

**MINUTES OF THE REGULAR MEETING OF THE  
AMES CONFERENCE BOARD AND  
REGULAR MEETING OF THE AMES CITY COUNCIL**

**AMES, IOWA  
2014**

**FEBRUARY 25,**

**REGULAR MEETING OF THE AMES CONFERENCE BOARD**

The regular meeting of the Ames Conference Board was called to order by Chair Ann Campbell at 6:30 p.m. on February 25, 2014. Present from the Ames City Council were Gloria Betcher, Amber Corrieri, Tim Gartin, Matthew Goodman, Chris Nelson, and Peter Orazem. Story County Board of Supervisors present were Wayne Clinton and Rick Sanders. Representing the Ames School Board were Jane Acker and Bill Talbot. Gilbert and United Community School Districts were not represented.

**MINUTES OF JANUARY 28, 2014, MEETING OF THE CONFERENCE BOARD:** Moved by Gartin, seconded by Acker, to approve the minutes of the January 28, 2014, meeting of the Ames Conference Board.

Vote on Motion: 3-0. Motion declared carried unanimously.

**PUBLIC HEARING ON PROPOSED FY 2014/15 BUDGET FOR CITY ASSESSOR'S OFFICE:** Chair Campbell opened the hearing. After no one came forward wishing to speak, the hearing was closed.

Moved by Betcher, seconded by Sanders, to adopt the FY 2014/15 budget for the Ames City Assessor's Office.

Vote on Motion: 3-0. Motion declared carried unanimously.

**ADJOURNMENT:** Moved by Goodman, seconded by Sanders, to adjourn the Ames Conference Board meeting at 6:32 p.m.

Vote on Motion: 3-0. Motion declared carried unanimously.

**REGULAR MEETING OF THE AMES CITY COUNCIL**

The Regular Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 6:40 p.m. on February 25, 2014, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Gloria Betcher, Amber Corrieri, Tim Gartin, Matthew Goodman, Chris Nelson, and Peter Orazem. *Ex officio* Member Alexandria Harvey was also present.

Mayor Campbell announced that the Council would be working with an amended agenda. She reported that the Public Hearing for the rezoning of property at 321 State Avenue would be considered along with the Public Hearing for approval of a Master Plan. To have (or not) a Master Plan will be incorporated with the first passage of the ordinance for rezoning. An item has been added to the Consent Agenda for the Final Plat approval for Ringgenberg Subdivision, 4<sup>th</sup> Addition. Council Member Orazem asked to pull Item No. 6, "Purple Dragon" sculpture, for separate consideration.

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

1. Motion approving payment of claims

2. Motion approving Minutes of Regular Meeting of February 11, 2014
3. Motion approving Report of Contract Change Orders for February 1-15, 2014
4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
  - a. Class E Liquor, C Beer, and B Wine – Wal-Mart Supercenter #4256, 534 South Duff Avenue
  - b. Class C Liquor & Outdoor Service – Buffalo Wild Wings, 400 South Duff Avenue
  - c. Special Class C Liquor & Outdoor Service – Stomping Grounds, 303 Welch Avenue, #101
  - d. Class C Beer & B Native Wine – Casey’s General Store #2905, 3612 Stange Road
5. RESOLUTION NO. 14-086 approving TSIP Agreement with Iowa Department of Transportation for widening Mortensen Road between South Dakota Avenue and Dotson Drive and constructing two right-turn lanes at intersection with Coconino Road
6. RESOLUTION NO. 14-088 approving closure of parking spaces on Chamberlain Street between Welch Avenue and Fire Station #2 driveway and Chamberlain Lot Y on April 11 - 13 to facilitate staging of law enforcement vehicles and related equipment during VEISHEA
7. RESOLUTION NO. 14-089 approving Agreements for intermittent use of dealership cars by Police Department
8. RESOLUTION NO. 14-090 approving preliminary plans and specifications for Water Pollution Control Main Plant Transformer Replacement; setting April 10, 2014, as bid due date and April 22, 2014, as date of public hearing
9. RESOLUTION NO. 14-091 approving preliminary plans and specifications for 2013/14 Downtown Pavement Improvements (Fifth Street - Duff Avenue to Burnett Avenue); setting March 19, 2014, as bid due date and March 25, 2014, as date of public hearing
10. RESOLUTION NO. 14-092 approving contract and bond for 2013/14 Traffic Signal Program (Grand Avenue & 20<sup>th</sup> Street)
11. RESOLUTION NO. 14-093 approving contract and bond for 2013/14 Collector Street Pavement Improvements (Sheldon Avenue)
12. RESOLUTION NO. 14-094 accepting completion of SF6 Circuit Breakers
13. RESOLUTION NO. 14-095 approving final plat for Ringgenberg Subdivision, 4<sup>th</sup> Addition  
Roll Call Vote: 6-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**“PURPLE DRAGON” SCULPTURE:** Council Member Orazem wished to publicly thank both Francis Wilke, donor of the art sculpture, and artist Dave Johnson for the donation to the City.

