

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

MAY 14, 2013

The regular meeting of the Ames City Council was called to order by Mayor Campbell at 7:00 p.m. on May 14, 2013, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Jeremy Davis, Matthew Goodman, Jami Larson, Peter Orazem, Victoria Szopinski, and Tom Wacha. *Ex officio* Member Harvey was also present.

PROCLAMATION FOR BUILDING SAFETY MONTH: The month of May was proclaimed as Building Safety Month. Accepting the Proclamation on behalf of the Fire Department were Fire Chief Shawn Bayouth, Building Official Seana Perkins, Plans Examiner Scott Ripperger, and Building Inspectors Supervisor Bruce Kinkade. Ms. Perkins expressed appreciation for the recognition and said that they look forward to participating this month, and always, in building safety.

PROCLAMATION FOR NATIONAL PUBLIC WORKS WEEK: Mayor Campbell proclaimed May 19 - 25, 2013, as Public Works Week. Municipal Engineer Tracy Warner and Resource Recovery Plant Superintendent Gary Freel accepted the Proclamation on behalf of the City's Public Works Department. Ms. Warner thanked the Mayor and community for its support and encouraged the public to visit the Public Works Department to learn more about what they do.

PROCLAMATION FOR SPECIAL OLYMPICS IOWA: Mayor Campbell read a proclamation for Special Olympics Iowa, May 23 - 25, 2013. Accepting the Proclamation were Elaine Hieber, Kim Lively, and Jan Williams. Kim Lively thanked the Mayor on behalf of the athletes, coaches, and families of Special Olympics Iowa.

CONSENT AGENDA: Council Member Goodman requested that Item #17, Closure of Chamberlain Lot Y for Summerfest, be pulled from the Consent Agenda for separate discussion.

Council Member Davis requested that Item #12, Contracts for FY 2013/14 Ames Fall Grant Program, be pulled from the Consent Agenda for separate discussion.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Special Meeting of April 16, 2013, and Regular Meeting of April 23, 2013
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for April 16 - 30, 2013
5. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Special Class C Liquor – Great Plains Sauce & Dough, 129 Main Street
 - b. Special Class C Liquor – Mongolian Buffet, 1620 S. Kellogg Avenue #103
 - c. Class E Liquor, C Beer, and B Wine – Walgreen's #12108, 2719 Grand Avenue
 - d. Class B Beer – Jeff's Pizza Shop, 2402 Lincoln Way
 - e. Class C Liquor – Mother's Pub, 2900 West Street
 - f. Class C Liquor – Red Lobster #747, 1100 Buckeye Avenue
 - g. Class C Beer & B Native Wine – Tobacco Outlet Plus #530, 204 South Duff Avenue
 - h. Class B Beer – Pizza Hut #4303, 436 South Duff Avenue

- i. Special Class C Liquor – Octagon Center for the Arts, 427 Douglas Avenue
6. RESOLUTION NO. 13-189 approving Intergovernmental Agreement for Household Hazardous Waste Collection
7. RESOLUTION NO. 13-190 approving 2013/14 Human Services Annual Contracts
8. RESOLUTION NO. 13-191 approving 2013/14 Commission On The Arts (COTA) Annual Grants
9. RESOLUTION NO. 13-193 approving 2013/14 Funding Agreement with Ames Economic Development Commission
10. RESOLUTION NO. 13-194 approving additional funding for outside legal services from Dorsey & Whitney
11. RESOLUTION NO. 13-195 approving revisions to Records Retention Schedule
12. RESOLUTION NO. 13-196 setting date of public hearing to vacate utility easements at 4121 Aplin Road
13. RESOLUTION NO. 13-198 approving preliminary plans and specifications for 2013 Softball Field Fencing and Lighting at South River Valley Park; setting June 12, 2013, as bid due date and June 25, 2013, as date of public hearing
14. RESOLUTION NO. 13-199 approving preliminary plans and specifications for 2012/13 CyRide Route Paving Improvements Program #2 (Todd Drive); setting June 5, 2013, as the bid due date and June 11, 2013, as the date of public hearing
15. RESOLUTION NO. 13-200 approving preliminary plans and specifications for Resource Recovery Plant Primary Shredder Replacement; setting June 5, 2013, as the bid due date and June 11, 2013, as the date of public hearing
16. RESOLUTION NO. 13-201 awarding contract to Keck Energy of Des Moines, Iowa, in an amount not to exceed \$273,940 for purchase of fuel and tank rental during CyRide facility expansion construction
17. RESOLUTION NO. 13-202 approving renewal of contract with Allied Valve, Inc., of Bettendorf, Iowa, in an amount not to exceed \$60,000 for Power Plant Valve Maintenance, Testing, Repair, Replacement, and Related Services and Supplies
18. RESOLUTION NO. 13-203 approving renewal of contract with Waste Management of Ames, Iowa, in the amount of \$.1251 per mile per ton, with 44% of price based on fuel cost, for Hauling of Ferrous Metals for Resource Recovery Plant
19. RESOLUTION NO. 13-204 awarding contract to Graymont Western Lime, Inc., of West Bend, Wisconsin, in the amount of \$141/ton for purchase of Pebble Lime for FY 2013/14
20. RESOLUTION NO. 13-205 awarding contract to DPC Industries, Inc., of Omaha, Nebraska, in the amount of \$.769/gallon for an estimated total of \$76,900 for purchase of Liquid Sodium Hypochlorite
21. RESOLUTION NO. 13-206 awarding contract to Henderson Truck Equipment of Manchester, Iowa, in the amount of \$61,218 for 10-foot Dump Body and Control System and 9-foot Wing Plow
22. RESOLUTION NO. 13-207 approving contract and bond for 2012/13 CyRide Route Paving Improvements (Lincoln Way from Franklin Avenue to Hayward Avenue)
23. RESOLUTION NO. 13-208 approving Change Order No. 4 in the amount of \$2,009.46 for Unit No. 8 Steam Turbine Parts
24. RESOLUTION NO. 13-209 accepting partial completion of public improvements and reducing security for Ringgenberg Park, 3rd Addition
25. RESOLUTION NO. 13-210 reducing Letter of Credit from Pinnacle Properties Ames, LLC, to \$30,000 for 2012/13 West Lincoln Way Intersection Improvements (Lincoln Way and Dotson Drive)

