

**MINUTES OF THE JOINT MEETING OF THE AMES CITY COUNCIL
AND ELECTRIC UTILITY OPERATIONS REVIEW & ADVISORY BOARD
AND REGULAR MEETING OF THE AMES CITY COUNCIL**

AMES, IOWA

NOVEMBER 12, 2013

**JOINT MEETING OF THE AMES CITY COUNCIL AND
ELECTRIC UTILITY OPERATIONS REVIEW & ADVISORY BOARD**

The Ames City Council met in joint session with the Electric Utility Operations Review & Advisory Board (EUORAB) at 6:00 p.m. on the 12th day of November, 2013, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Pro Tem Jami Larson presiding and the following Council Members present: Jeremy Davis, Peter Orazem, Victoria Szopinski, and Tom Wacha. Mayor Ann Campbell and Council Member Matthew Goodman were absent. *Ex officio* Member Alexandria Harvey was also present. EUORAB Members present were Cathy Brown, Jim Converse, Steve Goodhue, Max Morris, and John Russell.

ENERGY RESOURCE OPTIONS: The EUORAB Chairperson Max Morris reminded the Council that the EUORAB and City staff had been studying and considering how Ames power operations can be updated to be consistent with stringent federal and environmental regulations to be implemented soon. He noted that the EUORAB had last met with the City Council on October 15, 2013, when the staff outlined possible pros and cons of two major options: (1) Convert Units 7 and 8 to use natural gas as the primary fuel and (2) Continue to use coal in the Units while retrofitting them so that the emissions would meet the new federal and environmental standards. Staff's recommendation is to approve Option No. 1, which includes the continued use of Refuse-Derived Fuel (RDF) as a secondary fuel. Mr. Morris reported that EUORAB had conducted two public forums on October 28 and October 30, 2013, to solicit input on the recommendation. There were 13 persons attending; however, most speakers did not express a clear preference. Several speakers had the desire for Ames to remain committed to increased reliance on renewable energy sources. Some described concerns regarding uncertainty involved in the future of natural gas production and pricing. After EUORAB's review of the comments on October 30, 2013, it voted unanimously to accept staff's recommendation to convert Units 7 and 8 to natural gas as the primary fuel with continued use of RDF as a supplemental fuel. It also agreed that increased use of renewables is a desirable long-range goal. On the basis of what can be known at this time, EUORAB feels that Option No. 1 is the best option.

Public Input. Harold Ault, 57154 - 245th Street, Ames, offered a recommendation that, if converting to natural gas is approved, it should be considered two comments: (1) If converting to natural gas, running the gas line past Dayton Avenue should be considered because both of the gas turbines there are dual-fuel units. He believed that they are currently running on fuel oil and require 100 pounds of methane or natural gas pressure to start. Mr. Ault said that if high-pressure gas is run there, it would make the Units more reliable and cost-efficient. (2) It would be a good idea to maintain the capability of burning coal. According to Mr. Ault, Unit 7 at one time was dual-fuel and generated 60% of its kilowatt hours annually on natural gas. It ran on natural gas in the summertime and coal in the wintertime. He pointed out that the prices could change in the future, so it would be a good idea to retain the capability to burn coal. Burning natural gas would require valves and pipes; it would not require the coal mills, storage, or handling.

Donald Kom, Director of Electric Services, stated that it was imperative that, with the City Council's approval, the process begin so that all deadlines could be met. He said the City is committed to continue looking at renewables and adding them to the City's portfolio in the years to come. Council Member Orazem asked if would be the staff's recommendation to retain the capability to burn coal in both Units or just one. Assistant Director of Electric Services Brian

Trower told the Council that it is an unusual quirk in the way the regulations are written between the Electric Generating Unit (EGU) Rule and the Commercial and Industrial Incineration Rule. In order to co-fire RDF as an EDU, the City needs to maintain the ability to burn coal. That does not mean that the City is intent on permanently doing that or spending the money at this time to go forward with a dual option. However, the City will be maintaining the equipment to allow that option in the future. Director Kom clarified if the City ever chose to burn coal, the equipment necessary to meet the EPA guidelines would have to be installed.

Council Member Szopinski questioned if the estimated cost of \$37 million included running the pipeline from Story City. Mr. Kom replied that to continue to operate Units 7 and 8 on coal, it would mean a \$71 million capital expenditure to put on all the pollution control equipment. To convert the Units to natural gas, the required inside-Plant work would equate to approximately \$36 million. The City has two options on the pipeline: the City construct its own (\$17 million) or to work with Alliant to provide the service. In the latter, there may or may not be a capital investment.

Council Member Davis asked to know the status of partnering with Iowa State University (ISU) on its pipeline. Director Kom responded that the City is discussing that option with Alliant. It is looking at building a high-pressure gas line from Story City to a point just north of Barilla. Through various combinations, it would continue a pipeline to the Power Plant or the City would build a line; this would be the same line that ISU and two other large industrial customers are using.

City Manager Steve Schainker brought the attention of the Council to the two possible paths. Path A deals with the gas transmission and Path B deals with the retrofitting of the Power Plant. He stated that detailed analyses would have to be done on the proposal that is given to the City from Alliant and on the proposal of what it would cost the City to own and operate its own line. At the inquiry of Council Member Davis, Mr. Schainker advised that the analyses would take a few months.

Moved by Davis, seconded by Orazem, to adopt RESOLUTION NO. 13-494 approving staff and EUORAB's recommendation to begin the necessary work to convert Power Plant Unit 7 and Unit 8 to operate using natural gas as its primary boiler fuel and supplementing it with RDF. Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

ADJOURNMENT: Moved by Davis, seconded by Szopinski, to adjourn the meeting at 6:16 p.m. Vote on Motion: 5-0. 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 ProTem Jami Larson at 6:31 p.m. on the 12th day of November, 2013, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Jeremy Davis, Peter Orazem, Victoria Szopinski, and Tom Wacha. Mayor Ann Campbell was absent. *Ex officio* Member Alexandria Harvey was also present. Council Member Goodman arrived at 6:45 p.m.

Mayor ProTem Larson announced that the Council would be working from an Amended Agenda. The Proclamation for Hunger and Homelessness Awareness had been added. He also stated that,

since the Joint Meeting with EUORAB had adjourned earlier than anticipated, he was reordering the Agenda to allow those who would be accepting the Proclamation to be present.