Moved by Orazem, seconded by Nelson, to adopt RESOLUTION NO. 14-087 accepting the “Purple Dragon” art sculpture.

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

**PUBLIC FORUM:** Jan Dreesman, resident of 5<sup>th</sup> Street, Ames, indicated that she lives downtown and works at Fellows Elementary School. Due to her disability, she uses Dial-A-Ride services. Its service had been excellent until changes were made in January to add more passengers to the schedule. Her pick-up schedule with HIRTA has changed, and she was told that her service can not be revised due to the increased ridership. She urged the Council not to cut the Dial-A-Ride funding, because it will be very difficult for it to “ensure customer satisfaction with service delivery.” She said that the City should keep it at the same level this year and next year to allow for HIRTA to add an additional bus, which would then accommodate her schedule.

Richard Deyo, 505 8<sup>th</sup> Street #2, Ames, stated that when the Council members took their oaths of office, they swore to uphold the Constitution of the United States. He said they should swear to support the people. Mr. Deyo further requested that he be allowed to speak during “Council Comments.”

Joe Rippetoe, 419 Pearson Avenue, Ames, attended the League of Women Voters forum regarding the March 4 bond issue for the new convention center add-on at the Scheman Center. He tried to find needed answers, of which he did not. He didn’t feel that his concerns have been answered, and the predecessor Council failed to “vet” this project. He questioned which entity would be responsible for operating losses. He further questioned where the Ames Convention and Visitors Bureau (ACVB) would go when it does not have the money to pay the University’s losses. Mr. Rippetoe stated it would come back full circle to the Council to ask for the bail-out. He reported that current Council members need to commit themselves to doing a more thorough review of any issues they might place on a ballot before the voters. Mr. Rippetoe said that two things are known for certain, 1) all the numbers reviewed by the Council in putting this ballot issue up were wrong; and, 2) all of the numbers used by the ACVB in advocating the ballot issue were wrong. He indicated that this Council needs to take steps to ensure that such a ballot and campaign as this will never happen again.

Merlin Pfankuch, 1424 Kellogg Avenue, Ames, said that the City needs to regain some accountability for how the Ames Convention and Visitors Bureau spends the taxpayers’ money. The ACVB gets roughly \$1.2 million/year in revenue from the Hotel/Motel Tax, with almost no oversight in accountability. He indicated that no other organization gets such a free ride in Ames. Mr. Pfankuch questioned what the City gets for that \$1.2 million. He said that all of the numbers used to “vet” this special bond issue do not add up, and that it seems the ACVB has a lot of money to waste.

**8-MONTH CLASS B BEER PERMIT & OUTDOOR SERVICE AREA FOR HOMEWOOD GOLF COURSE:** Moved by Goodman, seconded by Corrieri, to approve an 8-month Class B Beer Permit & Outdoor Service for Homewood Golf Course, 401 East 20<sup>th</sup> Street.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**CLASS C LIQUOR LICENSE FOR GE’ANGELO’S, 823 WHEELER STREET, STE. 9:**  
Moved by Betcher, seconded by Nelson, to approve a Class C Liquor License for Ge’Angelo’s, 823 Wheeler Street, Suite 9.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**CLASS E LIQUOR, C BEER, & B WINE LICENSE FOR ALMOST ALWAYS OPEN, 419 LINCOLN WAY:** Moved by Goodman, seconded by Corrieri, to approve a Class E Liquor, C Beer, and B Wine License for Almost Always Open, 419 Lincoln Way.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**CLASS C LIQUOR LICENSE FOR TAKING IT EASY LOUNGE, 129 LINCOLN WAY:**  
Moved by Corrieri, seconded by Goodman, to approve a Class C Liquor License for Taking It Easy Lounge, 129 Lincoln Way.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**CY STATUE PROJECT:** City Operations Manager Corey Mellies stated that the Chamber of Commerce's Leadership Ames class has taken the lead on the "CyclONE City" project, which will serve as a fundraiser for local non-profits. He introduced MacKenzie Heddens, Nathan Buss, and Mike Mullen, who are the tri-chairs of this project. Mr. Mellies indicated that City staff had been approached about this project, asking for assistance in the placement of the life-sized "Cy" statues throughout the community.

Mike Mullen and Nathan Buss presented an overview of the project and explained that the Leadership Ames class wanted to pursue several projects that would benefit local charities. However, it was decided to do one big project as a whole. The fiberglass statues would be a way to bring ISU into the City. It is the class's intent to set up an ISU scholarship for a prospective Ames resident. The statues would be on display through this summer/fall, or could be a permanent fixture for a business. Examples of the statue were shown and how they might be decorated. It was noted that the deadline for artist designs and sponsors is March 3.