26. RESOLUTION NO. 13-211 accepting completion of 2011/12 and 2012/13 Neighborhood Curb Replacement Program (Curtiss Avenue)

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

CONTRACTS FOR 2013/14 AMES FALL GRANT PROGRAM: Mr. Davis recalled that the Council had concerns during the budget approval process about the VEISHEA funding request. He noted that City staff is still recommending an \$8,000 allocation; however, the cost that VEISHEA, Inc. is proposing to charge students only subsidizes their cost by approximately 25 cents per individual. If 2,500 people are expected to attend, that would equate to a subsidy of only \$625. Mr. Davis said that he is curious about where the remaining \$7,375 is going.

Management Analyst Brian Phillips stated that last year, the pancake vendor charged VEISHEA \$3.15 per person, which equated to about \$8,300 in costs for pancakes. The cost is going up for 2014 to \$3.25 or higher, which would equal about \$8,600 if they are anticipating the same number of people. They also have about \$3,000 in expenses directly related to rental of tents, chairs, and tables, based on the portion that would be for the two-day period of the pancake feed. In addition, there are costs for lights and electricity, but those exact numbers are unknown at this time. Mr. Phillips noted that VEISHEA, Inc. has indicated a total expense of around \$18,000 in its application. He said that, absent the expense for lights and electricity, he calculates approximately \$11,000 to \$12,000 in expenses. Estimated admission fees at \$3 per person plus the \$8,000 grant would bring revenues to about \$15,700. Mr. Phillips surmised that if VEISHEA is making money on the pancake event, the revenue is minimal.

Mr. Davis proposed pulling the VEISHEA contract and asking City staff to bring back more specific numbers. Council Member Larson agreed. He thinks that the nature of the pancake feed has changed, and the math does not seem to be working out. He is concerned that the money is not actually going towards the pancake feed.

Moved by Davis, seconded by Larson, to adopt RESOLUTION NO. 13-192, thereby approving contracts with all organizations except VEISHEA for FY 2013/14 Ames Fall Grant Program, and to direct City staff to get more firm numbers regarding VEISHEA allocations and come back for approval at a later date.

Council Member Goodman said he gets the sense that City staff may not be able to get more firm numbers. Mr. Phillips noted that staff is basing its recommendation off of the numbers in the application and what has been submitted for reimbursement in the past. He said that he could bring in VEISHEA representatives and have a more in-depth conversation to firm up numbers.

Ex Officio Member Harvey said that the pancake feed has always been successful, but if City funding was taken away it would likely no longer be affordable. She agreed that having a conversation would be beneficial so they can be sure where the funding is going.

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

CLOSURE OF CHAMBERLAIN LOT Y FOR SUMMERFEST: Moved by Davis, seconded by Orazem, to adopt RESOLUTION NO. 13-197 approving closure of Chamberlain Lot Y and waiver of parking meter fees from 7:00 a.m. to 11:00 p.m. on Saturday, June 8, for Summerfest.

Roll Call Vote: 5-0-1. Voting Aye: Davis, Larson, Orazem, Szopinski, Wacha. Voting Nay: None. Abstaining due to a conflict of interest: Goodman. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

PUBLIC FORUM: No one came forward to speak.

5-DAY LICENSES FOR OLDE MAIN BREWING COMPANY: Moved by Goodman, seconded by Davis, to approve:

- a. Class C Liquor (May 15-19) at ISU Alumni Center, 420 Beach Avenue
- b. Class C Liquor (May 21-25) at Reiman Gardens, 1407 University Boulevard
- c. Special Class C Liquor (May 26-30) at ISU Alumni Center, 420 Beach Avenue
- d. Special Class C Liquor (May 27-31) at Reiman Gardens, 1407 University Boulevard

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

BEER PERMIT FOR AMES JAYCEES AT BANDSHELL PARK: Moved by Szopinski, seconded by Goodman, to approve a Class B Beer Permit & Outdoor Service for the Ames Jaycees at Bandshell Park for Ames on the Half Shell.

