

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

MARCH 7, 2017

The Regular Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 6:00 p.m. on the 7th day of March, 2017, in the City Council Chambers in City Hall, 515 Clark Avenue. Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem were present. *Ex Officio* Member Sam Schulte was also present.

PROCLAMATION FOR “ECO FAIR DAY,” MARCH 25, 2017: Mayor Campbell proclaimed March 25, 2017, as “ECO Fair Day.” Accepting the Proclamation were Director of Electric Services Donald Kom and Assistant Director of Water and Pollution Control Christina Murphy. Director Kom noted that this will be the Seventh Annual ECO Fair Day. It begins at 9 AM and concludes at 1 PM. Mr. Kom listed some of the activities that will be occurring at the event.

CONSENT AGENDA: Mayor Campbell pulled Item No. 12, Request from London Underground for LondonFest on April 22, 2017; Item No. 13, Request from London Underground for Firefly Country Night on July 14, 2017; and Item No. 21, Change Order No. 15 for New Water Treatment Plant Project, for separate discussion.

Moved by Betcher, seconded by Corrieri, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Report of Contract Change Orders for February 16-28, 2017
3. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor & Outdoor Service – Coldwater Golf Links, 615 S. 16th Street
 - b. Class E Liquor, C Beer, & B Wine – Kum & Go #227, 2108 Isaac Newton Drive
 - c. Class E Liquor, C Beer, & B Wine – Kum & Go #113, 2801 E. 13th Street
 - d. Class A Liquor & Outdoor Service – Elks Lodge #1626, 522 Douglas Avenue (pending dram)
 - e. Class C Beer & B Native Wine – Swift Stop #4, 1118 S. Duff Avenue
 - f. Class C Beer & B Wine – Swift Stop #5, 3218 Orion Street
 - g. Special Class C Liquor – The Spice Thai Cuisine, 402 Main Street (pending dram)
 - h. Class E Liquor, C Beer, & B Wine – Sam’s Club #6568, 305 Airport Road
 - i. Class C Liquor – Sips/Paddy’s Irish Pub, 124 Welch Avenue
 - j. Class E Liquor, C Beer, & B Wine – Wal-Mart Store #749, 3105 Grand Avenue
 - k. Special Class C Liquor & B Wine – Southgate Expresse, 110 Airport Road
 - l. Class C Liquor – Los Altos Mexican Restaurant, 823 Wheeler Street, Ste. 5 (pending dram)
4. Motion approving new Class B Liquor License for Holiday Inn Ames, 2609 University Boulevard
5. Motion approving ownership change for Class E Liquor License for Walgreens #12108, 2719 Grand Avenue
6. RESOLUTION NO. 17-098 approving appointments to City’s various boards and commissions
7. RESOLUTION NO. 17-099 approving agreement with Willis of Greater Kansas, Inc., to provide property insurance brokerage services
8. RESOLUTION NO. 17-100 approving Joint Use Parking Agreement for 1301 Buckeye Avenue
9. RESOLUTION NO. 17-101 approving Agreement with Iowa Department of Transportation for 2017/18 South Duff Avenue Improvements
10. Request from Raising Readers for Step Into Storybooks on April 8:
 - a. Motion approving blanket Temporary Obstruction Permit for event activities on Douglas Avenue
 - b. RESOLUTION NO. 17-102 approving closure of Douglas Avenue from 5th Street to 6th Street from 6:00 a.m. to 1:00 p.m.
 - c. RESOLUTION NO. 17-103 approving waiver of parking meter fees for metered spaces on Douglas Avenue between 5th Street and 6th Street and on 5th Street between Douglas Avenue

and Kellogg Avenue from 8:30 a.m. to 12:30 p.m.