CONSENT AGENDA: Mayor ProTem Larson announced that staff had pulled Item No. 18 pertaining to the completion of Phase I of the City Hall Renovation Project. That item will be placed on the Council's Workshop Agenda for November 19, 2013. Council Member Wacha asked to pull Item No. 10 pertaining to economic development assistance for WebFilings. Council Member Szopinski asked to pull Item No. 21, the Plat of Survey for 3602 and 3606 Story Street.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Special Meetings of October 15, 2013, and October 29, 2013, and Regular Meeting of October 22, 2013
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for October 16-31, 2013
5. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class C Liquor – Fuji Japanese Steakhouse, 1614 S. Kellogg Avenue
 - b. Class B Liquor – Country Inn & Suites, 2605 SE 16th Street
 - c. Class C Liquor & Outdoor Service – Outlaws, 2522 Chamberlain
 - d. Class B Native Wine – Chocolaterie Stam, 230 Main Street
 - e. Class C Beer – Swift Stop #8, 705 24th Street
6. RESOLUTION NO. 13-495 approving appointment of David Carnes to fill vacancy on Building Board of Appeals
7. RESOLUTION NO. 13-496 approving Investment Report for quarter ending September 30, 2013
8. RESOLUTION NO. 13-497 approving Annual Urban Renewal Report
9. RESOLUTION NO. 13-498 proposing vacation of public utility easement located at 2801 E. 13th Street and setting November 26, 2013, as date of public hearing
10. RESOLUTION NO. 13-501 approving preliminary plans and specifications for Motor Repair for Power Plant; setting December 18, 2013, as bid due date and January 14, 2014, as date of public hearing
11. RESOLUTION NO. 13-502 awarding contract for purchase of Boiler Tubes and Bends for Units 7 and 8 Superheat Sections to Chicago Tube & Iron Co. of Romeoville, Illinois, in the amount of \$88,148.20
12. RESOLUTION NO. 13-503 approving contract and bond for 2012/13 Flood Response and Mitigation Project (Northridge Parkway Subdivision) and 2009/10 Storm Water Facility Rehabilitation Program (Moore Memorial Park)
13. RESOLUTION NO. 13-504 approving Change Order with Veenstra & Kimm for Sanitary Sewer System Evaluation in an amount not to exceed \$263,250
14. RESOLUTION NO. 13-505 approving Change Order No. 23 with Henkel Construction Company to connect CyRide facility to ISU's Cooling Tower System in connection with CyRide Bus Facility Expansion Project in the amount of \$72,355.11
15. RESOLUTION NO. 13-506 approving Change Order Nos. 6 and 7 with A&P/Samuels Group for the Library Renovation and Expansion Project in the total amount of \$53,508
16. RESOLUTION NO. 13-507 accepting completion of public improvements required for Estates of Natures Crossing and releasing security
17. RESOLUTION NO. 13-509 accepting completion of FY 2012/13 Lime Sludge Disposal Contract

18. RESOLUTION NO. 13-510 accepting completion of 2012/13 Ames Municipal Cemetery Improvements (Paving Improvements)
Roll Call Vote: 5-0. Resolutions/Motions declared adopted/carried unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

WEBFILINGS: Council Member Wacha explained that he had asked to pull this item to allow for him to abstain from the vote due to a conflict of interest.

Moved by Davis, seconded by Orazem, to adopt RESOLUTION NO. 13-499 supporting submittal of application from WebFilings, LLC, for economic development assistance from the Iowa Economic Development Authority (IEDA) with local match to be provided in the form of Industrial Property Tax Abatement.
Roll Call Vote: 4-0-1. Voting aye: Davis, Larson, Orazem, Szopinski. Voting nay: None. Abstaining due to a conflict of interest: Wacha. Resolution declared carried, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Davis, seconded by Orazem, to adopt RESOLUTION NO. 13-500 approving an amendment to the 2010 Economic Development Agreement with WebFilings and Iowa Economic Development Authority to adjust the terms of the State of Iowa credit for sales tax and Investment Tax Credits.
Roll Call Vote: 4-0-1. Voting aye: Davis, Larson, Orazem, Szopinski. Voting nay: None. Abstaining due to a conflict of interest: Wacha. Resolution declared carried, signed by the Mayor, and hereby made a portion of these Minutes.

PLAT OF SURVEY FOR 3602 AND 3606 STORY STREET: Council Member Szopinski asked for an explanation of what is planned for these properties, why they are being combined, and what the zoning designation is for the properties in question. Planning and Housing Director Kelly Diekmann explained that the property owner has indicated a desire to combine the lots in order to sell them to an entity, who will build a group home that would be restricted to no more than five persons. The zoning designation is RL, and that is an allowed use in that Zoning District.

Moved by Szopinski, seconded by Davis, to adopt RESOLUTION NO. 13-511 approving a Plat of Survey for 3601 and 3606 Story Street.
Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Council Member Goodman arrived at 6:45 p.m.

2520 CHAMBERLAIN STREET: Remote Parking Request. Kelly Diekmann, Director of Planning and Housing, advised that the project site is located at the corner of Chamberlain Place and Chamberlain Street. It is a very small site of about 4,500 square feet that formerly had a two-story house on it. The house has been demolished. Director Diekmann stated that the applicant, Randall Corporation, had requested to be allowed to provide the residential parking that is required in the Zoning Code to be located off-site. Randall Corporation also owns two properties to the north of the development site (on Chamberlain Street) and is requesting to utilize eight of the parking spaces in that parking lot to meet the residential parking requirements for the new project. It was pointed out by Mr. Diekmann that there is no parking required for commercial uses, and for residential uses, there is a requirement for one parking space per unit. The proposed

project would be comprised of eight units; therefore, it would require eight parking spaces. One van-accessible parking space would also be required; that would also be remotely provided as one of the eight spaces.

Mr. Diekmann told the Council that the project complied with all requirements of the Zoning and Building Codes in terms of commercial and residential access off of Chamberlain Street and the additional access that is proposed for the accessible ramp to be located in the rear of the property off of Chamberlain Place. He said that the Council is being asked to approve a Remote Parking Easement to locate all eight required parking spaces off site within a parking lot located north of the site at 2515 Chamberlain Street and 133 Welch Avenue. If the Council chooses to allow the arrangement, a Remote Parking Agreement and Easement would have to be approved.