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

CLASS C LIQUOR LICENSE FOR CAFÉ MOOD: Moved by Davis, seconded by Goodman, to approve a new 12-month Class C Liquor License for Café Mood, 116 Welch Avenue, Suite 101

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

REQUESTS FROM AMES PATRIOTIC COUNCIL FOR MEMORIAL DAY PARADE ON MAY 27, 2013: Moved by Wacha, seconded by Orazem, to adopt the following:

- a. RESOLUTION NO. 13-212 closing the south half of Parking Lot M from 9:00 a.m. until approximately 11:00 a.m. for parade staging
- b. RESOLUTION NO. 13-213 approving closure of 5th Street from Grand Avenue to Clark Avenue from 9:00 a.m. until 11:00 a.m. for line-up and start of parade
- c. RESOLUTION NO. 13-214 approving temporary closure of Clark Avenue (from 5th Street to 9th Street), 9th Street (from Clark to Maxwell), 6th Street (at Clark) and Duff Avenue (at 9th Street), as parade moves through intersections

Roll Call Vote: 5-0-1. Voting Aye: Goodman, Larson, Orazem, Szopinski, Wacha. Voting Nay: None. Abstaining due to a conflict of interest: Davis. Resolutions declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

REQUESTS FROM AMES COMMUNITY ARTS COUNCIL FOR TUNE IN TO MAIN STREET ON JUNE 20, JULY 18, AND AUGUST 15, 2013: Moved by Davis, seconded by Szopinski, to adopt the following:

- a. Motion approving Vending Permit for food vendor in CBD Lot X and Temporary Obstruction Permit for Tom Evans Plaza and two parking rows in CBD Lot X from 1:00 p.m. to 8:00 p.m.
- b. RESOLUTION NO. 13-215 approving closure of 24 parking spaces in CBD Lot X
- c. RESOLUTION NO. 13-216 approving usage of and waiver fee for utilities in and near Tom Evans Plaza and waiver of fee for Vending Permit

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

FUNDING REQUEST FROM MID-IOWA COMMUNITY ACTION (MICA): Assistant City Manager Melissa Mundt explained that MICA has submitted a request to the City to modify its 2012/13 ASSET allocations by moving \$6,932 in unspent funds from the Family Development and Education to the Food Pantry Program. MICA drew down all of its 2012/13 City allocations on February 14, 2013, except for Family Development Program dollars.

According to Ms. Mundt, MICA requested similar funding shifts in 2008, 2009, and 2012, due to increased needs for Food Pantry services in the community. Because of this pattern, City staff will talk with MICA this fall to make sure that the Food Pantry and Family Development needs are reflected more accurately.

Council Member Szopinski expressed concern that needs in the Family Development area may be going unmet in the community because of this repeated shift in funds. Ms. Mundt indicated that MICA is not the only agency that offers those services; Lutheran Services of Iowa and Youth and Shelter Services are two that also offer family development programs. Council Member Larson echoed Ms. Szopinski's concerns, noting that this is not the way the ASSET process is intended to work. He would like this to be discussed in more detail when the next cycle of ASSET allocations is reviewed in August.

Moved by Goodman, seconded by Wacha, to adopt RESOLUTION NO. 13-217, thereby directing staff to amend the City's 2012/13 contract with MICA to move \$6,932 in unspent Family Development and Education funds to the Food Pantry program.

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

AMES HISTORICAL SOCIETY REQUEST TO AMEND 2011/12 BUDGET ALLOCATION: Management Analyst Phillips explained that, last calendar year, the City received a request to carry forward \$1,200 of Ames Historical Society grant from 2011/12 into the next fiscal year. Since the 11/12 fiscal year has been closed, the request cannot be granted. However, if the Council would like to provide funding to the Historical Society, the current 2012/13 grant allocation could be amended. Mr. Phillips indicated that the \$1,200 that was not drawn down in 11/12 remained in the Local Option Sales Tax fund.

Moved by Goodman, seconded by Szopinski, to adopt RESOLUTION NO. 13-218, thereby directing staff to include an additional \$1,203 allocation from the Local Option Sales Tax fund to the Ames Historical Society in the final amendment to the FY 2012/13 budget, and approve an amendment to the Ames Historical Society's FY 2012/13 grant contract to increase the grant award by the same amount.

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

LIBRARY RENOVATION AND EXPANSION PROJECT UPDATE: Library Board of Trustees President Kevin Stow stated that the Board held a special meeting on May 9, 2013. He noted that the information from a window restorer, the project architect, and construction advisor had been included

in the Council's packet. Mr. Stow advised that this project began in 2009. While the Board is committed to maintaining the historic feel of the building, it is not a historic preservation project; therefore, the Trustees voted unanimously to maintain the existing contracts for the Library Renovation and Expansion Project.