Mackenzie Heddens explained the sponsorship levels (1-3). She advised that an unveiling event will take place in the summer/fall of 2014 to showcase the many faces of Cy that will be placed in the community. A second event will host the auction to find "forever homes" for the Cy statues that were sponsored but not owned.

City Operations Manager Mellies stated that the project was discussed with the Public Art Commission (PAC), and it voted to support the project in public spaces if a representative from the PAC is involved in the design and location selections. Since locations and numbers are not yet determined, an agreement would allow City staff, the Public Art Commission, and the Leadership Ames class to find the best public spaces for the project. Mr. Mellies reported that the agreement would cover the requirements of temporary obstructions, including liability. It would also state the parties responsible for installation, maintenance, and removal of the statues.

When questioned, Ms. Heddens explained that the statues have a life time of about 10 years. She further said that their initial goal is to have 20 statues placed around Ames. People can donate at any level if they can not sponsor a statue on their own.

Moved by Goodman, seconded by Corrieri, directing staff to develop an agreement with CyclONE City for the placement of Cy statues on City property.

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

**KINGLAND CAMPUS PROPERTIES' REQUEST TO PLACE VIDEO CAMERA ON TRAFFIC SIGNAL POLE:**

Traffic Engineer Damion Pregitzer reported that Kingland Campus Properties is requesting to temporarily mount a security camera on the southeast traffic signal pole at Lincoln Way and Welch Avenue. He stated that the organization needs an off-site camera to monitor its demolition and reconstruction work due to the property being built right up to the property line. The camera would be facing inward towards the Kingland project. In talking with Kingland representatives and the Police, they want to be certain the work site is tightly monitored throughout the duration of the project. Mr. Pregitzer advised that other cameras will be placed on-site, as well as on neighboring properties. He further indicated that Kingland has agreed to pay the City for the cost of power used by the camera while in use.

Moved by Goodman, seconded by Nelson, approving the request from Kingland Campus Properties to place a temporary security camera on a City traffic signal pole for site construction security, and approving issuance of a temporary obstruction permit for this purpose.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**REQUEST TO PURCHASE SOIL FROM AIRPORT FARM PROPERTY:** Traffic Engineer Damion Pregitzer stated that FOX Engineering has requested permission to purchase soil from Airport farm property on the north side of Airport Road west of Sam's Club, and to move the soil to property at 1204 South 4<sup>th</sup> Street owned by Brian Hoyle. The subject farm property has been affected by construction of a warehouse on neighboring property. He noted that the farm property has not been fully restored after the warehouse project. The development required some off-site grading onto the Airport farm ground in order to construct the foundation of the building. He further noted that the soil being removed from the site is fill material and not topsoil.

Mr. Pregitzer reported that Mr. Hoyle's proposal is to take approximately 50,000 cubic yards of fill soil material from the parcel, and the revenue gained from the sale is about \$50,000. He described the permitting process and the conditions that will be incorporated into an agreement. This agreement will be brought back to the City Council for approval.

Moved by Nelson, seconded by Orazem, to direct staff to work with Brian Hoyle in developing an agreement for removal of fill soil from the Airport farm property.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**FIRST NATIONAL BANK REQUEST TO RESERVE THREE PARKING SPACES:** Traffic Engineer Damion Pregitzer reviewed the background of the request. On January 28, 2014, the City Council had referred the request of the First National Bank (FNB) to reserve three parking meter spaces located near the front of its temporary location at 119 Stanton Avenue. The need for the reserved parking has resulted from the bank moving to a temporary location while its current location is being reconstructed. The request for the customer parking stalls would be for a period through June 2015. Mr. Pregitzer explained that current City policies allow for parking meter rentals for short durations only. When meters are reserved on a temporary basis, the individual or business pays for all nine hours of each day. Therefore, the cost to FNB from March 1, 2014, to June 30, 2015, would cost about \$4,685 (\$.50/hour, which equates to \$4.50/meter/day).

Mr. Pregitzer stated that he contacted the businesses in the immediate area that front Stanton Avenue, which included Legacy Towers, Campustown Property Management, St. John's by the Campus Church, and Jeff's Pizza. All expressed support for FNB reserving the metered stalls, except for Jeff's Pizza. The management at Jeff's Pizza expressed significant concerns about losing the additional stalls. The management staff also mentioned concerns with further reduction of available parking that will occur once other reconstruction projects begin in Campustown. Mr. Pregitzer advised that Jeff's Pizza did not want to allow exclusive use of these three stalls by FNB.

Mr. Pregitzer reported that to ensure that other local businesses had representation as part of this discussion, the Campustown Action Association (CAA) was approached to get feedback. The CAA board was not in support of exclusive use by the FNB, but proposed an alternative to allow all of the public to utilize 15-minute parking without the use of the parking meters. He stated that

staff has concerns with this option, given the fact that the City's Parking System relies on use fees to pay for the enforcement and maintenance of the meters. Any loss of revenue is considered significant.

