources to prepare the master plan.

Council Member Wacha said he was confused by the reasoning that two Council Members were not willing to spend money to help the community because a little more benefit will be given to some private property owners.

KINGLAND REDEVELOPMENT PROJECT: City Manager Schainker provided a summary of the previous discussions concerning use and design restrictions to be placed on the Kingland Systems Development in exchange for approval of a Tax-Increment Financing (TIF) rebates. Mr. Schainker explained the proposed compromise regarding use restrictions:

1. Until the amount of the TIF rebate to the developers equals \$2,064,530 or ten years after the first TIF rebate is received by Kingland, whichever comes first, the uses on the ground floor will be restricted to Retail Sales and Services and Entertainment, Restaurant, and Recreational Trade as defined in Article 5 of Chapter 29 of the municipal Code.
2. For ten years after the amount of the TIF rebate to the developers equals \$1,064,530 or ten years after the first TIF rebate is received by Kingland, whichever comes first, the uses on the ground floor for at least 17,244 square feet of the lease-able space will be restricted to Retail Sales and Services and Entertainment, Restaurant, and recreational Trade as defined in Article 5 of Chapter 29 of the Municipal Code. However, if during this ten-year period a suite space on the ground floor is vacant for more than 12 consecutive months, the use restrictions will be removed for that suite; thereby, making it available for lease for any use

allowed by the current Zoning Code.

3. The proposed prohibited uses would include: adult entertainment facilities, as defined by the Ames zoning regulations; casino; gambling or betting office (not to apply to the incidental sale of lottery tickets for approved lotteries by a retail business); firearms shooting range; and massage parlor or hot tub facility.
4. Drive-through prohibition.
5. The Contract will not be terminated unless mutually agreed by the parties; however, the contract will allow for the elimination of the certain use restrictions as per the conditions in Paragraphs 1 and 2 above.

Council Member Szopinski stated that she did not feel that what was being offered was really a compromise. She believes that students want the ground floor to remain retail, and she believes it should be required for more than ten years. Ms. Szopinski wants to see more return from the City's investment. Council Member Wacha replied that there had to be some level of trust; if there is demand for services by the students, it would be beneficial to the developer as well to retain those uses. He pointed out that the City Council had tried to accomplish redevelopment of Campustown for a very long time, and he had nearly given up on that actually happening until Kingland made its proposal.

Moved by Orazem, seconded by Davis, to direct staff to incorporate all of the concepts into a TIF Agreement for approval on December 10, 2013.

Council Member Goodman asked Kingland representatives to comment on whether it would be possible for Kingland to maintain a retail presence for longer than ten years. Todd Rogness, President of Kingland Systems Corporation, responded that it was reasonable to agree to maintain retail on the first floor during the period of the contract (ten years). However, they believe that, after ten years, the market will dictate what happens. Mr. Rogness explained that their lenders are not opposed to restricting uses for a period of time, but over ten years, could cause problems.

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

Moved by Wacha, seconded by Goodman, to reconsider the previous motion.

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

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

ORDINANCE CREATING CAMPUSTOWN TAX INCREMENT FINANCING DISTRICT:

Moved by Davis, seconded by Orazem, to pass on second reading an ordinance creating the Campustown Tax Increment Financing District.

Roll Call Vote: 4-1. Voting aye: Davis, Goodman, Orazem, Wacha. Voting nay: Szopinski. Motion declared carried.

ORDINANCE PERTAINING TO THE STEP-BACK STANDARD: Moved by Davis, seconded by Orazem, to pass on second reading an ordinance to exempt from the Campustown Service Center zoning District the step-back standard for commercial buildings of three stories or fewer

that do not have residential uses and are located on sites that have frontage on Lincoln Way.
Roll Call Vote: 5-0. Motion declared carried unanimously.

ORDINANCE REPEALING OLD AND ENACTING NEW CHAPTER 14: Moved by Davis, seconded by Goodman, repealing Chapter 14 of the *Municipal Code* and enacting new Chapter 14 to be consistent with Iowa Civil Rights Act.
Roll Call Vote: 5-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

The meeting recessed at 9:50 p.m. and reconvened at 9:55 p.m.