Council Member Goodman said that his goal at the last meeting was to understand cost and timing as they relate to window replacement/repair. He noted that there is a cost range included in the memo, but asked for clarification regarding timing. Brad Heemstra, Construction Advisor, said that if the Council elects to pursue preservation/restoration of windows, the design team would start the process of defining the scope of window restoration. Next, bidding documents would be prepared and the project would go out for bids. Many details, including the duration of the work, would need to be worked out. Mr. Stow said that the Board is more concerned about the time component versus money. It was suggested by Council Members Goodman and Szopinski that window restoration would not necessarily have to affect the rest of the project's momentum; the windows could be left alone and done gradually over time or as a separate project later. City Manager Schainker noted that since this project is funded by bonds, there is a deadline for spending the money.

Council Member Wacha inquired about the efficiency of old, refurbished windows versus new windows. Mr. Heemstra said that they do not have a calculation and would need to do an in-depth study. If the Council directed the Board to restore the windows, they would ensure that it was as energy-efficient as possible. Discussion ensued regarding the details of the window designs. Mr. Heemstra indicated that, though the exact scope and steps are unclear, they would expect to get the project done if the Council decided on restoration.

Gloria Betcher, 531 Hayward Avenue, Ames, Iowa, Interim Executive Director of Preservation Iowa, asked the Council to do the historically appropriate thing for the Library. She noted that at the previous meeting, Council Member Larson said that "the boat has sailed" with regard to window restoration. She suggested that perhaps "the boat is circling the harbor and it can be called back in," especially if there would not be a major delay in the project. Ms. Betcher indicated that the most important features to the building's historic character are the 55 historic windows and the limestone knee walls on north part of property. Of the 55 windows, 6 are original to the Carnegie Library and are over 110 years old, but in remarkably good condition. The rest are over 70 years old, and all of the windows are made of old growth Idaho white pine. Ms. Betcher indicated that old growth wood is less susceptible to rot. She further pointed out that if the building were to be listed on the National Register of Historic Places, tax credits for a portion of the old Library could be applied for. She finds it ironic that the Library Board, which is charged with the stewardship of the building, is saying that it does not want to consider those tax credits even if it means that the citizens of Ames might get \$200,000 back from State tax credits.

Ms. Betcher noted that the City Council's number one goal is to support environmental sustainability. She said that, even if the Council could not care less about preserving the building for historic reasons, sustainability begins with preservation. According to Ms. Betcher, many aluminum-clad windows are involved in class action lawsuits due to wood rot. Replacement windows are designed to fail; no new window will have a guarantee beyond 30 years, at which time they would need to be replaced again because they cannot be repaired. Ms. Betcher indicated that the windows in the Library building are in excellent condition, and they do not need to go to the landfill. It would be fiscally, environmentally, and culturally irresponsible to endorse the removal of the windows.

Catherine Scott, 1510 Roosevelt Avenue, Ames, Iowa, stated that she is an advocate for restoring the existing windows, and she is disappointed that the Library Board is not being more proactive. She encouraged the Board to be good trustees of this historic building, and to think about the life cycle costs of window replacement. She is also in favor of keeping the limestone walls on the north side of the Library.

Holly Fuchs, 806 Brookridge Avenue, Ames, Iowa, referenced three priorities that the Library Board had discussed at its April 18 meeting: energy efficiency, ease of future maintenance, and fiscal stewardship. She reasoned that repairing the existing windows would be as energy efficient as replacement windows. Additionally, repaired windows could last 100 years, which would make repair the fiscally responsible decision. Ms. Fuchs calculated that renovated windows would cost an average of \$2,200 per year to maintain, and replacement windows approximately \$3,300. She urged the Council to consider repair instead of replacement.

Sharon Wirth, 803 Burnett Avenue, Ames, Iowa, spoke on behalf of the Historic Preservation Commission (HPC). Ms. Wirth indicated that the HPC discussed the issue and chose to make no statement or recommendation regarding the skylight or limestone walls; however, it strongly recommends that the 55 historic windows be retained and restored. In order to explain the HPC's rationale behind the decision, Ms. Wirth showed a video presentation by David Wadsworth of Wadsworth Construction, Decorah, Iowa. Mr. Wadsworth demonstrated the restoration process and described the benefits of restoration. He indicated that a 100-year-old window can last another 100 years after being properly restored and maintained, whereas modern replacement windows are "throwaway units."

Ms. Wirth noted that window restoration cost estimate information was provided in the Council's packet. She shared comments that Mr. Wadsworth had emailed regarding the condition of the windows, summarizing that the windows are in good shape and some require very little repair. Ms. Wirth echoed previous speakers' sentiments regarding energy efficiency, ease of maintenance, and fiscal stewardship as they relate to window restoration. She said that there is plenty of time over the next 14 to 16 months of this project to complete restoration on only 55 windows; it can be done concurrently, independently, and off-site while other parts of the project move on.