Mr. Pregitzer advised that it is staff's recommendation to approve the alternative proposed by the CAA to change the three parking meter stalls in front of 119 Stanton Avenue by reducing the time limit of the metered stalls to 15 minutes (with signage for FNB customers only, Monday-Friday), but retain the meters so that fees are still collected by the Parking Fund.

Scott Bauer, President of First National Bank, stated that they have reached out to all of those whom they thought would be affected by this matter. They did not reach out to Jeff's Pizza, but everyone that FNB spoke with were generally supportive. He indicated that FNB would pay the full fees for these metered spaces, because it wants to provide convenience to its customers. Discussion ensued regarding the parking in Campustown and that it is at a premium, especially during all of the present and upcoming construction projects occurring.

Council Member Gartin stated that given there is no precedent regarding this type of request, the City needs to develop some sort of procedure. He said that there is no past history for requests of this duration. It is unique in that it is a displaced business and the spaces will be used for customers—not for construction purposes. He was concerned that the Council is being asked to choose which business it wants to help. Since there was no sense of the impact this will have, Council Member Gartin proposed that the Council allow FNB exclusive use of the three metered parking spaces by signing the stalls as reserved for FNB customers on a temporary basis. That way, the Council could get feedback and revisit this matter instead of allowing this for a period of 1-1/2 years to begin with.

Council Member Orazem asked whether customers might use the parking lot at St. John's Episcopal Church during the times that it is not in use.

Moved by Orazem, seconded by Gartin, to approve the request from First National Bank to change the three parking meter stalls in front of 119 Stanton Avenue by signing the stalls as reserved for FNB customers, Monday through Friday, 8:30 a.m. to 5:30 p.m. beginning March 1 through May 31, 2014, with the Bank being responsible to pay the established rate of \$0.50/hour per space for all nine hours of each weekday; to direct that staff observe how businesses in that area are affected; and, at the end of the three-month period, to direct staff to bring this back to Council to reassess how the parking situation is working.

Council Member Goodman indicated that many businesses will be relocated within the next two years due to construction projects, and it would be very difficult to take public parking spaces and allocate them out to individual businesses. He wanted to support what is happening with the Bank, however, setting a precedent to a very specific benefit is not a solution to parking in Campustown.

Council Member Betcher stated that she is a patron of Jeff's Pizza, and often has difficulty finding a parking space in front of that business. She supported the idea of discussing possible parking alternatives with St. John's, and she was concerned about how honoring this request will disadvantage other businesses in Campustown.

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

**HEARING ON REZONING OF 321 STATE AVENUE FROM GOVERNMENT/AIRPORT (S-GA) TO RESIDENTIAL LOW-DENSITY (RL):** Karen Marren, City Planner, explained that

the request from Breckenridge Group Ames Iowa, LLC, has approached the City to develop three parcels of land located at 205 South Wilmoth Avenue, 321 State Avenue, and 601 State Avenue. The site of this specific rezoning request is for the middle parcel (321 State Avenue) of the old Ames Middle School property. She reported that the current zoning for the middle property is Government/Airport (S-GA), and the developer wishes to change it to Residential Low-Density (RL) for development of up to 78 dwelling units. As part of the rezoning request, the City Council had requested that a Master Plan, along with a list of conditions, be submitted for all three parcels. In addition, the Council had asked staff to set up neighborhood meetings. A series of four meetings were held, with a final Neighborhood Association meeting in August 2013 to present a collective Plan concept to the neighborhood and general public.

Ms. Marren stated that staff feels that, based on the information provided on the applicant's Master Plan, adoption of the proposed Plan is not warranted along with the rezoning. To develop the site in conformance with the proposed RL zoning, the applicant will be required to complete a preliminary and final subdivision plat for the property before development can occur. She explained that the development concept by the applicant is for a new student housing rental development of small individual buildings that differs from traditional apartment-type student housing developments.

Planning Director Kelly Diekmann reviewed the options for Council consideration. He reported that staff is recommending Alternative No. 1, which will approve the rezoning without a Master Plan. He stated that a petition has been filed, which protests the rezoning. He explained that 20% of the property owners within 200 feet of the site are protesting. As a result of this protest, any action to rezone the site will require five affirmative votes by the City Council.

Mayor Campbell opened the public hearing and announced that anyone wishing to talk should speak only to the issue of the rezoning request.

Michael Petersen, 3302 Morningside Street, Ames, stated that he is a member of the College Creek/Old Middle School Neighborhood Association, and has lived in Ames for over 43 years. He stated that he was before the Council to voice several concerns regarding the natural resources, flooding, traffic, and zoning. Mr. Petersen spoke about the applicant's plan to increase the amount of impervious surface by about 10% on this parcel. He stated his concern regarding the increase in storm water run-off during heavy rains. He further stated that he was concerned about the loss of a fence row of trees and brush that provides excellent wildlife habitat. Mr. Petersen said that there are too many unresolved problems with no provided answers associated with the proposed development for students-only housing in this area. He urged the Council to zone the middle parcel as RL, with added conditions of a single-family house on each lot.