According to Mr. Diekmann, staff had identified some issues that the Council could choose to consider as part of its review. He pointed out that the items that had been identified by staff for off-site improvements and how to access the Chamberlain Street development site are discretionary choices; they are above the Code requirements, but they are applicable due to how parking works in the area in question. Mr. Diekmann noted that there are three proposed entrances to the property: commercial entrance off Chamberlain Street, staircase entrance off Chamberlain Street, and the ramp access on the rear of the property. Staff had recommended that the commercial parking lot across the street be improved to bring it closer to Code requirements, as follows: lighting be improved to allow for better visibility in the parking lot, landscaped areas be refurbished with some appropriate level of vegetation, and the parking lot be re-striped to accommodate the required parking spaces and the remainder area be designated for commercial use for the other two properties. Another concern of staff pertains to safety and the ease of access to the accessible ramp off of Chamberlain Place, which is a substandard right-of-way used as an alley without separate pedestrian improvements.

Public Works Director John Joiner explained that, although Chamberlain Place is classified as a public two-way street, it has only been improved to the width of a typical alley (16 feet) with no right-of-way width for separate pedestrian movements. The full right-of-way width is paved. The proposed building is proposed to be located one-half foot west of the right-of-way line. Providing dedicated access to the rear of the building is a Building Code issue. Mr. Joiner explained the difference between the Americans with Disabilities Act (ADA) guidelines that pertain to buildings and those that pertain to public rights-of-way. For the property in question, with a dedicated pathway, the guidelines pertaining to buildings would apply. In this case, the walkway would be 36" wide. It would need to be separated from the alley with a new raised curb. The Council was apprised that the Iowa Department of Transportation (IDOT) ADA Coordinator had been asked for input. According to Mr. Joiner, the IDOT ADA Coordinator knew of no location where the walkway being proposed had been constructed. In order for this to work, the 36" walkway would have to be both insured and have a Right-of-Way Encroachment Permit completed by the building owner. With the Encroachment Permit, insurance, and maintenance agreements that the Council might direct be entered into, the IDOT ADA Coordinator felt that if there would be a complaint, accident, or incident, the Department of Justice might view it as a public walkway. If the guidelines for a public walkway were to be followed, there would have to be a four-foot-wide walkway with a two-foot offset from any fixed object and a six-inch curb and gutter (that would be six and one-half feet off of the face of the building and allow for only a ten-foot paved alley). Ten feet is the minimum width for public works standards; however, the fire standard is a 12-foot minimum. In that regard, there would not be proper fire access to the alley. The alley would also have to be changed to one-

way, which could affect commercial properties in that area. With that issue, the City would still have to enter into a maintenance agreement and the walkway in the alley would have to be constructed and maintained to ADA standards. Based on the ADA concerns and the ongoing maintenance concerns, the IDOT ADA Coordinator advised the City that, if the project meets the minimum Building Code standards, which it does, it not pursue the walkway because of the potential liability and maintenance issues.

Council Member Orazem asked if there was a way to ensure that the accessibility ramp was reasonably easy to reach and somehow marked off relative to the rest of the alley. Director Diekmann said that if the issue of accessibility to the rear ramp was a priority of the Council, there are three options: (1) Make an exclusive path for handicapped individuals to travel along the frontage of the property, which would be 90 feet and then stop. (2) Ask the property owners to place the walkway on their property. The property owners have told staff that, to accommodate that three to four feet of space necessary to put a walkway along Chamberlain Place, it would not allow for the proposed type of building to be constructed. (3) The Council could also leave it as is. The property line is right up to the alley, and there is also the possibility that the alley would be torn up due to the construction of the building, and a new sidewalk could be added when it was reconstructed.

At the inquiry of Council Member Larson concerning whether what staff was requesting were requirements or desires, Director Diekmann said that the *Code* allows discretion to the City Council whether to grant the off-site parking easement. The only Code requirements beyond the discretion of granting that is would the parking lot have adequate parking for the uses it was intended to accommodate and does it meet the dimensional requirements for the requirements for the parking spaces that were meant to be there. According to Mr. Diekmann, the proposed off-site parking arrangement meets the minimum dimensional requirements to add in the van-accessible space as well as meets the regular parking requirements there.

Council Member Wacha expressed his concern that the new building will allow occupancy by 40 persons. If only one-third of those occupants brought a vehicle, there would be vehicles with nowhere to park. He is concerned about the potential inadequacy of only requiring eight parking spaces for the new building.

Mr. Diekmann further explained that if Council approves the remote parking arrangement, it should adopt a Resolution approving the Remote Parking Easement subject to the conditions attached to the Minor Site Plan approval and direct staff to prepare a draft Remote Parking Agreement and Easement. The Agreement would come back to the Council prior to occupancy of the structure for formalizing how the spaces are to be used. This would allow the occupant to proceed with getting the Minor Site Plan approved and processing of the Building Permits.

Moved by Davis, seconded by Orazem, to adopt RESOLUTION NO. 13-518 approving the use of remote parking for 2520 Chamberlain Street and directing staff to prepare a Remote Parking Agreement and Easement with the following conditions:

1. The remote parking site be modified by the applicant so that the following occurs:
 - a. The existing utility box is relocated to meet the minimum two-way drive aisle dimension at the entrance of the parking lot.
 - b. Additional wall pack lighting is installed by the applicant to eliminate a safety concern for residential parking.
 - c. The applicant re-plants appropriate shrub and ground cover within existing planters.

Director Diekmann reiterated that this would be brought back for Council approval prior to occupancy of the building.

Matt Randall, 420 S. 17th Street, Ames, reported that the Randall Corporation owns an apartment building approximately 100' feet south of the site in question. The parking requirement for that property required one and one-half parking stalls for each apartment; however, the owners limit the occupants of that building to one stall per apartment. Therefore, there are 23 parking stalls that are not being used and available for the tenants of 2520 Chamberlain. Mr. Randall pointed out that another opportunity for the occupants of 2520 Chamberlain would be to park at the Intermodal Facility, which is approximately one-half block away.

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.

Urban Revitalization Tax Exemption Request. Director Diekmann advised that the Randall Corporation is also requesting prior approval for qualifications for a three-year tax exemption on increased value that will be created by improvements at 2520 Chamberlain Street. The property is within the already established Campustown Urban Revitalization Area.