BUDGET GUIDELINES: Council Member Goodman suggested that the Council only work through the COTA funding at this meeting since one Council Member was absent from this meeting. Assistant City Manager Melissa Mundt advised that a decision on the funding allocation for COTA needs to be made tonight. The COTA volunteers will be meeting on December 2 to make their funding decisions for the FY 2014/15 Budget for each of the organizations. Ms. Mundt also stated that the Council could hold off on making its funding allocation for ASSET for a meeting or two. The Council concurred to move forward with the Budget Guidelines.

Finance Director Duane Pitcher, Budget Officer Nancy Masteller, and City Manager Steve Schainker highlighted City budget issues that are anticipated to be of concern during the next fiscal year.

Mr. Pitcher advised that the City's overall financial situation remains relatively strong, but several issues will have an impact on the FY 2014/15 Budget including weakness in retail sales, increases in health care, property and liability insurance costs, and the impact of the property tax reform. Assessed property valuations are expected to increase slightly, and an increase in the rollback rate will increase taxable valuation for residential property. Local Option Sales Tax revenue is expected to fall short of budget for the current year. No increase in the budgeted revenue is predicted for FY 2014/15. Road Use Tax from fuel sales is expected to equal the budgeted revenues for the current year, and the IDOT is forecasting a modest increase for FY 2014/15.

The Council was told that the General Fund balance ended FY 2012/13 better than budgeted with the General Fund balance at 29.6% of expenditures, up from 22.4% in the Adopted Budget. City Manager Schainker reminded the Council that it had wisely used the available balances to fund one-time expenditures in the current year, including the possible purchase of capital items in the current year that would otherwise be approved in FY 2014/15. Mr. Schainker noted that one such project would be funding the completion (Phase II) of the City Hall Renovation Project.

According to Mr. Pitcher, to continue with current service levels, modest fee increases will likely be needed for some fee-based services and will be a part of the budget process. He cited the City's development processes (e.g., rezoning, subdivision applications, site development plans) as one category that might increase; they have not been increased for several years. Also, as in past years, modest increases in fees related to recreation activities are expected.

The following issues were highlighted:

Fire and Police Retirement and IPERS. A modest increase in the City's pension contribution rate from 30.12% of covered wages to 30.41% is expected. FY 2012/15 will be the peak contribution rate for the city and the rate will slowly fall in the future.

Regarding IPERS, the estimated additional cost of the increase to IPERS will be \$50,000, though the property tax impact will be a much smaller amount since many employees are funded by other sources.

Health Insurance. The City has had several years of health insurance increases around 5%/year due to favorable claims experience and implementation of health insurance program changes recommended by the City Health Insurance Team. Less favorable recent claims experience and some additional costs related to the Patient Protection and Affordable Care Act will result in the FY 2013/14 health insurance rates budgeted to increase by 8%. As a result, for FY 2014/15, a 6% increase in health insurance rates is included in the requested budget. The status of the plan will be reviewed after the end of December and may need to consider a larger increases.

Rollback and Valuation. The FY 2014/15 Budget will be the first year impacted by recent property tax reform legislation. Several major changes were made during the 2013 Legislative Session. For each assessment year beginning in 2013, residential and agricultural property value growth will now be capped at three percent or whichever is lower between the two classes. Commercial, industrial, and railroad property will now have their own rollback, which will be 95% for valuations established during the 2013 assessment year. After the assessment year beginning January 1, 2014, commercial, industrial, and railway property will be rolled back to 90%. The Iowa Legislature created a standing appropriation, beginning in FY 2014/15, to reimburse local governments for the property tax reductions resulting from the new rollback for commercial and industrial property. Prior to FY 2017/18, the appropriation is a standing unlimited appropriation, but beginning in 2017/18, the standing appropriation is capped at the actual FY 2016/17 appropriation amount. Cities will, therefore, likely see an increasing shift in overall property taxes collected from the commercial and industrial properties to residential as reimbursement remains fixed while the valuation of commercial and industrial property grows.

City Manager Schainker emphasized that, with the sweeping changes to the property tax system, it will be challenging for the City to accurately forecast how the budget will be affected. There might be delays in distribution of taxable valuation information from the County for calculation of tax rates.

Local Option Sales Tax. For the current year, local option sales tax receipts are expected to be \$6,648,615, down \$473,740 or 6.6% from the Adopted Budget. Last year's early numbers indicated some recovery in Local Option Sales, Tax, but that has yet to materialize. There are signs of recovery in the retail sector and Ames has added retail outlets. Staff believes that the most optimistic forecast for Local Option Sales Tax revenue for FY 2014/15 will be flat compared to budget at \$7,122,355, which is an expected increase from the FY 2013/14 Actual, but no increase in the budgeted amount. It is estimated that there will be no increase in the amount of Local Option Sales Tax available for property tax relief or community betterment in the FY 2014/15 Budget.