Tami Hicks, 4125 South 530<sup>th</sup> Street, Ames, stated that she is a real estate broker in Ames and feels that the Breckenridge proposal is a good project and she is in favor of the rezoning. She felt that this project will increase the value to the other homes in the area. Students want to live close to campus, and this housing will provide that. Given the RL zoning occupancy (three

unrelated people per dwelling), she felt that this type of housing will be a good fit with the neighborhood. Ms. Hicks encouraged the Council to work with the developers even after the rezoning is passed. She said that with this development, tax dollars will be added to the community.

Sharon Stewart, 437 Hilltop Road, Ames, outlined the reasons for her family's recent move to Ames and that they found the perfect neighborhood in which to reside. She stated that the proposed development raises red flags to her, and that she felt this project will decrease the diversity in the neighborhood, which is what they wanted to experience. With regard to the Master Plan, Ms. Stewart said that the developer has yet to answer numerous questions, and it is far from detailed, as was requested by the City Council.

Joanne Pfeiffer, 3318 Morningside Street, Ames, stated that she is very grateful for the Land Use Policy Plan (LUPP). She wished to preserve the values any neighborhood would wish to maintain—some of those being safety, low traffic volumes, connectivity, lower noise levels, protection of green corridors, and protection of daily living requirements. Ms. Pfeiffer said that this middle parcel should be developed with the vision of the LUPP goals and objectives.

Ms. Pfeiffer read a statement submitted by Duffie Lorr, 233 Hilltop Road, Ames. Ms. Lorr supported the RL rezoning, as it is the best zoning for their neighborhood, and that the proposed zoning is in line with the LUPP. She was not confident that the development will enhance the integrity, value, and character of the neighborhood. Ms. Lorr didn't feel that the current Master Plan submitted by Breckenridge supports confidence. She wasn't confident that the development will extend Ames' vision of connectivity and overall community identity and spirit. In keeping with the character of the surrounding neighborhood, all of the streets should be subdivision plots, compliant, and given to the city. She urged the Council to determine the zoning change to RL and not to accept the Master Plan.

Sarah Cady, 2812 Arbor Street, Ames, indicated that the RL zoning is the best, as recommended by the Planning and Zoning Commission. She said that the neighborhood is trusting that the City Council will ensure that appropriate details are shown in the Master Plan. Ms. Cady stated that a goal of the City Council is to increase a wide range of housing choices. This development has a use compatibility of 100% rental housing, and is not compatible with the existing neighborhood. She showed a map of the new and proposed rental housing in areas close to the neighborhood. She reported that her neighborhood would be turned into an "undergraduate" neighborhood. She stood behind the RL zoning on all three parcels, but wants to see details in a Master Plan. She urged the Council to delay or reject the rezoning until an acceptable compromise is reached.

Sharon Guber, 2931 Northwestern Avenue, stated that she is a member of the College Creek/Old Middle School Neighborhood Association. She further stated that the neighborhood residents are concerned with what the development will actually look like. From the beginning, the neighbors have asked that the zoning be RL; they signed a petition over a year ago asking that it be zoned RL; and, the LUPP has designated the site as RL. Ms. Guber explained that the reason the neighbors filed a protest is not because of the RL zoning, but what the development may turn out to be. She further explained that they had asked for all of the three parcels to be on the Master Plan. However, in October 2013 when it came time to show the Master Plan for all three parcels, the Plan was solely for the middle parcel. Ms. Guber asked about the details. Since they've not seen them, it has caused major concerns for the neighborhood. She explained that there are so many unanswered questions (e.g., no time to complete a review of the traffic impact



analysis by the Planning and Zoning Commission, since it was not done until this past January). The Planning and Zoning Commission was then up against a 90-day deadline in which to make its recommendation to the Council. Ms. Guber emphasized that the Council has questions to ask of the developer in its application for RL that goes beyond the rezoning itself.

Brian Torresi, Davis & Brown Law Firm, stated that this is a simple rezoning issue from Government/Airport to Residential Low-Density. He said that as the LUPP provides, when property is no longer owned by Government, it should be zoned RL. The Master Plan that has been provided, despite the lack of specificity that the Council requested, is in compliance with the *Ames Municipal Code*. He asked that the Council approve the Planning and Zoning Commission's recommendation to rezone the property to RL.

Scott Renaud, FOX Engineering, addressed the issue of the traffic impact analysis. City staff had provided background information. He explained that the traffic count was done in a more conservative way in counting the number of vehicle trips. Mayor Campbell reminded everyone that the issue before Council tonight was solely the rezoning to RL.

Charlie Vatterott, Executive Vice President of Development for Aspen Heights, stated that he was present to answer any questions about the rezoning request. There were no questions of Mr. Vatterott.