11. RESOLUTION NO. 17-108 approving preliminary plans and specifications for 2015/16 West Lincoln Way Intersection Improvements (Franklin Avenue); setting April 5, 2017, as bid due date and April 11, 2017, as the date of public hearing
 12. RESOLUTION NO. 17-109 approving preliminary plans and specifications for 2016/17 River Valley Park Softball Infield Renovation; setting April 4, 2017, as bid due date and April 11, 2017, as date of public hearing
 13. RESOLUTION NO. 17-110 approving preliminary plans and specifications for CyRide Paving Renovations 2017 Project; setting April 5, 2017, as bid due date and April 11, 2017, as date of public hearing
 14. RESOLUTION NO. 17-111 awarding contract for 2016/17 CyRide Route Pavement Improvements (S. 3rd/4th Street) to Manatt's, Inc., of Ames, Iowa, in the amount of \$2,495,582.55
 15. RESOLUTION NO. 17-112 approving single-source procurement of automatic passenger counters, installation, and associated annual software licenses with DILAX Systems, Inc., of Saint-Lambert, QC, Canada, in the amount of \$59,035
 16. RESOLUTION NO. 17-113 approving contract and bond for Boiler Maintenance Services for Power Plant
 17. RESOLUTION NO. 17-114 approving balancing Change Order No. 2 for 2015/16 Bridge Rehabilitation Program (6th Street Bridge)
 18. RESOLUTION NO. 17-116 approving Plat of Survey for 2700-2728 Lincoln Way, 115 South Sheldon Avenue, and 112 and 114 South Hyland Avenue
- Roll Call Vote: 6-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

REQUEST FROM LONDON UNDERGROUND FOR LONDON FEST ON APRIL 22: Council Member Betcher said that she had requested to pull this item for separate discussion because she had received some feedback from business owners and the membership of the Main Street Cultural District, and she felt that it merited public discussion. She explained that the comments dealt with moving the event from a Sunday to a Saturday. The Farmers' Market also occurs on that Saturday. Some businesses have concerns about losing parking and business. They also had commented about realizing how many times streets are being closed in the Downtown. Ms. Betcher shared that her personal feeling is to table this item until the next Regular Council Meeting to allow for more notification to the affected businesses to occur and perhaps receive their feedback.

Jess Clyde, owner of London Underground, said that he had talked to many businesses in the 200 Block of Main Street regarding LondonFest occurring in the Fall 2016. The organizers felt that they did not have enough time to prepare for the event last fall and they decided to move it to this summer. He acknowledged that there could have been a few business owners with whom he had not discussed the event now being planned for April.

Mayor Campbell noted that the Council's next Regular Meeting isn't until March 28, which isn't that much in advance of the April 22 event date.

Council Member Gartin suggested that perhaps the process needs to be tweaked a bit to ensure that notice to affected persons has to be made far enough in advance ahead of the City Council meeting.

Moved by Orazem, seconded by Corrieri, to approve the following:

- a. Motion approving temporary Outdoor Service Privilege for London Underground, 212 Main Street
- b. Motion approving blanket Temporary Obstruction Permit and blanket Vending License for closed

area

- c. RESOLUTION NO. 17-104 approving closure of Main Street from Douglas Avenue to Kellogg Avenue and Douglas Avenue from Main Street to alley between Main Street and 5th Street from 6:00 a.m. April 22 to 2:00 a.m. April 23
 - d. RESOLUTION NO. 17-105 approving closure of 50 on-street parking spaces within closed area
- Roll Call Vote: 6-0. Motions/Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

REQUEST FROM LONDON UNDERGROUND FOR FIREFLY COUNTRY NIGHT ON JULY 14: Council Member Betcher said that she had pulled this item for similar reasons as LondonFest; however, in this case, there is more time prior to the event to get feedback. Jess Clyde answered that they do have more time, but they have to get contracts signed. Mr. Clyde wanted it known that, even though the application shows London Underground as the applicant, this event is being made in partnership between London Underground and the Main Street Cultural District. Paul Livingston, President of the Main Street Cultural District (MSCD), stated that Firefly Country Night has a long history of success and has been recognized by Main Street Iowa. Last year, the event was not well-attended and the Main Street Cultural District took a financial hit. It was felt that the event being held on a Sunday contributed toward that issue.

At the inquiry of Council Member Gartin, Mr. Livingston stated that there had been notifications made to the affected business owners. Mr. Gartin asked if the MSCD had received any kind of negative feedback from affected business owners. Mr. Livingston said that he had received a few comments from those who are concerned about additional street closures.

Bill Malone, Main Street business owner, said that the MSCD Promotions Committee and MSCD Board have thoroughly discussed this event. He felt that the City Council sometimes seems to micro-manage events on Main Street, but the Promotions Committee and Board should be the ones to decide whether events should be approved. Mr. Malone stressed the need for the Council to vote on this item tonight because they have committed to big national acts. He stated that they cannot push the item to March 28 because they would not get the contracts.