Council Member Larson asked why this issue was not addressed by the HPC at the Library project's inception. Ms. Betcher indicated that the HPC had to convince the architect that the building was eligible for listing on the National Register. In December of 2009, the HPC asked to be allowed to move ahead with the National Register application, at which point the Library Director asked for the Commission to wait for Library Board approval. Eventually, the Board gave its approval, and Ms. Betcher put in a budget request of \$300 in January of 2010 to fund the National Register nomination. At that time, the Council voted to split the cost evenly with the Library Board. According to Ms. Betcher, the Board tabled the request for \$150 because there were incoming new members, and the request was never brought back to another meeting. In May of 2012, Ms. Betcher attended a Library Board meeting at which the budget was discussed, and she raised the issue of the windows at that time. Mr. Larson expressed frustration at the position the Council finds itself in; he feels that it is late in the game to be figuring out what windows should go in when they are in the midst of constructing a building. Ms. Wirth said that both the HPC and Library Board could have done more; however, there is still 14 to 16 months of construction left, which is plenty of time to complete restoration.

Library Board Vice President Al Campbell said that he did not think the Board would hold up historical recognition with \$150. He stated that the Council asked the Trustees to do the homework, and it was a unanimous decision to move on. The Board did discuss ideas of how the historic windows could be saved for other restoration projects in Ames. Mr. Stow added that there were many conversations about preservation dating back to 2009. The Trustees had initially voted to build a new building across from City Hall, at which point they asked for a delay in pursuing the Register nomination until they knew more about what the disposal of the Douglas Avenue facility would entail. Mr. Stow agreed that “blame” rests on both sides, adding that the HPC seemed to have stalled the process of putting the Library on the National Register.

Mr. Heemstra suggested that this discussion is largely philosophical, and there is no right or wrong answer. Much of what MS&R has designed honors the historic character of the building; the Board is trying to respect the direction given to MS&R and not piecemeal their design. Ms. Szopinski said that this was not entered into as an historic project, but the Council has to decide what is important. She is sympathetic to both approaches, but is leaning towards the thought that there is little to lose and much to gain by restoring the windows. Even if the National Registry status is unknown at this time, it would at least be a possibility if the windows were retained.

Council Member Orazem questioned the accuracy of the claims about the longevity of replacement windows. Mr. Heemstra said that oftentimes things last longer than their warranty, and it is not fair to state that all of the windows will fail in 20 years. Discussion again ensued regarding specific window designs.

Mayor Campbell agreed that it is a philosophical disagreement and urged the Council to make a decision. Mr. Goodman said that he desires to both achieve the Library Board’s goal of getting the project done and done well, as well as the HPC’s goal of preservation and sustainability. Based on the discussion, he has heard nothing that would suggest they cannot do both. He thinks that the renovated windows can still be effective, the project can still get done on time, and the costs may end up being lower with an added bonus of a tax credit option.

Moved by Goodman, seconded by Orazem, to direct the Library Board of Trustees to bring back change orders to the necessary contracts to restore the historic windows in the 1904 and 1940 buildings.

Mr. Larson said that he is philosophically supportive of what the HPC has been trying to do, but he is also very supportive of the role of the Board of Trustees. The Board has been working on the project for some time with professionals that the Council authorized them to hire, and has affirmed its position several times that the historic character, not necessarily the historic renovation, of the building is what’s important. Mr. Larson does not agree with that position, but feels that the Council has entrusted the Library Board to give guidance on an \$18 million project. Because of that, he will support the Library Board’s recommendation. Council Member Orazem said that he partially agrees, but views the decision as a toss-up. He was most concerned about cost, and there does not appear to be a big price difference between the two options. It is his opinion that if there is some value to restoring the windows and it’s not costing the taxpayer anything extra, then it should be done. Mr. Larson said that he would like for the Library Board to be of that same opinion, but they are not. He still believes that “the ship has sailed,” and this should have been a discussion two years ago. Council Member Wacha thinks that the Council is partly responsible for the ship sailing, because the Board

has taken its current position in part because of direction that was given by the Council. He has been convinced that it is prudent to restore the windows. Council Member Davis said that it is not the Council's role to arbitrate between two boards. He, too, has been persuaded that window restoration is the right choice.

Vote on Motion: 5-1. Voting Aye: Davis, Goodman, Orazem, Szopinski, Wacha. Voting Nay: Larson. Motion declared carried.

Moved by Szopinski, seconded by Goodman, to retain the historic limestone knee walls.

Mr. Goodman asked for the rationale behind the Trustees' decision to not retain the knee walls. Board President Stow said that there were multiple issues, including safety and visibility, that were given by the architect. Construction Advisor Heemstra added that they are unsure how the knee walls are constructed, and the next step would be to see how the design would need to be changed if they were directed to keep them. He emphasized that the current staircase and handrails are unsafe, so those would be completely redesigned. Discussion ensued regarding the historic importance of the wing walls and the feasibility of retaining them. Mr. Goodman said that as long as public safety is not compromised and they can still have a good project, retaining the knee walls is a good decision.