According to Mr. Diekmann, the Council needs to determine if the property meets the first criteria of whether the site meets the definition of “slum and blight.” He advised that the Criteria Matrix describes slum and blight as “properties where a majority of the assessed valuation of the properties has been determined to be substantially unsafe or to have an unsafe use by the City Council. Mr. Diekmann advised that the Building Official had made an assessment of the property and provided a letter to Mr. Randall concerning her findings. The second category for tax abatement eligibility is meeting the use or design category requirements. Staff has determined that the applicant’s proposed project does meet the design requirements by providing for commercial access to the street, planned signage, and use of brick on all facades. The third set of criteria is related to public safety requirements for residential uses. A project must achieve all of the public safety design standards specified in the Matrix, unless an alternative equivalent design is approved by the City Council. The Police Department has carefully considered the security and safety issues of this project and has found that the design of the site does not meet all of the Urban Revitalization Plan requirements for safety and security. Items of concern were stated as: [1] the need for revision to the entrances/exits of the building to meet Criterion No. 2 (separate entrances for commercial and residential uses) and No. 3 (locate all residential entrances to be visible from the street and provide secure access control at each); [2] the installation of transparent glass in all stairwells; [3] the need for installation of the required security camera monitoring; [4] the installation of the required security lighting for the building and parking areas.

Mr. Diekmann explained that the determination as to whether or not the project qualifies under the slum and blight criteria is at the sole discretion of the City Council. If the City Council determines that the previously existing home on the property met the definition of slum and blight, then it should require modifications to the Minor Site Plan to meet the public safety criteria.

Jeff Harris, Roseland, Mackey, Harris Architects, 1615 Golden Aspen Drive, Ames, showed a depiction of the planned building and floor plans for the second through fourth floors. Matt

Randall also spoke, alleging that 2520 Chamberlain is a unique site in Campustown with tight constraints due to the existing conditions of the area.

Council Member Davis said that he sees the new building as an improvement to what was there previously. He believes that the applicant had made a good point that certain things are just not possible due to the existing development.

Moved by Davis, seconded by Wacha, to refer the request back to staff and ask staff to work with the applicant on the design.

Council Member Davis added that he would like staff to work with the applicant to see what could be done to relax some of the requirements that traditionally are part of the Urban Revitalization Criteria. Discussion ensued as to possible ways of meeting the safety concerns expressed by the Police Department. Council Member Orazem offered his opinion that the glass could be installed in the stairways, but the door can't be moved.

Director Diekmann told the Council members that the first action needed by them would be to determine if the project met the slum and blight criteria.

Motion withdrawn.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 13-525 determining that the project meets the classification of slum and blight under the Urban Revitalization Criteria. 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 carried.

Moved by Davis, seconded by Orazem, to refer this back to staff to determine if there is a way to address the security concerns that would meet the criteria in alternative ways that will still allow for abatement.

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

Council Member Goodman advised that he does not have a current financial interest in this property; however, he could in the future. He indicated that, for that reason, he had abstained from the vote.

PROCLAMATION FOR HUNGER AND HOMELESSNESS AWARENESS: Mayor Pro Tem Larson proclaimed November 16 - 24, 2013, as Hunger and Homelessness Awareness Week. Accepting the Proclamation were representatives of Youth and Shelter Services Hope Metheny and Mallory Cassis.

PUBLIC FORUM: No one spoke during this time.

5-DAY LICENSES FOR OLDE MAIN BREWING AT ISU ALUMNI CENTER: Moved by Davis, seconded by Szopinski, to approve the following:

1. Special Class C Liquor License (Nov. 14-18)
2. Special Class C Liquor License (Nov. 19-23)

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

REQUESTS FROM ARTHRITIS FOUNDATION FOR JINGLE BELL RUN: Moved by Davis, seconded by Orazem, to adopt RESOLUTION NO. 13-512 approving closure of the westbound lane of Mortensen Road from approximately 8:45 to 9:30 a.m. on December 7, 2013.

Council Member Wacha asked if this was going to completely stop traffic in one lane on Mortensen Road for approximately 30 minutes. Chris Andersen, 1207 Cherokee Street, Nevada, Iowa, identified himself as a volunteer with the Arthritis Foundation who currently serves as the Chair of the Iowa Leadership Council, Vice-President-Elect for the organizations Heartland Region, as well as the President-Elect for the National Juvenile Arthritis Alliance Leadership Group. Mr. Andersen explained that, although they patterned this Run after the Hope Run, they will have a lot fewer runners (900+ versus 200-250). For the protection of the runners, they do request to stop traffic in one lane on Mortensen Road until they have passed through. However, they changed the start time so as not to conflict with CyRide's schedule in that area. They will usher the runners off the path as quickly as possible so as to mitigate the closure of westbound Mortensen as much as possible.

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

REQUESTS FROM MAIN STREET CULTURAL DISTRICT (MSCD) FOR HOLIDAY ACTIVITIES: Cari Hague, Executive Director of MSCD, stated that holiday activities are being planned for the Downtown area. Assistant City Manager Melissa Mundt referenced an e-mail that Ms. Hague had sent to the Mayor and City Council today regarding inadvertently omitting one of the dates. She told the Council that November 15 needed to be added to Items a and c (Blanket Temporary Obstruction Permit/Blanket Vending License and closure of ten parking spaces on Main Street and Douglas Avenue).

Moved by Davis, seconded by Wacha, to approve a Blanket Temporary Obstruction Permit and a Blanket Vending License in the Central Business District on November 15 and 22, 2013.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 13-513 approving waiver of fees for electricity for holiday activities/lighting from November 22 through December 31.
Roll Call Vote: 6-0. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 13-514 approving closure of ten parking spaces along Main Street and one parking space on the west side of Douglas Avenue on November 15 and 22, 2013.
Roll Call Vote: 6-0. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 13-515 approving closure of Burnett Avenue, from Main Street to Fifth Street, from 2:00 to 8:00 p.m. on November 22, 2013, for planned activities.
Roll Call Vote: 6-0. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 13-516 approving a waiver of fee for Blanket Vending License.