Council Member Betcher expressed her dismay that the MSCD is continuing to advertise events prior to them being approved by the City Council. She also said that it is the City Council's job to micro-manage events on Main Street, as it is a city street.

Council Member Nelson asked if there are other places in the Downtown, other than on Main Street, where these events could be held. Mr. Malone said that the 200 block of Main Street is basically an extension of London Underground. With London Underground's sponsorship, it saves the MSCD a lot of money, and the 200 block of Main Street is the best place for this event.

Moved by Orazem, seconded by Corrieri, to approve the following:

- a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License for closed area
 - b. RESOLUTION NO. 17-106 approving closure of Main Street between Kellogg Avenue and Douglas Avenue from 6:00 a.m. to 11:59 p.m.
 - c. RESOLUTION NO. 17-107 approving closure of 45 metered parking spaces within closed area
- Roll Call Vote: 6-0. Motion/Resolutions declared approved/adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

CHANGE ORDER NO. 15 FOR NEW WATER TREATMENT PLANT PROJECT: Director of Water & Pollution Control John Dunn explained that there was a price discrepancy in one of the three components of the Change Order. The net cost of the Change Order is \$36,671, which is an increase of \$1,348 from what was reported in the Council Action Form. The discrepancy pertained to cabinetry modifications; the total cost for that item is \$4,591. That also changes the remaining project contingency to \$2,097,031.

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 17-115 approving Change Order No. 15 for the New Water Treatment Plant Project in the total amount of \$36,671.

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

PUBLIC FORUM: Merlin Pfannkuch, 1424 Kellogg Avenue, Ames, stated that he had been working for nearly 25 years to make the process related to city government at the Council level be more fair to its citizens; however, he has made almost no progress. Mr. Pfannkuch alleged that the City does not know how to treat its citizens fairly. He feels that the “non-corporate” citizens must be given an opportunity to participate when what they have to say might have some bearing on the outcome; however, he does not believe that happens on many “big ticket items” involving development. The two projects specifically mentioned by Mr. Pfannkuch were the East Industrial Area, for which he believes the Council “snuck \$5 million...into the budget at the last minute, with no real opportunity for the public to tell...” the Council what it thought; and the incentives approved for Barilla, which he asserted exceeded the City’s standard industrial tax abatement by \$2 million. Mr. Pfannkuch pointed out that “Ames, IA” does not appear anywhere on the 30 to 40 varieties of Barilla pasta that is offered for sale at the HyVee store. He offered what he considered to be a possible solution to the City “getting locked in again for an industrial incentive,” which was to make a policy that City staff cannot offer more than the City’s standard industrial tax abatement in negotiations. If a business needs more than that, the business must appear before the Council and answer questions from it and the public. He would also like the policy to state that the Council cannot approve anything beyond the standard industrial tax abatement for 14 days from that appearance.

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

NORTH RIVER VALLEY LOW-HEAD DAM IMPROVEMENTS PROJECT: Assistant Director of Water and Pollution Control Christina Murphy shared a presentation to show the vision of this Project. She said that this project had been previously discussed during the CIP workshop.

It was noted that three alternatives had been prepared by River Restoration, as follows:

- A. Project addresses only the safety concern and is within the scope of current project funds available.
Cost: \$347,500.
- B. Allows for additional in-channel improvements that create two separate flow paths to allow aquatic species passage in all flow levels and boat passage during certain flow levels in the South Skunk River.
Cost: \$537,500.
- C. Full completed vision for the project that includes both in-channel improvements and bank improvements.
Cost: \$844,500.

The current funding for the Project was noted.