Mayor Campbell noted that the knee wall subject came up more recently, long after the design had been finalized. She asked if the Board anticipates any further historical discoveries. Mr. Stow said that the Board is concerned of that very possibility. The State Historic Preservation Office (SHPO) brought up the retention of the knee walls at its recent visit to the site. Approximately \$8,000 has already been spent on the window issue. The Board is concerned that SHPO may not like the way the new building is designed and may prohibit it from being on the National Register for that reason.

Mr. Wacha said that, for all of the reasons Mr. Larson opposed the window issue, he was opposing this one. The windows were an exception; there is no historical consultant for this project, and if the Council is going to go down this road, the next motion should be to hire one. He is not willing to do that.

Vote on Motion: 3-3. Voting Aye: Orazem, Goodman, Szopinski. Voting Nay: Davis, Larson, Wacha. Motion failed.

ROOSEVELT SCHOOL ADAPTIVE REUSE: Assistant City Manager Bob Kindred recalled that on April 8, the City Council referred to staff a request from Dean Jensen of RESGI requesting a zoning text amendment to allow the adaptive reuse of the former Roosevelt Elementary school.

Dean Jensen, Real Estate Service Group Incorporated, 2519 Chamberlain Street, Suite 101, Ames, Iowa, said that it is his hope that this project will be a win for the School District, the Ames community, the neighborhood, future residents, and developers alike. Mr. Jensen explained that the building has been vacant since 2005, and said that it is an exciting challenge to re-imagine the old building, giving great sensitivity to its historical significance. He showed the Council the proposed site plan, which includes 23 individually-owned condominiums. The site plan has gone through a number of revisions as a result of several public meetings.

Mr. Jensen described the details of project. He said that he is asking the Council to revisit City codes, policies, and procedures to allow for the renovation of existing buildings.

Mr. Kindred commended Mr. Jensen for his commitment to community involvement with this project. He reviewed existing zoning laws as they relate to this project and the Adaptive Reuse process, as laid out in the staff report.

Details of the project were discussed at length. City Planner Ray Anderson noted that all of the site plan details will be reviewed by the City's Development Review Committee before it goes on to the Historic Preservation Commission, Planning & Zoning Commission, and finally the City Council.

Sharon Wirth, 803 Burnett Avenue, Ames, Iowa, said that the Historic Preservation Commission unanimously supports the proposed text amendment for this project. She said that both the HPC and the developer have had open, frank discussions. She views this as a model process because of the approach that the developer has taken. Council Member Larson commended Mr. Jensen.

Moved by Orazem, seconded by Goodman, to approve the zoning text amendment, rezoning, overlay on the Land Use Policy Plan's Future Land Use map, replatting of the property, and site plan approval as part of an application for an Adaptive Reuse project.

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

The meeting recessed at 9:17 p.m. and reconvened at 9:29 p.m.

City Manager Steve Schainker said that the previous motion would need to be simplified; the five steps laid out in the staff report cannot all be adopted at once.

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

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

Moved by Orazem, seconded by Goodman, to direct City staff to modify Table 29.703(2) to include the use of a former school building as an adaptive reuse with the approval of the City Council, and to add the phrase "or as specified in an Adaptive Reuse Plan approved by the City Council" at the end of Section 29.700(3) Residential Density.

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

OLD AMES MIDDLE SCHOOL MASTER PLAN PROCESS: City Planner Karen Marren explained that two applications for rezoning two parcels of land, owned by Breckenridge Group, have been submitted to the City. Both properties were previously owned by the Ames Community School District, and the developer wishes to rezone the properties to build student housing. Ms. Marren recalled that, at the April 9 meeting, the Council determined that a Master Plan should be submitted and include specific information as identified in the motion. The Council also requested that staff come up with a process, including a time frame, for the development criteria and methods to be used for the Master Plan.

According to Ms. Marren, City staff hosted a group meeting that included Scott Renaud, FOX Engineering and Brian Torresi, Attorney, representing the Breckenridge Group; Cathy Brown,

representing Iowa State University; and representatives of the College Creek/Old Ames Middle School Neighborhood Association, to discuss a process for development of the Master Plan. The process that was discussed and agreed upon includes a minimum of four design charrette meetings, which would help focus the design of the Master Plan and identify at what step in the process certain concerns can be addressed. At the fourth meeting, the developer will present a full Master Plan to the neighborhood group for final comment. Ms. Marren said that they are anticipating a 6- to 8-week time frame, depending on availability of the different parties.

Council Members Orazem and Larson said that they are pleased with the proposed meeting structure. They commended all parties for their willingness to participate in the process.

Moved by Goodman, seconded by Wacha, to approve the proposed Master Plan process, attempting as much as possible to complete the process in two months.

Vote on Motion: 6-0. Carried unanimously.