ASSET Human Services Funding. Assistant City Manager Melissa Mundt reminded the Council members that they had adopted priorities for 2014/15 in July 2013. She summarized ASSET requests and changes due to mental health redesign program at the state level. The Adopted

Budget for 2013/14 included \$12,875 for Eyerly Ball for Family Counseling Services for Mental Health issues; however, Eyerly Ball has not sought a contract from the City due to its ability to find other funding to assist clients from insurance or other government programs. She noted that an additional \$116,566 for any other mental health or related needs was also set aside in the 2013/14 Budget by the City Council. The amount currently under contract for 2013/14 is \$1,084,978, which includes \$16,758 of supplemental funding to ACCESS for the Battering Shelter. That amount is up just over 9% from the contracted 2012/13 amount of \$992,102. The total left unallocated from the 2013/14 reserve amount is \$99,808, and no new program or service has been identified for those funds.

Ms. Mundt clarified that there was no request for funding from Eyerly Ball for mental health services. Though that is a City priority, coverage for clients exists elsewhere.

For 2014/15, the total City ASSET funds requested by agencies are \$1,275,268, which is an increase of \$190,290 or 17.5% over the current 2013/14 contracted services of \$1,084,978 or \$90,482 (7.6%) over the Adopted 2013/14 Budget.

According to Ms. Mundt, two new agencies have joined ASSET for 2014/15: Raising Readers and Visiting Nurses. Raising Readers is requesting \$43,000 from the City to fund service new programs. Visiting Nurses is now running the Foster Grandparent Program that was administered previously by Mid-Iowa Foster Grandparent program, and there was no change in the funding with Visiting Nurses taking over the program.

Council Member Orazem referenced the proposed creation of the Community Health Center and asked if there would be a funding request for its start-up costs. Ms. Mundt stated that no such request has been made. Mayor Campbell advised that the start-up costs were coming from a federal grant.

Ms. Mundt advised that the largest increases if requested funding were for basic materials in the amount of \$18,624, which covers shelter, food, and rent assistance; budget and credit counseling services in the amount of \$23,333; and emergency shelter in the amount of \$15,642.

Assistant City Manager Mundt noted that she was waiting on a Mid-Year Report, which would yield more information as to agencies' funding. The Council concurred that it would make the decision on ASSET's funding allocation at a future meeting.

COTA Performing Arts Funding. The COTA allocation for FY 2013/14 was \$140,879, which was 2% higher than FY 2012/14 of \$138,117. COTA organizations have requested funding in the amount of \$172,282 for FY 2014/15 (excluding special Spring and Fall Grants) or a 25% (\$34,915) increase over the FY 2013/14 Budget.

Assistant City Manager Melissa Mundt advised that there are two new groups that have applied for COTA funds for FY 2014/15: the Good Company (\$2,000) and Dancenter Dancer Company Foundation (\$2,800).

Moved by Goodman, seconded by Wacha, to increase the City's ASSET allocation by 2.5%.

Council Member Davis advised that he would be more comfortable with 2.0%.

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

Utility Rates. Rates for major utilities: Water, Wastewater, and Electric will be impacted by the Capital Improvement Plans for major projects in each of those utilities. Resource Recovery will be impacted by changes in Electric, and the Storm Water utility could be impacted by flood mitigation plans. As those capital improvements are implemented over the next several years, increases in rates for all the utilities are expected.

Electric. With the determination to shift the fuel source for base load electric power generation from coal to natural gas, a capital improvement and funding plan will be developed to implement the changes.

Storm Sewer/Flood Mitigation. Funding will depend on whether the Council adopts any strategies to accomplish its goal to mitigate damage caused by river flooding and overland flow from storm water.

Water. The future customer rates for the Water Utility will be driven primarily by the costs related to the construction and operations for the new Water Treatment Facility. The Capital Improvements Plan that will be presented in January will reflect the engineer's cost estimate at the 80% complete stage of the design process. The most important cost estimate will be that of the successful low bidder when bids are opened in Fall 2014.

Sanitary Sewer. The cost estimate for the Ames Water Pollution Control Facility to achieve the new nutrient limits is approximately \$25 million in capital costs and as much as an additional \$1 million per year in increased operating expenses. An ongoing study regarding the sanitary sewer distribution system has identified a need for approximately \$17 million of improvements to the collection system. Rates will be adjusted slowly over multiple years instead of implementing a single large increase when the projects begin.

Resource Recovery. With the completion of the Electric Resource Option analysis, the decision to move forward with natural gas boiler conversion will provide for co-firing of Refuse-Derived Fuel (RDF). That conversion will cap the amount of RDF that can be utilized through the boilers at some point in the near future. For that reason, the Capital Improvement Plan will assume the status quo.

Road Conditions/Road Use Tax Fund. In the annual Resident Satisfaction Survey, the reconstruction of existing streets continues to be the top priority of Ames citizens. Road Use Tax revenue is expected to be at the budgeted amount for FY 2013/14 and to increase by 1.5% for FY 2014/15.

CyRide. Ridership is expected to continue to increase, exceeding 6.3 million rides with a sustained ridership level exceeding 6.5 million rides over the next several years. Current information indicates that 91% of the riders are ISU students. The Transit Board of Trustees is currently discussing the three-party agreement and developing possible changes in the local shares of CyRide funding.

G. O. Bond Funded CIP Projects. City Manager Schainker advised that there are several General Obligation (G.O.) Bond funded projects currently under consideration that could have a significant impact on property tax rates and the amount of available debt capacity.

Funding Requests from Outside Organizations. Management Analyst Brian Phillips asked for Council direction on what entities should be included in the proposed budget for the Ames Fall Grant Program. There were four new requests: Ames 150 Steering Committee, Iowa Youth Basketball Association, VEISHEA Entertainment Committee, and Young Professionals of Ames. The total amount allocated for 2013/14 was \$131,200. The 2014/15 requests are \$206,000, which is a 57% increase over 2013/14, which was \$131,200.

Council Member Schainker brought the attention of the City Council to the summary of the Town Budget Meeting held on October 1, 2013. It was pointed out that the Campustown Action Association had requested an allocation of \$150,000 to a Facade Grant Program for the Campustown Business District.

Mr. Schainker recommended that the 2013/14 Adopted amount be included in the 2014/15 Recommended budget as a placeholder. Council could then make decisions about the specific requests during the budget approval process.

Moved by Davis, seconded by Goodman, to provide a baseline of \$131,200 as a placeholder. Vote on Motion: 5-0. Motion declared carried unanimously.

Moved by Goodman, seconded by Szopinski, to direct staff to review development fees. Vote on Motion: 5-0. Motion declared carried unanimously.

COUNCIL COMMENTS: Moved by Orazem, seconded by Goodman, to refer to staff the letter from Robert Haug, Executive Director of the Iowa Association of Municipal Utilities dated November 25, 2013, pertaining to rooftop solar installations and community solar development. Vote on Motion: 5-0. Motion declared carried unanimously.

Moved by Szopinski, seconded by Wacha, to reconsider the motion on flood mitigation (3-prong approach). Vote on Motion: 4-1. Voting aye: Davis, Orazem, Szopinski, Wacha. Voting nay: Goodman. Motion declared carried.

Moved by Goodman to table the flood mitigation issue. Motion died for lack of a second.

Vote on Reconsidered Motion to adopt a Resolution implementing the following flood mitigation strategy:

1. Include the Squaw Creek channel reshaping project (\$5,920,000) in the Capital Improvements Plan update.
2. Engage the Iowa DOT in discussions to accelerate the Highway 30 bridge replacement.
3. Remain actively engaged in the Squaw Creek Watershed Management Authority, and support efforts to pursue additional flood mitigation measures higher up in the watershed through that entity.

Roll Call Vote: 3-2. Voting aye: Davis, Orazem, Wacha. Voting nay: Goodman, Szopinski. Resolution failed.

Moved by Szopinski, seconded by Goodman, to refer to staff letter from Joe Rippetoe dated November 14, 2013, pertaining to limiting drive-thru services in commercial zones which

feature the most intensified use of the land and most highly pedestrian character. Vote on Motion: 3-2. Voting aye: Goodman, Szopinski, Wacha. Voting nay: Davis, Orazem. Motion declared carried.

ADJOURNMENT: Moved by Davis to adjourn the meeting at 11:21 p.m.

Diane Voss, City Clerk

Ann H. Campbell, Mayor