The Council was informed that staff had submitted multiple grant applications to both state and federal programs and was recently notified that the City will receive an additional \$112,901, bringing the total grant funding secured to date for the Project to \$288,901. In addition, staff has submitted another grant application with the Iowa DNR Water Trails Program and will find out the results of that one in late April. It was noted that many of the grants look for 50/50 matching local funds. The relatively low level of local funds compared to other projects seeking grant funding appears to be negatively impacting the City's scores in the grant application process. In order to best leverage grant funding, staff is recommending that \$150,000 of the FY 2015/16 available balance in the General Fund be allocated to the North River Valley Park Low-Head Dam Improvements Project. Depending on the outcome of the pending grant application, additional local funds may still be necessary in order to allow the Alternative C option to proceed. Staff is also recommending that up to \$150,000 in funds from the FY 2015/16 Source Water Protection Plan CIP project be reallocated to the Low-Head Dam Project. Because of a number of higher workload priorities, no substantive progress on the Source Water Plan has been made to date, and with the start-up of the new Water Treatment Plant happening in the near future, staff does not anticipate being able to devote staff resources toward that Plan for at least two years. The Low-Head Dam Project is, at its core, intended to preserve infrastructure that is crucial to the Utility's drought source water management efforts; as such, staff believes that reallocating funds from the Source Water Protection Project to the Low-Head Dam Project would still contribute to the overall intent of protecting the City's source water.

Piper Wall, 912 Clark Avenue, Ames, shared that she was very excited about this Project. She voiced her support for committing additional funding.

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 17-117 approving Alternative C and committing \$150,000 from the FY 2016/17 General Fund available balance to the North River Valley Low-Head Dam Improvements Project.

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

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 17-118 approving a reallocation of funding in the amount of \$150,000 from the Source Water Protection Plan CIP project to the North River Valley Low-Head Dam Improvements Project.

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

REQUEST FROM LONDON UNDERGROUND FOR FIREFLY COUNTRY NIGHT ON SEPTEMBER 8, 2017: Council Member Betcher indicated that most of her concerns were about this event; she still has grave concerns on this one in particular. Basically, she did not want to overly stress the Police Department, who will already be working long hours for two days straight since it will be CyHawk weekend. There are also business owners that have stated that they were not interested in this event.

Council Member Nelson noted that many business owners had come out in support of the first two events sponsored by London Underground, but had even more concerns about this event.

Amy Strandell stated that she was a Student Co-Coordinator of this event. She felt that the event had been well-organized and said that they had chosen to have the event on the CyHawk weekend because it will be bring in a lot more people. Abby Johnson identified herself as a Student Co-Leader of the Firefly Team. She noted the numbers of student volunteers that will be assisting the CSC and Police Department to provide security. Ms. Johnson noted the ticket prices for the event and stated that the

event is not targeting minors; it is targeting alumni who are coming for the CyHawk game and wanting to get together.

Council Member Gartin asked how they had reached out to the Main Street business owners to get their input. Jess Clyde said that one of the main channel of communication is via email; however, some of the businesses don't communicate that way. Mr. Clyde said that he has the philosophy that this is an opportunity to showcase Main Street; however, there are those who do not have that philosophy. Mr. Gartin noted several letters that he had received from concerned business owners about the event. It was clear to him that those people do not share Mr. Clyde's philosophy.

Council Member Betcher said that many of the concerns that had been expressed were due to the next weekend being OctoberFest; that means two large events will be closing Main Street on consecutive weekends, both events are expected to bring in many people from outside Ames, and both events will have alcohol. Ms. Betcher has also been told of the perception of several business owners that their businesses will be disadvantaged while two private business owners will be making the profit from this event. Mr. Livingston pointed out that the risk for this event is being borne by one or two private business owners, not all the businesses on Main Street.

Terry Stark, owner of Chocolaterie Stam on Main Street, Ames, stated that it is not uncommon to hear comments against these events. He believes that there is a benefit to the MSCD when 1,500 or 2,000 people are brought to Main Street. Mr. Stark said that he had heard a comment made by someone that CyHawk Weekend was the new VEISHEA, but he disagreed. He said that he had been a Deputy Story County Sheriff for 30 years, and he did not see it that way. Mayor Campbell replied that the person who had made that comment was Ames Police Chief Cychosz, who has extensive first-hand experience with the goings-on during CyHawk Weekend. Council Member Corrieri said she believed that Chief Cychosz's comment was made in the context of the number of calls that are received by the Ames Police Department.

Council Member Betcher asked Mr. Stark if he would be ok with the risk of damage to his property since the Ames Police Department will be very busy in Campustown and West Ames. Mr. Stark said that he was not concerned as his property has never received any damage from any event on Main Street.