WAIVER OF SUBDIVISION REGULATIONS FOR 56722 241ST STREET: Planner Anderson explained that the property owner is proposing a 2-lot split of approximately 12 acres of land located within 2 miles of the corporate limits of Ames. The owner is requesting a waiver of the design and improvement standards otherwise applicable in the Rural/Urban Transition Area. Mr. Anderson noted that the City Council has routinely granted waivers of this sort where annexation by the City is not anticipated in the foreseeable future. In accordance with City policy, the property owner has signed and submitted covenants that run with the land.

Moved by Goodman, seconded by Wacha, to adopt RESOLUTION NO. 13-219, thereby approving the request to waive the City's design and infrastructure standards for subdivisions for the proposed two-lot subdivision at 56722 241st Street.

Mr. Goodman said that it would be different if the request was to split a single lot into 12. Mr. Larson added that this is an extremely important corner at the entrance into the city of Ames. He hopes that whatever plans are in the works take into account the image being created for the city.

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

REQUEST FOR LAND USE POLICY PLAN (LUPP) AMENDMENT FOR ASPEN RIDGE SUBDIVISION, 2ND ADDITION, AT 601 SOUTH 16TH STREET: Planner Anderson said that this request is concerning the land use designation of the proposed Aspen Ridge Subdivision, 2nd Addition. He showed a location map and explained that the applicant proposes to change the land use designation and zoning of the majority of Lot 3 and all of Lot 4 from Highway-Oriented Commercial to High-Density Residential. The applicant also seeks to change the land use designation of Outlot C from Medium-Density Residential to High-Density Residential (RH). The RH zoning would allow the development of a senior living complex on a proposed Lot 5 and an apartment building on proposed Lot 4.

Mr. Anderson said that the Council has to determine whether it wants to give formal consideration to this request for a land use change, and if so, whether the application will be processed as a Major or Minor Amendment to the LUPP. A Minor Amendment would follow the traditional process by

going before the Planning & Zoning Commission for recommendation, followed by a public hearing with the City Council. A Major Amendment would have more opportunity for public input, including open houses and workshops.

Council Member Larson said that one of the properties is currently being marketed. Even though the Council already knows what the property will be, he wants to make sure that in either Amendment scenario the Council would have an opportunity to review the site plan. Mayor Campbell said that she is curious about the property being marketed without the Council's approval of the LUPP amendment.

Matt Randall, 417 South 16th Street, Ames, Iowa, said that he has all of the project details and will be happy to bring everything before the Council to review. At this point, he is asking for the Council's approval to make the application for a land use change. With regard to Mayor Campbell's concern about the project being marketed, he explained that no purchase contracts have been signed. The developer has identified people in the community who are potential buyers, with the understanding that there is still a process that needs to be followed. He said that the project is unique and high-quality.

Mr. Larson said that, as long as it is not affecting the Council's ability to ultimately see the project again, he has no problem with processing it as a Minor Amendment. Upon being questioned by Mr. Larson, Mr. Randall indicated that he does not anticipate adjusting the zoning boundaries in this area again.

Shane Wright, Village Cooperative, 1400 Corporate Center Curve, Eagan, Minnesota, explained the marketing process for this project. During said process, the Cooperative discovered that there appears to be a large demand for senior housing in the Ames area.

City Manager Schainker reminded the Council that the decision to approve the request for consideration does not equate to site plan approval. If the Council wants to see details of the development, it would be more appropriate to do so during the rezoning process.

Moved by Larson, seconded by Davis, to approve the request for formal consideration of a land use change.

Vote on Motion: 5-0-1. Voting Aye: Davis, Larson, Orazem, Szopinski, Wacha. Voting Nay: None. Abstaining due to a conflict of interest: Goodman.

Moved by Szopinski to determine that the application should be processed as a Major Amendment. Motion failed for lack of a second.

Moved by Davis, seconded by Larson, to determine that the application should be processed as a Minor Amendment. Mr. Wacha said that the only people immediately affected are the owner-occupied townhomes near the subject property; he thinks that it fits the minor amendment process. Ms. Szopinski said that the discussion shouldn't just be the people in the immediate area; it should be community-wide.

Vote on Motion: 4-1-1. Voting Aye: Davis, Larson, Orazem, Wacha. Voting Nay: Szopinski. Abstaining due to a conflict of interest: Goodman. Motion declared carried.

NORTHRIDGE PARKWAY SUBDIVISION FLOOD MITIGATION PROJECT: Municipal Engineer Tracy Warner summarized the background of the flood mitigation project as detailed in the Council Action Form. She said that City staff has had several neighborhood meetings and has developed two alternatives for the City Council to consider with regard to this project. Staff is recommending installation of a new storm sewer system and minor grading to direct flood waters down to the Moore Memorial Park basin.

Mr. Orazem inquired about the implications of the proposed plan on neighboring properties. Ms. Warner said that City staff would design the system to ensure that the storm water is not discharging into another neighborhood.

George Covert, 3000 Northridge Parkway, Ames, Iowa, expressed appreciation for the help from City staff and the Council's involvement. He believes the proposal is reasonable, achievable, and will make a difference.

Moved by Goodman, seconded by Szopinski, to direct staff to pursue Alternate 2 using local funds identified from Storm Sewer Utility Funds and G.O. Bonds and withdraw the FEMA application, as well as direct staff to enter into an agreement with Clapsaddle Garber to complete the engineering design work for Alternate 2.

Council Member Wacha thanked Mr. Covert for his reasonable approach to this topic over the last two to three years. Mr. Larson agreed, and also thanked City staff for its time and consideration. He thinks that this plan has incorporated local knowledge, is reasonable, and is a win-win.

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

AUTHORIZATION FOR STAFF TO APPROVE DNR CONSTRUCTION PERMITS: Moved by Davis, seconded by Szopinski, to adopt RESOLUTION NO. 13-220, thereby authorizing Eric Cowles, Civil Engineer II and Sarah Okerlund, Civil Engineer I to assume permit approval authority from the IDNR and to subsequently approve construction permits as requested within the approval authority outlined in the Iowa Code.

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

OXYGEN ANALYZER SYSTEM FOR UNIT 8 BOILER: Moved by Davis, seconded by Goodman, to adopt RESOLUTION NO. 13-221, thereby awarding a contract to Power Specialties of Raytown, Missouri, for the Oxygen Analyzer System for Unit 8 Boiler in the amount of \$60,933.15.

City Manager Schainker noted that Power Specialties was not the low bidder for this project, and the rationale for the award of contract is detailed in the Council Action Form.

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

SALE AND ISSUANCE OF GENERAL OBLIGATION CORPORATE PURPOSE AND REFUNDING BONDS: Finance Director Duane Pitcher said that the 2013/14 budget includes General Obligation Bond funded capital improvement projects in the amount of \$21,034,370. City staff also identified outstanding bonds that could be refunded at a savings to the City, which have been included with the 2013 bond issuance.

Jon Burmeister, Public Financial Management, 801 Grand Avenue, Suite 3300, Des Moines, Iowa, reviewed the tabulation of bids that was distributed around the dais, noting that the results were “remarkable.”

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 13-222, thereby accepting bids and authorizing the sale and issuance of Essential Corporate Purpose General Obligation Bonds in an amount not to exceed \$23,500,000.

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

HEARING ON 2013/14 ANNUAL ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM: Mayor Campbell opened the public hearing. Housing Coordinator Vanessa Baker-Latimer noted that the 2013 CDBG funding allocations have not been determined; therefore, the Action Plan will be submitted based on 2012 allocations. She indicated that they will need to decide how to spread the rollover balance if the numbers are still unknown in July.

Upon being questioned by Council Member Davis, Ms. Baker-Latimer stated that the Department of Housing and Urban Development has not indicated any timeline as to when funding determinations will be made.

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

Moved by Orazem, seconded by Goodman, to adopt RESOLUTION NO. 13-223, thereby approving the 2013-14 Annual Action Plan Program Projects to be submitted to HUD by or before May 17, 2013.

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

HEARING ON POWER PLANT MAINTENANCE SERVICES CONTRACT: Mayor Campbell opened the public hearing. No one wished to speak, and the hearing was closed.

Moved by Davis, seconded by Wacha, to accept report of bids and delay award for the Power Plant maintenance services contract.

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

ORDINANCE ADOPTING WATER AND SEWER RATES: Moved by Goodman, seconded by Szopinski, to pass on third reading and adopt ORDINANCE NO. 4144 establishing water and sewer rates.

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

ORDINANCE CORRECTING REFERENCE TO LOCATION OF DEFINITION OF *ADULT ENTERTAINMENT BUSINESS*: Moved by Goodman, seconded by Szopinski, to pass on third reading and adopt ORDINANCE NO. 4145 correcting reference in *Municipal Code* to reflect correct location of definition of *Adult Entertainment Businesses*.

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

COUNCIL COMMENTS: Moved by Orazem, seconded by Larson, to refer to staff a letter from the Story County Board of Supervisors regarding a comprehensive review of the Ames Urban Fringe Plan, as well as the related letter from Gilbert Mayor Jon Popp. Noting that the Mayor of Gilbert expressed disinterest in a comprehensive review, Council Member Goodman asked if the Council needs to proceed with this request. Mr. Kindred said that it takes concurrence from two of the three entities to proceed with the review.

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

Moved by Orazem, seconded by Larson, to refer to staff a letter dated May 9 from Dean Jensen regarding tax abatement for Roosevelt School redevelopment.

Vote on Motion: 5-1. Voting Aye: Davis, Goodman, Larson, Orazem, Wacha. Voting Nay: Szopinski. Motion declared carried.

Moved by Davis, seconded by Goodman, to refer to staff a letter from ChildServe regarding ASSET allocations.

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

Moved by Wacha, seconded by Davis, to refer to staff a letter dated May 9 from residents of Burnham Drive.

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

ADJOURNMENT: Moved by Davis to adjourn the meeting at 10:30 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

Emily Burton, Recording Secretary