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

REQUEST FROM AMES INTERNATIONAL PARTNER CITIES ASSOCIATION (AIPCA) TO CARRY OVER FY 2012/13 FUNDING: Will Diesland, 5209 Maryland, Ames, representing the AIPCA, advised that approximately \$3,000 of their allocation of \$5,000 had been spent during Fiscal Year 2012/13. He explained that 2013 marks the 20th Anniversary of the Sister-City Relationship. An Adult Delegation was sent to Japan in June and a Delegation from Japan came to Ames in September, both of which were costly endeavors. The AIPCA recently became aware that it did not use \$1,554.76 from its budgeted allocation in Fiscal Year 2012/13, and due to the expenditures during this fiscal year, it is requesting that the unused funds be carried over to 2013/14.

Moved by Goodman, seconded by Davis, to adopt RESOLUTION NO. 13-517 approving the request to carry over unspent funding from 2012/13 for Ames International Partner Cities Association (AIPCA).

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

REQUEST FROM OCTAGON CENTER TO ALLOW FIVE BANNERS TO BE TEMPORARILY DISPLAYED ON DOWNTOWN CORNER POSTS TO PROMOTE FESTIVAL OF TREES EVENT: Mayor ProTem Larson advised that Heather Johnson, Director of the Octagon, could not be present at this meeting as she is out-of-town.

City Manager Steve Schainker advised that it had been brought to the City's attention that the corner posts at Main and Douglas, Main and Kellogg, Main and Burnett, and Main and Clark had been used to place banners highlighting various upcoming events. However, approval was never granted by the City for that type of use. He noted that the use of public property to display signs is a complex issue, especially in light of First Amendment issues. Mr. Schainker emphasized that it would be imperative for the City Council to first establish a policy, similar to the existing banner policy. Mr. Schainker noted that the Festival of Trees event begins on November 13 and runs through December 1, 2013, and it is not possible to develop and obtain Council approval of a policy before the event begins. He stated that Council could grant approval to the Octagon for this one event and direct staff to develop a policy to be brought back for approval.

Moved by Goodman, seconded by Orazem, to allow the banners for this one instance.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Orazem, seconded by Goodman, to refer to staff a request to consider possible rules that would be used going forward to determine who and what would be allowed on the decorative bollards in the MSCD.

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

REQUEST FROM AMES CONVENTION AND VISITORS BUREAU FOR CITY FUNDING TO FINANCE FLAT SPACE ADDITION TO THE SCHEMAN BUILDING: Kevin Cook, President of the Ames Convention and Visitors Bureau Board of Directors, recalled that the City Council had approving partial funding of an analysis by CSL of the Ames hotel market and potential funding sources for convention space. He stated that they had actually been working

on this potential project since 2009 and had invested a significant amount of time to create the best possible solution for the community. This project would greatly improve the entire Iowa State Center Complex.

Julie Weeks, Director of the Ames Convention and Visitors Bureau, presented the results of the CSL analysis. She presented three options for funding of the construction of a Multi-Use Space, which is estimated to cost \$32,245,562, and renovation of the Scheman Building, which is estimated to cost \$6,529,663: (1) Naming rights/sponsorship; (2) Up-front service provider fees, and (3) Public sector. According to Ms. Weeks, the cost is based on a 2015 construction date by factoring a 3% per year increase from 2013 estimates. The total economic impact of the project was presented by Ms. Weeks.

Tina Colburn, Vice-President of the Ames Convention and Visitors Bureau Board of Directors, stated that the Scheman Building was constructed in 1975 without City of Ames funding. She said that the Board of Directors had determined that the best option for upgrading the Scheman facility and adding new space to the facility would be a partnership between Iowa State University and the City of Ames. The ACVB Board of Directors requested that the City Council approve a Bond Referendum of up to \$19 million to occur as a Special Election on March 4, 2014. According to Ms. Colburn, the estimated impact on property owners would be \$30.35/\$100,000 for residential and \$57.46/\$100,000 for commercial properties.

Mayor Pro Tem Larson pointed out that the City Council is being asked to direct staff to develop the ballot language for a Special Election. Noting that the City would be asking for \$19 million, and the project is at least \$32 million, Mr. Larson asked if there had been any discussion about ensuring that the “partners” come along.

Council Member Wacha noted that it had been stated in the staff report that facilities similar to the one being proposed run at an annual deficit, and the projection for the proposed facility would be a deficit of \$230,000 annually. The staff report also states that the ACVB would be using the additional funds from Hotel/Motel Tax revenue to offset that deficit. Mr. Wacha asked if there were any projections as to what those additional Hotel/Motel fund revenues would be. Ms. Weeks replied that the ACVB had looked at the additional number of guest rooms that could be rented; it translated to approximately \$6 million of Hotel/Motel Tax revenue, which would generate slightly over \$300,000 more for the ACVB (5% share). That increase would also go to the City for the 2% that it retains.

Warren Madden, Senior Vice-President of Business and Finance at Iowa State University, pointed out that the City and University have a long history of cooperative agreements. The Iowa State Center is approaching 40 years old, and buildings need to be modernized and updated to have the capabilities to meet the meeting facility needs that are required in this day and age. The flat space would be an important addition. The Iowa State Center has exceeded most of the expectations that were envisioned in the early 1960s. The details of an Operating Agreement will need to be worked out. Mr. Madden referenced the Agreement for the Ames/ISU Ice Arena, which is a similar kind of project. If the Referendum is successful, it is believed that a similar type of agreement can be worked out for this project. The project would have to be prepared and approved by the Board of Regents. According to Mr. Madden, President Leath had indicated that, if the City agrees to provide one-half of the funding for the project, Iowa State University would find the resources based on approval by the Board of Regents. Mr. Madden believes that this project will benefit the Ames community and the University. The Iowa State Center has

benefitted the Ames community throughout the years. It has brought in many groups and contributed to the recognition that Ames gets as a community as well as making ISU more visible. The details of the project should be able to be worked out prior to the date of the Referendum.

City Manager Schainker pointed out that, before putting anything on a ballot for a reference, there are always a number of questions that might arise. He provided answers to many questions that had been anticipated, which pertained to ownership, operations, policy decisions, if there is a deficit, community access to the facility, budgeting for the project, and who would pay the cost of the Special Election.

Council Member Orazem asked if the City's share or the University's share of the project would be lowered if there were funds raised through naming rights (which is estimated at \$4 million). Ms. Weeks advised that it would lower the University's share.

Moved by Goodman, seconded by Szopinski, to direct City staff to develop ballot language for a March 4, 2014, Referendum.

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

The meeting recessed at 8:10 p.m. and reconvened at 8:15 p.m.