Mr. Malone said that Firefly had really failed last year. He said that all of the Bike Nights were damaging to his business, and he did not receive prior notification of those. According to Mr. Malone, most of the activities for this event happen during the day. The last act goes on stage at 7:30 p.m., they will stop serving alcohol at 8 p.m., and the event ends at 9 p.m.

Council Member Nelson commented that he had no quarrel with this particular event, per se. However, he does have an issue with closing Main Street from 6 AM to 9 PM at a time when there will be a lot of out-of-town guests. Specifically, the issue is that Main Street will be closed when there is nothing going on on Main Street except set-up for this event.

Council Member Betcher commented that the parties start on CyHawk weekend during the day on Friday, and some even on Thursday, and that is when Police begin getting calls.

Moved by Corrieri, seconded by Orazem, to approve the following to occur on Friday, September 8, 2017:

- a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License for closed area
- b. RESOLUTION NO. 17-119 approving closure of Main Street between Kellogg Avenue and Douglas

Avenue from 6:00 a.m. to 11:59 p.m.

c. RESOLUTION NO. 17-120 approving closure of 45 metered parking spaces within closed area

and require reimbursement for lost parking revenue and payment of the Vending License fee.

Council Member Beatty-Hansen shared that she had no problems with this event occurring; her issue is with the date. The message from the Police Department is that it cannot ensure a safe event on that date.

Council Member Orazem commented that perhaps having the event away from Campustown is a good thing.

Council Members Beatty-Hansen and Betcher both shared that the event and the organization of it are not the issues. The issue is the date.

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

HEARING ON AMENDMENTS TO FISCAL YEAR 2016/17 BUDGET: Mayor Campbell opened the public hearing. There being no one wishing to speak, the Mayor closed the hearing.

Moved by Orazem, seconded by Corrieri, to adopt RESOLUTION NO. 17-121 amending the budget for current Fiscal Year ending June 30, 2017.

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

HEARING ON 2017A GENERAL OBLIGATION CORPORATE PURPOSE LOAN AGREEMENT: The Mayor opened the public hearing and closed same after no one requested to speak.

Moved by Orazem, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 17-122 entering into a Loan Agreement in a principal amount not to exceed \$8,000,000.

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

Moved by Orazem, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 17-123 authorizing Debt Service Levy in the amount of \$755,575.

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

HEARING ON ADOPTION OF FY 2017/18 BUDGET: The public hearing was opened by Mayor Campbell. She closed the hearing when no one came forward to speak.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 17-124 approving the 2017/18 budget.

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

HEARING ON VOLUNTARY ANNEXATION OF PROPERTY LOCATED ON THE SOUTH SIDE OF LINCOLN HIGHWAY (TRINITAS) [Continued from February 28, 2017]: Planner Julie

Gould gave an overview of the annexation requests. Annexation Petitions had been received from two property owners representing 35.69 acres of land on the south side of Lincoln Way. The site lies immediately west of the current Ames corporate limits and extends to the Boone County line of South 500th Avenue on the south side of Lincoln Avenue. The developer desires to have the land annexed in order to construct a student housing development of approximately 850 for-rent bedrooms. Once annexed, the developer would propose a Planned Residential Development (PRD).

Director of Planning and Housing Kelly Diekmann reviewed the elements of the proposed Development Agreement. He stated that the developer has requested that the 740-foot segment of S. 500th Avenue between their site and Lincoln Way (Campus Fortress LC frontage) not be improved to full City standards with development of the site at their cost. They propose that, rather than being required to meet the City's specifications for these off-site improvements, they should be allowed to work with the County to address paving and drainage needs to their specifications. In addition to the improvement obligations, the Agreement specifies that the obligations in the Agreement are not triggered unless the City approves the annexation, a future PRD rezoning with a site plan for individual rental homes, and a text amendment to allow for attached dwelling houses with occupancy of up to five unrelated individuals. Those conditions precedent are to be accomplished within two years or the developer may choose to make the Agreement null and void and potentially de-annex from the City. Implementation of the described improvements would occur along with the planning of the property for development.

Council Member Corrieri asked why the text amendment and PRD would not be addressed prior to approval of the Development Agreement. City Attorney Judy Parks noted that the Development Agreement is actually a Pre-Annexation Agreement. It cannot bind the City to any specific zoning designation or any other statutory procedures, e.g., text amendments.