The Mayor closed the hearing.

Moved by Orazem, seconded by Corrieri, to pass on first reading an ordinance rezoning property at 321 State Avenue from Government/Airport (S-GA) to Residential Low-Density (RL) with no Master Plan.

Council Member Goodman asked if the Master Plan is a component that is traditionally suppose to be a part of the Zoning Ordinance. Planning Director Diekmann stated that the Master Plan is part of the Zoning Ordinance with regard to rezoning; it is a chance to have a basic look at what the mix of uses would be on a property without the full details of a subdivision preliminary plat being filed. He explained that the process was changed about 1-1/2 years ago. A Master Plan is a component of the zoning action, but it is not at the level of detail shown with preliminary plats or major site plan reviews.

Mayor Campbell stated that if the motion is approved at this meeting, all of the issues raised during the hearing will come to the City Council as part of the preliminary plat approval, and will be addressed. She reported that the rezoning to RL is not "Breckenridge specific," as this process would be for whomever would own the property. Council Member Goodman stated that with this rezoning, there may be an interest in what "the vision" may mean in the future.

Roll Call Vote: 5-1. Voting Aye: Betcher, Corrieri, Gartin, Nelson, Orazem. Voting Nay: Goodman. Motion declared carried.

The meeting recessed at 8:58 p.m.

The meeting reconvened at 9:06 pm.

**HEARING ON VACATION OF EASEMENT IN RINGGENBERG SUBDIVISION,**

**FOURTH ADDITION:** Mayor Campbell opened the hearing.

Scott Renaud of FOX Engineering stated that the developer is installing another sewer line, so that is the reason for the vacation of the existing sanitary sewer.

There being no one else wishing to speak, the Mayor closed the hearing.

Moved by Goodman, seconded by Betcher, to adopt RESOLUTION NO. 14-096 approving an agreement with the developer requiring a new easement and relocation of the sanitary sewer line. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and made a portion of these Minutes.

Moved by Corrieri, seconded by Nelson, to adopt RESOLUTION NO. 14-097 approving the vacation of the sanitary sewer easement in Ringgenberg Park, Fourth Addition. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and made a portion of these Minutes.

**HEARING ON 2013/14 ARTERIAL STREET PAVEMENT IMPROVEMENTS - LINCOLN WAY:** The public hearing was opened by the Mayor. She closed the hearing after no one came forward to speak.

Moved by Goodman, seconded by Corrieri, to adopt RESOLUTION NO. 14-098 approving final plans and specifications and awarding a contract to Manatt's, Inc., of Brooklyn, Iowa, in the amount of \$778,982.51 for the 2013/14 Arterial Street Pavement Improvements - Lincoln Way (Thackeray Avenue to Hickory Drive). Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and made a portion of these Minutes.

**HEARING ON 2012/13 ASPHALT RESURFACING/SEAL COAT REMOVAL/ASPHALT RECONSTRUCTION PROGRAM - CARROLL AVENUE:** The Mayor opened the public hearing. Since no one spoke, the hearing was closed.

Moved by Goodman, seconded by Nelson, to adopt RESOLUTION NO. 14-099 approving final plans and specifications and awarding a contract to Manatt's, Inc., of Brooklyn, Iowa, in the amount of \$273,782.50 for the 2012/13 Asphalt Resurfacing/Seal Coat Removal/Asphalt Reconstruction Program - Carroll Avenue (9<sup>th</sup> Street to 13<sup>th</sup> Street). Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and made a portion of these Minutes.

**HEARING ON MOTOR REPAIR FOR POWER PLANT:** Mayor Campbell opened the hearing. There being no one wishing to speak, she closed same.

Moved by Betcher, seconded by Orazem, to adopt RESOLUTION NO. 14-100 approving final plans and specifications and awarding a contract Electrical Engineering and Equipment Company of Windsor Heights, Iowa, for hourly rates and unit prices bid, in an amount not to exceed \$94,000 for the Motor Repair Contract for the Power Plant.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and made

a portion of these Minutes.

**HEARING ON NORTHRIDGE HEIGHTS PARK IMPROVEMENTS:** The public hearing was opened by the Mayor. She closed the hearing after no one came forward to speak.

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 14-101 approving final plans and specifications and awarding a contract to Ames Trenching & Excavating, Inc., of Ames, Iowa, in the amount of \$96,260 for the Northridge Heights Park Improvements.

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

**DEMOLITION OF DELTA TAU DELTA FRATERNITY AT 2121 SUNSET DRIVE:**

Planning Director Kelly Diekmann explained that an application for demolition of the Delta Tau Delta Fraternity has been submitted. The application explained the background and reasons for the proposed project, and cited the reason of economic hardship for demolition of the house in lieu of reconstructing the building. The house was built in 1953, with an addition constructed in 1975 and building remodels in 1990 and 1996. The applicant indicated that the fraternity's program needs were not being met, and that it is economically more feasible to build a new Greek house than to renovate the current house to meet these needs. Mr. Diekmann stated that the cost to construct a new fraternity house and to remodel the existing one is roughly the same. The applicant indicated that funding sources for donations are more secure with new construction versus remodeling. Director Diekmann said that staff feels that the applicant has met the findings for economic hardship for demolition of a Greek house.

Planning Director Diekmann explained that rehabilitation costs equates to \$4.4 million. The proposed slightly, larger structure is just over \$5 million. Therefore, it is about \$1 million more for new construction, but the chapter is getting a different building for that million dollars.

Council Member Betcher asked if there was any review done of the historic value of the house since it is over 50 years old. Mr. Diekmann stated that staff did not ask for an evaluation of the property to see if was eligible for the National Register. It was not one of the demolition criteria.

When questioned by Council Member Goodman, Director Diekmann reported that the Code doesn't identify the economic threshold. In this case, one of the reasons staff is supporting the demolition of the building is that one of the impacts of the University Overlay is to facilitate the Greek fraternities and sororities; replacement use with a Greek house weighed heavily in its suitability in that area.

Council Member Betcher questioned the practicality of how this meets an economic hardship when a structure is going to be built that is more than \$1 million more expensive than what the fraternity would be getting for renovated building.

Planning Director Diekmann cited the *Code* section when determining economic hardship. He said that reasonable use is a big consideration in staffs' eyes. Staff was persuaded that the reformat of the house and a newer building was a reasonable use of that property versus the smaller scale rehabilitation project.

Council Member Betcher referred to two variances for parking that were granted by the Zoning Board of Adjustment. She asked if there would be any requirements for a parking deck and if this would part of the financial considerations. Mr. Diekmann responded that the cost does not include potential costs for a parking structure, as it will not be providing additional parking. Currently, the parking accommodates 56 house members, and with new construction, it will house 65 individuals. There will be 22 spaces on site with a long-term encroachment for 10 parking spaces on Gable Lane.

Chuck Safris, 4107 Greenview Drive, Urbandale, stated that he currently serves as treasurer of Gamma Pi of Delta Tau Delta, Inc., which is the landlord for the Greek house. He stated that in line with the economic hardship concerns, the chapter finds itself investing more and more money into the existing structure, and having difficulty increasing the number of occupants who have to pay rent. The Chapter is striving to meet ISU's standard of double-occupancy rooms, and trying to compare its rent with the double-occupancy of the dorm rates. This is their economic test in maintaining its viability in offering its rooms for students.

Mr. Safris explained the current floor plan of the house and pointed out where the addition/remodeling had occurred over the years. The Greek Chapter's proposal significantly changes the footprint and would allow them to obtain the facilities that is needed. To remodel the existing structure, a third-floor addition would be necessary. Many years down the road, there would be a 40 year-old building on top of a 100 year-old building. The new footprint would be a square, three-story building which would serve its purposes and needs.

Betcher wondered if the applicant knows any of the history of this house. She stated that one the reasons that there is a University-Impacted Area Overlay in the Greek House District is because of the historic nature of many of the homes. Since it was built over 50 years ago, as a Council policy, she felt it wise to be asking the question of whether a house is historic or not before the Council allows it to be demolished. She further stated that it is unfortunate that this is not a part of the City's process, although it was part of the discussion when the University-Impacted Area Overlay was developed. Council Member Betcher said that since there is an Overlay on this area that has certain requirements, she would ask that, in the future, research into the historical background of a structure be made a part of the process prior to the Council's consideration.

City Planner Jeff Benson reported this is the third structure in the Overlay Area that has come before the Council for demolition. Ms. Betcher indicated that if the City Council is too quick to approve demolition of buildings, there is no reason to have the Overlay in place as it is.

Discussion was held regarding the chart that was submitted indicating the Chapter's revenues. It showed the total income to the landlord for the lease of the facility to the Chapter. Mr. Safris stated that if they need to continue investing in the shelter, and in the process of making the rooms more compatible with the Campus standard, the capacity will be reduced. He noted that going ahead with no change would cause a downward spiral. The Chapter would lack flexibility to modify, improve, and change the facility into something that is compatible with what the University is building, and with what is being done with other Greek organizations in the area.

When questioned by Council Member Goodman, Mr. Safris responded that the inability to compete in the market is an economic hardship. He stated that its location is very important and the Chapter wants to stay where it currently exists. If they are not able to do something with that building, it calls into question its viability. Mr. Safris reiterated the problems of adding a third

floor.

More discussion ensued regarding the aspects of economic hardship and the ability/inability to use the Greek house for its intended purpose.