AMENDMENT TO AMES URBAN FRINGE PLAN LAND USE FRAMEWORK MAP PERTAINING TO EXPANSION OF ISU RESEARCH PARK:

Director Diekmann advised that the Ames Urban Fringe Plan identified the area south of the current Research Park as the Industrial Reserve Research Park with the explicit direction that it was intended for industrial uses; however, the timing was unknown at the time of the adoption of the Plan. The Plan requires that, prior to any annexation consideration, the Plan would be amended to become an Urban Service area, which would allow for industrial uses to then be subdivided in after annexation. Mr. Diekmann emphasized that the proposed change to the Ames Urban Fringe Plan Map does not change the anticipated land uses. He told the Council members that they are being asked to support amending the Plan to designate this as an area that is able to become urbanized; there will be many subsequent steps required to get the Research Park expansion approved, including annexation, rezoning, and subdivision.

Director Diekmann reported that Story County had already approved the amendment. He also noted that the Ames Planning and Zoning Commission had recommended that the Council approve the amendment. If the City Council chooses to approve the amendment, it will become effective as Gilbert has chosen not to participate in the process.

Moved by Davis, seconded by Goodman, to adopt RESOLUTION NO. 13-520 approving an amendment to Ames Urban Fringe Plan Land Use Framework Map pertaining to expansion of ISU Research Park.

Council Member Orazem asked if any agreement with Xenia Rural Water had been reached. Mr. Diekmann advised that that issue would be discussed during the annexation process.

Mary Glenn, 310 N. Main Avenue, Huxley, Iowa, stated that she was present on behalf of Art Reilly and family. She advised that her family still owns 2.3 acres now known as 2959 South Riverside Drive, Ames. When their family sold a portion of their land to Iowa State University,

they understood that it would build up around the family's homestead. Ms. Glenn said that the homestead has been in her family for over 100 years; it was built by her great-grandparents. They plan to keep the homestead in the family. She requested, on behalf of her family, that the 2.3 acres they own (where the house is located) be allowed to retain the Agricultural zoning and not be "swept up" into the Industrial zoning designation. Director Diekmann noted that the City could, if the 2.3 acres is not a critical component to completing the Plan, leave a piece of land as Agricultural. The City would need to look at that when the time comes.

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

CAMPUSTOWN URBAN RENEWAL AREA (KINGLAND REDEVELOPMENT PROJECT): Presentation of Project Scope. Todd Rogness, President of Kingland Systems

Corporation, recapped the corporate history of Kingland, a software and services company that provides compliance offerings to large financial institutions. Mr. Rogness reviewed the meetings and discussions that had occurred since Kingland's last presentation to the City Council. The project design continues to be refined. They have deleted the drive-thru element for the major retailer and have expanded parking from 75 spaces on its initial design to 115 spaces, subject to economic feasibility of a split level parking structure. The project is estimated to cost \$20 million. It will be a mixture of office and retail space. It will be a three-story 75,000 square foot building. Mr. Rogness reported that 25,000 square feet will be occupied by Kingland; 25,000 square feet will be used by Iowa State University; 14,000 square feet will be for a major retailer; and 11,000 square feet will be used by three smaller retailer tenants and some common space. Mr. Rogness reviewed the proposed project timeline.

Andy Meyer of Bergland & Cram Architects, Kansas City, Missouri, showed the site plan of the 1st, 2nd, and 3rd floors. He also showed a conceptual drawing of the store fronts and facades on Lincoln Way and Welch Avenue. Changes that had been made to the plans in response to input received were pointed out.

Hearing on Campustown Urban Renewal Area. Mayor ProTem Larson opened the public hearing.

Ann Taylor, 217 Welch Avenue, Ames, President of Campustown Action Association (CAA) Board, advised that the CAA strongly supports the project. She asked that the Council consider that, for the duration of the tax abatement, retail rents east of the stairwell (proposed Retail Suites B, C, and D) not exceed the current market average on equal space in the District, adjusted as the market changes. Ms. Taylor also requested that the City Council agree with the recommendation of the City staff that proposed retail Suites B, C, and D remain retail even after the tax abatement ends. The CAA also would like to ensure that ground level uses would be restricted to retail sales and service uses and entertainment, restaurant, and recreation trade uses.

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

Moved by Davis, seconded by Orazem, to adopt RESOLUTION NO. 13-521 approving the Campustown Urban Renewal Plan and establishing the Campustown Urban Renewal Area.

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

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

Roll Call Vote: 5-1. Voting aye: Davis, Larson, Orazem, Szopinski, Wacha. Voting nay: Goodman. Motion declared carried.

Proposed TIF Agreement Terms. City Manager Schainker emphasized that Council was not being asked to approve a TIF Agreement at this meeting; only the concepts for the Agreement needed to be approved. After the concepts had been agreed upon, the Agreement will be brought back to the City Council for approval. It is anticipated that the Agreement would be placed on the December 10, 2013, Agenda for approval. Mr. Schainker reviewed the terms of the proposed Tax-Increment Financing (TIF) Agreement. He told the Council that it could impose other requirements or restrictions. It was also emphasized by Mr. Schainker that the developer will have to get an approved site plan and meet all the City's Policies and Procedures and Building Codes. According to Mr. Schainker, the City had gotten advice from its bond attorney, who suggested that the City enter into a Minimum Assessment Agreement. In that way, the City could calculate what it would take to generate the \$2 million based on the current tax rate. The value now is approximately \$8.8 million. That would not mean that the Assessor could not assess the property at a higher amount; in fact, it appears that it would be higher. A Minimum Assessment Agreement would ensure that the obligation would be satisfied with at least ten years. It is believed, however, that it would take less time than ten years. The City Manager also emphasized that the City does not know at this point what effect the Property Tax Reform Bill will have on TIF.

Mr. Schainker stated that, concerning the ground level uses being restricted to "Retail Sales and Service Uses" and "Entertainment, Restaurant, and Recreation Trade Uses," the Zoning Ordinance allows for a much broader array of commercial uses, including offices, on first floors in the Campustown Service area. He also advised that the City could determine impermissible uses. City staff believes that the use restrictions are more in keeping with the City's vision for this business district and the desires of the students who offered input into the project. Mr. Rogness advised that Kingland fully supports that restriction during the term of the Agreement (ten years); however, would like the flexibility to revise that after a period of time. Council Members Larson and Davis commented that they both felt it was very reasonable to have the restriction run with the TIF Agreement. Mr. Davis said he liked the list of uses that had been presented, and did not want to be overly restrictive and inadvertently drive people away. Council Member Szopinski said she would like to see the ground level uses restricted into perpetuity. She said that the City needs to consider what the long-term vision is for Campustown and how it interacts with students, who have traditionally used retail space that is directly across from Campustown. City Attorney Judy Parks said that there is a covenant standard of 21 years. She would have to research how the Agreement could be worded if the restriction were to be perpetual. Council Member Goodman said there perhaps could be a compromise if there were vacant spaces. He does not want it to be a project that can't survive. Council Members Orazem and Wacha both believe that the market will dictate the amount of rents. Mr. Orazem said he does not believe that the City should micro-manage the business. Mr. Goodman offered that this is not a market project anymore; it is a partnership - the citizens are voiding future income of \$2 million. That does not mean that great things still can't happen. He would hope that the Council can have an honest conversation about its expectations for Campustown. The surveys have indicated that people want retail service industry in Campustown.

Council Member Wacha said that he would agree to have the restrictions run with the Agreement. Beyond that, the market would dictate, based on what the students who are right there in the area want. They are the main users of the area.

Ron Fiscus, Planscape Partners, who is the financial analyst for the project, pointed out that one of the other issues that Kingland is faced with is that there must be a lender who is willing to finance the project. He knows that there are lenders willing to provide financing to Kingland as long as there is a finite time when there are restrictions placed on the property. Mr. Fiscus pointed out that Kingland has to be able to service the debt with the rents collected from the retailers. However, he believes that, if there are certain retailers that the City does not want to see in the area, Kingland would be very willing to have a discussion with the City on that issue. Council Member Goodman pointed out that he believes that certain uses could be prohibited. Council Member Larson offered that he would like to see an overlapping parking deck that would provide more parking spaces than the minimum included. That would always remain no matter what happens to the rest of the property down the road. Council Member Goodman said there seems to be agreement about uses and not to include those that the City does not want. He wants to see a compromise that gives the City a return on its investment – a vibrant commercial area that does not bankrupt the Kingland Company; he wants a balance of those two things.

Ex officio Alexandria Harvey said she wanted to offer the students' perspective. From what she had heard, most of the students' opposition to the project had been that offices would be on the first floor. Students have expressed that they want retail uses on the first floor.

City Manager Schainker told the Council that it appeared they were in agreement with everything except the ground-floor uses. He noted that the Council could refer the Agreement back to staff to work with Kingland on restricted uses and bring it back to the Council on November 26.

Council Member Larson added that he would like to see a pharmacy/grocery store included in the retail uses listed in the Agreement. He reiterated that providing more parking in the center part of Campustown would be a good thing.

Moved by Goodman, seconded by Davis, to refer the TIF Agreement back to staff, assuming that the items listed besides the item about retail spaces will be included, with the addition of a possible requirement for a pharmacy/grocery and directing that there be conversation about balancing the need for a vibrant Campustown and retail with some reasonable out for that need, perhaps a limited time of not being able to lease or some other solution that staff could come up with with Kingland.

Council Member Wacha said that it was his understanding that the point of bringing it back was to allow Kingland and staff to have an opportunity to have a conversation regarding what required or prohibited uses might work for both. He did not like the idea of specifically saying a pharmacy/grocery.

Moved by Wacha, seconded by Davis, to amend the motion to replace specific pharmacy/grocery with prohibited or required uses that would be of mutual benefit.

Moved by Goodman to withdraw the motion.

Moved by Goodman, seconded by Davis, to refer the TIF Agreement back to staff to work with Kingland on desired and possibly required uses and prohibited uses and a compromise on the retail use restriction.

Council Member Szopinski reiterated that she strongly believes that it is important to ensure that the spaces remain retail beyond the ten-year TIF Agreement. Council Member Davis noted that ten years from now, things could be dramatically different in Ames. Mayor ProTem Larson said it was his hope that staff and Kingland could come up with the number of years that is acceptable to both.

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

Moved by Davis, seconded by Goodman, to adopt RESOLUTION NO. 13-522 setting December 10, 2013, as the date of public hearing on the Campustown Tax Increment Financing Development Agreement.

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

Hearing on Zoning Text Amendment to Change Campustown Building Step-Back (continued from October 22, 2013). The public hearing was continued by Mayor ProTem Larson.

Matt Randall advised that two areas were being affected: Kingland property and a significant portion of property on Lincoln Way owned by Randall Corporation. He said that in the Campustown Service Center Zone Development Standards, there is a section called "Openings Between Buildings." It specifically states that at mid-block, there needs to be a 20-foot-wide access point for vehicular traffic and utilities. It is not being addressed in the proposed Step-Back Ordinance. Mr. Randall said that he agrees that it should not be addressed on Lincoln Way. He requested that during Council Comments, the City Council direct staff to exclude properties facing Lincoln Way in the Campustown Service Center.

No one else requested to speak, and Mayor ProTem Larson closed the hearing.

Moved by Davis, seconded by Wacha, to pass on first reading an ordinance to exempt from the Campustown Service Center Zoning District the step-back standard for commercial buildings of three stories or fewer that do not have residential uses and are located on sites that have frontage on Lincoln Way.

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

HEARING ON WATER AND POLLUTION CONTROL FACILITY BLOWER REPLACEMENT: The hearing was opened by the Mayor ProTem and closed after no one came forward to speak.

Council Member Goodman left the meeting at 9:25 p.m.

Moved by Davis, seconded by Orazem, to adopt RESOLUTION NO. 13-523 approving final plans and specifications and awarding a contract to Woodruff Construction of Ames, Iowa, in the amount of \$156,300.

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

Council Member Goodman returned to the meeting at 9:28 p.m.

ENGINEERING SERVICES AGREEMENT FOR WPC DIGESTER IMPROVEMENTS:

Water and Pollution Control Director John Dunn explained the staff review process on Requests for Proposals for professional services.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 13-508 awarding a contract to FOX Engineering Associates, Inc., of Ames, Iowa, for design, bid, and construction phase engineering services for WPC Digester Improvements Project in an amount not to exceed \$99,400 without prior approval.

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

CY-RIDE FUEL PURCHASES: Transit Director Sheri Kyras and Rich Leners, Assistant Director for Fleet and Facilities, were present. Ms. Kyras, advised that for the past four years, CyRide has purchased a portion of its fuel under contract in an effort to stabilize and possibly gain financial benefits. The decision to switch to that type of purchasing arrangement was a direct response to the volatile fuel market in 2007/08 when prices increased from \$2.00 to \$4.00/gallon in a short span of time. Based on previous bidding, CyRide and Purchasing staff has identified that January - April and September - December as best for contract purchasing of fuel. One of the prime times to enter into fuel contracts to gain the best price is in November or December. Staff recommended entering into a long-term contract in light of the low market prices at this time.

Moved by Davis, seconded by Goodman, to adopt RESOLUTION NO. 13-519 approving up to 12 two-month fuel contracts at a total price not-to-exceed \$1,764,000 and accept fixed rate plus mark-up/deduct for the remainder of CyRide fuel purchases.

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

POST-CONSTRUCTION STORM WATER MANAGEMENT ORDINANCE: Tracy Warner, Municipal Engineer, introduced Pat Sauer of the Iowa Association of Municipal Utilities and Iowa Storm Water Education Program.

Ms. Warner said that the overall goal of the Ordinance was to increase storm water run-off quality, decrease storm water run-off, and minimize soil erosion. The Ordinance will also help the City to be in compliance with both federal and state environmental laws, which require the City to implement progressive storm water management policies. The City's current Storm Water Management Ordinance was reviewed by Ms. Warner. She noted that the current ordinance did not address storm water water quality. According to Ms. Warner, the City's Municipal Separate Storm Sewer Permit (MS4) issued by the Iowa Department of Natural Resources (IDNR) states that the City must adopt and enforce a storm water management ordinance that addresses both water quality and water quantity components. In order to meet the Permit requirement, Public Works staff has been working for several years to establish a draft ordinance that meets the requirements while also aligning with flood mitigation efforts within the community.

The Council was told that staff had hosted three public meetings where citizens and business owners could learn about and comment on the proposed Ordinance. The purposes and highlights of the proposed Ordinance were presented by Ms. Warner.

At the inquiry of Council Member Davis as to whom “owns” the Iowa Storm Water Management Manual. Ms. Sauer answered that the Manual was created by the Statewide Urban Design and Specifications (SUDAS); however, the Department of Natural Resources “owns” it.

Council Member Larson said that this Ordinance will have a huge impact on not only developers, but also on residents. He wished that it could have been presented at a Council workshop, instead of being part of one of the longest meetings that Council will have this year.

Ms. Warner stated that staff had spent several years developing the proposed Ordinance. She said that input had been received from storm water management experts, as well as from developers and civil engineers that will be impacted by the new requirements.

Ms. Sauer gave a detailed presentation explaining storm water management, providing definitions and examples of different methods.

Chuck Winkleblack, 105 S. 16th Street, Ames, expressed his concerns over some of the components of the Ordinance, specifically, the ability of the City to place a lien on the property if there is a problem and the City’s ability to withhold Occupancy Permits. Mr. Winkleblack told the Council that this Ordinance is going to impact all residents of Ames and urged the Council to take its time to understand all the components of it before approving it.

Council Member Larson pointed out that staff had worked on the proposed Ordinance for a number of years, but this was the first time that the Council had seen it. He doesn’t think the Council knows everything that is contained in the proposed Ordinance; at least not enough to be ready to vote on its adoption.

Ex officio Member Harvey said that she studies watershed management at Iowa State University. She noted that the regulations are not new; they have been around for a very long time. In Ms. Harvey’s opinion, if the City really wants to promote the sustainability of Ames, it needs to follow the regulations.

Moved by Goodman to request that the ordinance be brought back to Council and to encourage staff to reach out to developers and storm water management people to find out what their issues are. Motion died for lack of a second.

City Manager Schainker recommended that the item be placed on a workshop agenda so that the Ordinance can be reviewed in more detail.

Moved by Goodman, seconded by Orazem, to direct staff to schedule a workshop on this topic.

Ms. Warner explained that the City has not been in compliance and was supposed to have adopted an ordinance by 2007.

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

ORDINANCE REPEALING OLD AND ENACTING NEW CHAPTER 14: Moved by Davis, seconded by Wacha, repealing Chapter 14 of the *Municipal Code* and enacting new Chapter 14 to be consistent with Iowa Civil Rights Act.
Roll Call Vote: 6-0. Motion declared carried unanimously.

ORDINANCE ESTABLISHING 921 - 9TH STREET AS AN URBAN REVITALIZATION AREA: Moved by Davis, seconded by Goodman, to adopt on third reading and adopt ORDINANCE NO. 4162 establishing 921 - 9th Street as an Urban Revitalization Area.
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 Szopinski, to refer to staff for placement on a future Agenda, the letter dated November 7, 2013, from Alisa Frandsen, Chairperson of the Parks & Recreation Commission, pertaining to the Commission's recommended utilization of the Geitel Winakor Bequest.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Orazem, seconded by Goodman, to refer to staff the letter from Jim Athen dated November 8, 2013, requesting that staff be directed to work with relevant parties to modify the Pre-Annexation Agreement (remove the stipulation for a senior or retirement community) pertaining to his property.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Davis, seconded by Orazem, to refer to staff to be brought back as a report to the City Council the request of Matt Randall to exclude properties facing Lincoln Way from the section entitled "Openings Between Buildings" in the Campustown Service Center Zone Development Standards.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Wacha, seconded by Goodman, to refer to staff the letter dated October 31, 2013, from Ben Moser pertaining to finding a solution to improve pedestrian access to Inis Grove Park from Duff Avenue at the 24th Street intersection.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Goodman, seconded by Wacha, to ask staff to reach out to local experts at Iowa State University regarding the timeline for emerging technology on biofuels for commercial use.
Vote on Motion: 5-1. Voting aye: Davis, Goodman, Orazem, Szopinski, Wacha. Voting nay: Larson. Motion declared carried.

CLOSED SESSION: Moved by Davis, seconded by Goodman, 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.

REGULAR SESSION: The City Council returned to Regular Session at 11:05 p.m.

ADJOURNMENT: Moved by Davis to adjourn the meeting at 11:05 p.m.

Diane Voss, City Clerk

Ann H. Campbell, Mayor