Council Member Gartin said that he wanted to ensure that this development is consistent with the way the City has treated other developments. He believes that Ames will continue to grow and that it is unrealistic to think that the land around the subject land is going to remain outside the city limits. Mr. Gartin shared his perspective that the improvements should be built to City standards, not County; but he does have an issue with making the developer shoulder all the costs, e.g., paving the gravel road. Director Diekmann noted that it is staff's recommendation that all the improvements would be the responsibility of the developer.

Mayor Campbell noted that the hearing was still open and asked if there was anyone who would like to speak on this issue.

Marilyn Clem, 3306 Morningside, Ames, asked to know the culvert size and where the intakes will be located. She advised that the culvert on State Street was built in 1976; it was replaced by an 8' x 8'. It was also moved about five feet. Ms. Clem noted that College Creek gets a lot more water than most people think. All the intakes along South Dakota drain into College Creek. She pointed out that the area was all swamp land at one time. At the request of Council Member Gartin, Director Diekmann said that the developers are well aware that there is a lot of water to control. The developers have to have a Stormwater Plan that has to be approved by the City. Mayor Campbell said that all the issues that are being raised by Ms. Clem are legitimate and will be dealt with, not at the point of annexation, but as the process moves forward.

Josh Hrera, representing Trinitas, replied that the stormwater will be addressed in a Stormwater Plan. Their engineer is currently working on that. Mr. Hrera urged the Council to approve Alternative No. 2, which is to approve the annexation and Development Agreement consistent with the current Agreement that specifies that improvements are the responsibility of the developer, but allow S. 500th Avenue north of the site to be paved and improved to the requirements of Story County. He noted that

asking the developer to improve the road north of 500th Avenue to a 31'-wide collector street standard would cost approximately \$500,000.

John Crane, 632 North 500th Street, Ames, pointed out that his mailing address is 632 N. 500th. The area being proposed for annexation is actually south of 500th Street. Planner Gould stated that the map was erroneously labeled as 632 N. 500th Street; however, it is actually 398 S. 500th. Mr. Crane noted that the IDOT had actually purchased property in the area many years ago, so it might be possible for a shared use path to be constructed. He also noted that he had lived at his current address for 50 years. He stated that there is a lot of run-off and a lot of problems with the drainage ditches. In the past, no one wanted to deal with that run-off, saying that when development comes, it will be taken care of.

John Haila, 2408 Suncrest Drive, Ames, said that he agreed with Council Member Gartin that Ames will continue to grow in this area. He believes that the road should be developed to City standards as he thinks it will be a major street in the future as Ames continues to grow.

Mr. Crane said that he did not know how it should be structured, but he thought it was unfair for the City to require the developer to pay for the improvement of the road north of the site, especially given that the City anticipates future development and others will benefit from it.

No one else came forward to speak, and the public hearing was closed.

Moved by Gartin to approve the Development Agreement with the developer paying the amount to pave the road, but the City to pay the difference of going from County standards to bring it to City standards. Motion failed for lack of a second.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 17-126 approving the Development Agreement with all the improvements being the responsibility of the development (includes improving the entire length of S. 500th Avenue from the south boundary of the property to Lincoln Way to City Collector Street specifications) conditioned on the receipt of a signed Development Agreement reflecting these obligations within seven days of the Council's approval of the annexation or the annexation is not approved.

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

Council Member Beatty-Hansen reiterated that she had earlier indicated her disfavor of the proposed annexation and had voted against it. However, if it is the Council's will to annex this land, a Development Agreement would absolutely be necessary. Thus, she will vote in favor of the Development Agreement.

Mr. Gartin said that he is very sensitive to the issue of equity; he wants to ensure that developers are treated the same.

Council Member Betcher reiterated her concerns that this is a very large development that would be located on the edge of town. CyRide is at capacity and would not be available to service this development. She felt that Ames was doing fairly well on student apartments now.

Council Member Beatty-Hansen also indicated that she still was not in favor of this annexation due to the proposed density of student apartments.

Moved by Nelson, seconded by Orazem, to adopt RESOLUTION NO. 17-125 approving the Voluntary Annexation.