Moved by Gartin, seconded by Orazem, to adopt RESOLUTION NO. 14-102 approving demolition of the Greek residence at 2121 Sunset Drive, provided the following conditions are met before the demolition permit is issued: 1) a Minor Site Development Plan is approved by the Planning and Housing Department; 2) complete plans are submitted for a building permit application consistent with building elevations and with applicable design standards; and, 3) Proof of financing for the building is approved by the City Attorney.

Council Member Goodman sensed that the Council does not have a commitment to the ordinance as it is written, and he asked that it consider removing or speaking to certain portions pertaining to proof of economic hardship and change in use. He felt that the Council is ignoring the ordinance in representing certain values.

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

**SOLUM, INC.:** Finance Director Duane Pitcher gave some brief background regarding the request to terminate the contracts with Solum, Inc. The company had sold the Ames-based business, and said that the buyer intends to maintain the business in Ames. With the sale, Solum has requested to terminate both agreements. Mr. Pitcher said that since Solum did not draw upon any of the funds, the City has no pending claims against the company.

Moved by Goodman, seconded by Nelson, to adopt RESOLUTION NO. 13-103 approving termination of the contract for economic development assistance with the Iowa Economic Development Authority and Solum, Inc.

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

Moved by Goodman, seconded by Nelson, to adopt RESOLUTION NO. 13-104 approving termination of the contract providing a local match in the form of a forgivable loan in the amount of \$40,000 from the City and the Ames Economic Development Commission.

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

**WIRB AND SRF WATER RESOURCE RESTORATION-SPONSORED PROJECT GRANT APPLICATIONS:** City Engineer Tracy Warner reviewed the proposed grant applications. The City would have the opportunity to make stormwater quality improvements in the downtown area by combining two state-funded watershed programs with a planned downtown street paving project.

Moved by Goodman, seconded by Betcher, to adopt RESOLUTION NO. 13-105 authorizing applications for a Clean Water State Revolving Fund (SRF) Water Resource Restoration-Sponsored Project and a Watershed Improvement Review Board (WIRB) Project, and designating Municipal Engineer Tracy Warner as the authorized representative to sign the grant applications.

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

**STATE REVOLVING FUND PLANNING AND DESIGN LOAN FOR SANITARY SEWER REHABILITATION PROGRAM:** Moved by Goodman, seconded by Corrieri, to adopt RESOLUTION NO. 14-106 establishing March 25, 2014, as the date of public hearing for authorization to enter into a Planning and Design Loan agreement with the Iowa Finance Authority in an amount not to exceed \$375,000 for the purpose of planning and designing the Sanitary Sewer Rehabilitation Program.

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

**ORDINANCE EXEMPTING FRATERNITIES AND SORORITIES FROM RENTAL HOUSING CODE:** Moved by Goodman, seconded Orazem, to pass on third reading and adopt ORDINANCE NO. 4171 exempting fraternities and sororities from the Rental Housing Code.

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

**ORDINANCE ELIMINATING AMES MUNICIPAL CODE SECTIONS 13.403(1.c) AND 13.802(5) OF RENTAL HOUSING CODE (FIRE ALARM SYSTEM RETROFITTING):**

Moved by Goodman, seconded by Nelson, to pass on third reading and adopt ORDINANCE NO. 4172 eliminating *Ames Municipal Code* Sections 13.403(1.c) and 13.802(5) of the Rental Housing Code (Fair Alarm System Retrofitting.)

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

**COUNCIL COMMENTS:** Council Member Betcher proposed that the Demolition Ordinance be referred to staff. She would like the Council to consider historic designations or age of the building, which would then trigger a historic review component of a building. After discussion was held regarding the refinements to the Ordinance, Mayor Campbell suggested that Members deliberate this issue to possibly be brought up at a later date.

Mayor Campbell gave a brief update regarding a visit to the Capitol. Assistant City Attorney Mark Lambert and she met with Senator Mike Gronstal and the Iowa League of Cities regarding residential occupancy as it impacts Ames.

**HUMAN RESOURCES:** Moved by Goodman, seconded by Nelson, to hold a Closed Session as provided by Section 20.17(3), *Code of Iowa*, to discuss collective bargaining strategy.

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

The Regular Meeting reconvened at 9:58 p.m.

Moved by Orazem, seconded by Goodman, to adopt RESOLUTION NO. 14-107 ratifying the contract with the International Union of Operating Engineers, Local 234 (IUOE) employees (Blue Collar Unit) arrived at through collective bargaining.

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

Moved by Orazem, seconded by Goodman, to adopt RESOLUTION NO. 14-108 ratifying the contract with the International Union of Operating Engineers, Local 234 (IUOE) employees (Power Plant Unit) arrived at through collective bargaining.

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

Moved by Orazem, seconded by Goodman, to adopt RESOLUTION NO. 14-109 ratifying the contract with the International Association of Fire Fighters, Local 625 (IAFF) employees arrived at through collective bargaining.

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

**ADJOURNMENT:** Moved by Orazem to adjourn the meeting at 10:01 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor

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Jill L. Ripperger, Recording Secretary