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

HEARING ON ZONING TEXT AMENDMENT TO CLARIFY MIXED-USE PARKING STANDARDS FOR DOWNTOWN AND CAMPUSTOWN: Mayor Campbell opened the public hearing. She closed the hearing after there was no one wishing to speak.

Moved by Nelson, seconded by Betcher, to pass on first reading an ordinance to clarify mixed-use parking standards for Downtown and Campustown.

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

HEARING ON ZONING TEXT AMENDMENT RELATING TO CHILD CARE AS A HOME OCCUPATION: The public hearing was opened by the Mayor. There was no one who came forward to speak, and the hearing was closed.

Moved by Corrieri, seconded by Nelson, to adopt on first reading an ordinance relating to child care as a home occupation.

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

HEARING ON 2016/17 ASPHALT STREET PAVEMENT IMPROVEMENTS AND 2016/17 WATER SYSTEM IMPROVEMENT PROGRAM #2 - WATER MAIN REPLACEMENT: The Mayor opened the hearing and closed same after no one requested to speak.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 17-127 approving final plans and specifications and awarding contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$1,767,446.74

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

ORDINANCE ASSIGNING RECENTLY APPROVED ANNEXED AREAS TO WARDS AND PRECINCTS: Mayor Campbell asked if anyone wished to speak on this item. No one asked to speak.

Moved by Betcher, seconded by Corrieri, to pass on first reading an ordinance assigning recently approved annexed areas to Wards and Precincts.

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

ORDINANCE MODIFYING REQUIREMENTS FOR SIDEWALK CAFES: Moved by Corrieri, seconded by Orazem, to pass on second reading an ordinance modifying requirements for Sidewalk Cafes.

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

ORDINANCE REZONING THE FOLLOWING PROPERTIES: Moved by Betcher, seconded by Nelson, to pass on second reading an ordinance rezoning the following properties: 2901 Harrison Road from Suburban Residential Low Density (FS-RL) to Government/Airport (S-GA); 1002 6th Street from Government/Airport (S-GA) to Residential Low Density (RL); 820 Miller Avenue from Residential Low Density (RL) to Government/Airport (S-GA); 601 State Avenue from Residential Low Density (RL) to Government/Airport (S-GA); 925 Airport Road, from Highway-Oriented Commercial (HOC) to Government/Airport (S-GA); 1216 South Bell Avenue from General Industrial (GI) to Government/Airport (S-GA); and, 900 South 500th Avenue from Agricultural (A) to Government/Airport (S-GA).

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

ORDINANCE REPEALING ORDINANCE NO. 3876 CREATING THE STUDENT AFFAIRS

COMMISSION: Moved by Corrieri, seconded by Betcher, to pass on second reading an ordinance repealing Ordinance No. 3876 creating the Student Affairs Commission.

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

ORDINANCE SETTING PARKING REGULATIONS FOR CLARK AVENUE FROM LINCOLN WAY TO MAIN STREET:

Moved by Betcher, seconded by Nelson, to pass on third reading and adopt ORDINANCE NO. 4291 making Clark Avenue “No Parking” at all times on both sides of street from Lincoln Way to Main Street.

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 Betcher, seconded by Corrieri, to direct that the Campustown parking discussion be placed on a future Agenda.

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

Moved by Beatty-Hansen, seconded by Gartin, to refer to staff for a memo the letter from Danny Johnson, President of South Squaw Valley Association, pertaining to sharing the cost of installing a lift station and sewer main for them to connect to the City’s sanitary sewer system.

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

Council Member Gartin wished to provide rebuttal to the comments made by Merlin Pfannkuch about the Eastern Annexation process. Mr. Gartin clarified that the Eastern Annexation had been discussed as part of the CIP process multiple times. He said that he had placed the item on *Ames People*, which has a membership of over 13,000, and he had not heard one negative comment about it. According to Mr. Gartin, information about it had also been broadcast on KASI.

Council Member Corrieri shared that she had been contacted by a member of the State Legislature to inform her that a gun bill had passed the House that allows firearms to be carried into City and County buildings. The bill also prohibits local governments from passing any measures to regulate that.

ADJOURNMENT: Moved by Nelson to adjourn the meeting at 8:27 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor