

# MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JUNE 27, 2017

The Regular Meeting of the Ames City Council was called to order by Mayor Campbell at 6:00 p.m. on June 27, 2017, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, and Chris Nelson. Council Member Peter Orazem joined the meeting telephonically. *Ex officio* Member Rob Bingham was also present.

Mayor Campbell announced that the City Council would be working from an Amended Agenda. A Presentation of a donation from Harrison Barnes to Ames Public Library and Raising Readers in Story County was added prior to the Consent Agenda. Two new items were listed under Administration: (1) Approval of an Agreement with City Attorney Judy Parks and (2) Approval of Mark Lambert as Interim City Attorney retroactively from May 23, 2017.

**PRESENTATION:** Jerri Heid, Youth Services Manager, explained that several years ago, the Harrison Barnes Reading Academy tutoring program began at the Ames Public Library. Kim Hanna, Executive Director of Raising Readers in Story County, shared that 113 children from six School Districts in Story County and Boone County (United School District) had received free tutoring through the Raising Readers summer tutoring program. Ms. Hanna reported that, starting next year, that program will be part of the Harris Barnes Reading Academy Summer Tutoring Program. Harrison Barnes, formerly of Ames and now a member of the Dallas Mavericks NBA team, said that community service is very important to him, especially in the community where he was born and raised. Encouraging reading among local children is a way for him to give back to the community. He hopes the program will continue to happen and grow in the future. Mr. Barnes presented a donation in the amount of \$18,600 to the Harrison Barnes Reading Academy Tutoring Program.

**CONSENT AGENDA:** Council Member Beatty-Hansen requested that Item No. 10, a 5-day Special Class C Liquor License and Class B Wine Permit for Wheatsfield Cooperative at Worldly Goods, be pulled for separate discussion. Council Member Betcher asked that Item No. 19, the requests from Worldly Goods for the Reuse, Re-Purpose, Recycle Market, and Item No. 20, the requests for the Dog Dock Jumping Competition, be discussed separately. At the request of Council Member Corrieri, Item No. 36 pertaining to the CDBG Public Facilities Improvements Program for Non-Profit Organizations (parking lot improvements for Mainstream Living) was pulled for separate discussion.

Moved by, Beatty-Hansen, seconded by Betcher, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of June 13, 2017
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for June 1 - 15, 2017
5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Class C Liquor – McFly's, 115 5<sup>th</sup> Street
  - b. Class C Liquor – Red Lobster #747, 1100 Buckeye Avenue

- c. Special Class C Liquor & Outdoor Service – Botanero Latino, 604 E. Lincoln Way (pending dram and inspection)
  - d. Special Class C Liquor & Outdoor Service – Depot Deli & Cookies, Etc., 526 Main Street, Ste. 106
6. Motion approving new Class C Liquor License & Catering Privilege for Jethro’s BBQ, 1301 Buckeye Avenue
  7. Motion approving new Class C Liquor License & Outdoor Service for South 17<sup>th</sup> Street Food & Beverage, LLC, 300 S. 17<sup>th</sup> Street (pending dram and final inspection)
  8. Motion approving 5-day (July 29 - August 2) Class C Liquor License for Gateway Market MLK at ISU Alumni Center, 420 Beach Avenue
  9. Motion approving 5-day (July 1 - August 5) Class C Liquor License for Gateway Hotel & Conference Center at Reiman Gardens, 1407 S. University Blvd.
  10. Motion approving 5-day (August 3 - 7) Class B Beer Permit for MSCD at Ames Municipal Airport, 2501 Airport Drive (Rain location for Foodies & Brew on August 4)
  11. Motion approving request from Iowa Sports Foundation for Fireworks Permit for display from ISU Lot G3 at 10:00 p.m. on Friday, July 14 for Iowa Games
  12. Motion approving request from Young Professionals of Ames for Fireworks Permit for display from ISU Lot G7 at 10:00 p.m. on July 3 with rain date of July 5 at 10:00 p.m. for Independence Day
  13. RESOLUTION NO. 17-392 approving FY 2017/18 Contracts with Human Services (ASSET)
  14. RESOLUTION NO. 17-393 approving FY 2017/18 Commission On The Arts (COTA) Fall Special Project Grant contracts
  15. RESOLUTION NO. 17-394 authorizing continued health insurance benefits to temporary employee at Electric Services
  16. FY 2017/18 Insurance Renewals:
    - a. RESOLUTION NO. 17-395 approving Excess Workers Compensation coverage renewal with Midwest Employers Casualty Company
    - b. RESOLUTION NO. 17-396 approving Municipal and Electric property insurance coverage renewals for 2017/18
    - c. RESOLUTION NO. 17-397 approving renewal of Iowa Communities Assurance Pool (ICAP) membership to procure Casualty and Liability Insurance coverages
  17. RESOLUTION NO. 17-398 approving renewal Agreement for 2017/18 safety training with Iowa Association of Municipal Utilities (IAMU) in an amount not to exceed \$67,000
  18. RESOLUTION NO. 17-404 approving preliminary plans and specifications for 2016/17 Downtown Street Pavement Improvements (Sherman Avenue); setting July 19, 2017, as bid due date and July 25, 2017, as date of public hearing
  19. RESOLUTION NO. 17-405 approving preliminary plans and specifications for WPC Barscreen Replacement Project; setting July 26, 2017, as bid due date and August 8, 2017, as date of public hearing
  20. Truck Replacement for Public Works Street Division:
    - a. RESOLUTION NO. 17-406 awarding contract to Aspen Equipment Co., Ankeny, Iowa, for base bid upfitting, Option #1 for 10' underbody snow plow, and Option #2 for 14' Material Spreader in the amount of \$214,782
    - b. RESOLUTION NO. 17-407 awarding contract to O’Halloran International of Altoona, Iowa, for purchase of two tandem chassis in the amount of \$194,708

21. RESOLUTION NO. 17-408 awarding contract to O'Halloran's International of Altoona, Iowa, for one tandem chassis for the Hook-Lift truck replacement at Resource Recovery in the amount of \$92,888
22. RESOLUTION NO. 17-409 awarding contract to RTL Equipment of Grimes, Iowa, for one Man-lift (45') for Electric Services, Power Production, in the amount of \$53,317
23. RESOLUTION NO. 17-410 approving Change Order to Boone County Landfill for Resource Recovery waste disposal operations
24. RESOLUTION NO. 17-411 approving Change Order No. 21 with Knutson Construction Services, Inc., for New Water Treatment Plant - Contract 2
25. Water Plant Lime Sludge Disposal:
  - a. RESOLUTION NO. 17-412 accepting completion of Year 4 (FY 16/17) with Wulfekuhle Injection and Pumping, Inc.
  - b. RESOLUTION NO. 17-413 approving renewal of contract with Wulfekuhle Injection and Pumping, Inc., for Year 5
26. RESOLUTION NO. 17-414 approving City's Debt Policy
27. Boiler Tube Spray Coating and Related Services and Supplies for Power Plant:
  - a. RESOLUTION NO. 17-415 approving contract renewal with Integrated Global Services, Inc., of Richmond, Virginia, in an amount not to exceed \$300,000
  - b. RESOLUTION NO. 17-416 approving contract and bond
28. Boiler Maintenance Services for Power Plant:
  - a. RESOLUTION NO. 17-417 approving contract renewal with TEI Construction Services, Inc., of Duncan, South Carolina, in an amount not to exceed \$210,000
  - b. RESOLUTION NO. 17-418 approving contract and bond
29. RESOLUTION NO. 17-419 approving contract and bond for Water Pollution Control Facility Primary Clarifier Blasting/Coating Project
30. RESOLUTION NO. 17-420 accepting completion of Squaw Creek Water Main Protection Project
31. RESOLUTION NO. 17-421 accepting completion of Replacement of Resource Recovery Concrete Tipping Floor
32. 2014/15 Right-of-Way Restoration:
  - a. RESOLUTION NO. 17-422 approving Change Order No. 2
  - b. RESOLUTION NO. 17-423 accepting completion
33. RESOLUTION NO. 17-425 accepting completion of Furman Aquatic Center Pool Basin Repainting project
34. RESOLUTION NO. 17-426 approving Final Plat for Scenic Valley Subdivision, Third Addition

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

**SPECIAL CLASS C LIQUOR LICENSE & CLASS B WINE PERMIT FOR WHEATSFIELD COOPERATIVE AT WORLDLY GOODS:** Council Member Beatty-Hansen explained that she has a conflict of interest on this item. She said that she had pulled it from the Consent Agenda so that she could abstain from the vote.

Moved by Corrieri, seconded by Nelson, to approve a 5-day (July 6 - 10) Special Class C Liquor License & Class B Wine Permit for Wheatfield Cooperative at Worldly Goods, 223 Main Street.

Vote on Motion: 5-0-1. Voting aye: Betcher, Corrieri, Gartin, Nelson, Orazem. Voting nay: None. Abstaining Due to Conflict of Interest: Beatty-Hansen. Motion declared carried.

**REQUESTS FROM WORLDLY GOODS FOR REUSE, RE-PURPOSE, RECYCLE MARKET:** Council Member Betcher said that she had asked item be pulled from the Consent Agenda so that the requesting party could explain the requests.

Andrea Gronau, Store Manager of Worldly Goods on Main Street, advised that the second-annual event is planned to be held in the 200 Block of Main Street. The event will be held on Sunday. It was noted that London Underground will be applying for a 5-day license for a beer garden. If Council approves, Ms. Gronau said that she will be actively seeking vendors, who will bring their goods to Main Street to sell. At the inquiry of Ms. Betcher, Ms. Gronau said that she had talked to the other Downtown businesses about this event. Ms. Gronau also added that each business was invited to have a free booth if they are interested.

Council Member Gartin expressed his concerns about closing a City street and using City property for private businesses to sell their goods (consigners, craft items, antiques). He questioned how the Council would be able to say no to other private businesses who want to close Main Street for their private use. Ms. Gronau explained that they had received a community grant for this event. The event brings lots of visitors to the Downtown. The atmosphere will be such that there will be family activities. She has invited all businesses to also participate in the event; commerce is being brought to the Downtown on a Sunday. Ms. Gronau believes that the event will bring vibrancy to the Downtown on a Sunday. She is hoping for increased attendance from last year, and estimates that there could be 500 to 1000 people attending. Ms. Gronau added that all the businesses with whom she had spoken were supportive.

Moved by Corrieri, seconded by Betcher, to approve the following requests from Worldly Goods for Reuse, Repurpose, Recycle Market on August 27:

- a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License
- b. RESOLUTION NO. 17-399 approving street closure and suspension of parking enforcement for the 200 block of Main Street from 7:00 a.m. to 6:00 p.m.
- c. RESOLUTION NO. 17-400 approving waiver of fee for usage of electricity

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

**REQUESTS FROM MODEL FARMS AND AMES PET RESORT FOR DOG DOCK JUMPING COMPETITION:** Council Member Betcher said she would like to hear more about this event. Sarah LeFever identified herself as being the Business Operations Manager for the Iowa State University Media Group (an affiliate of Iowa State University). Ms. LeFever stated that they have a Creative Services Agency that is part of the Group; it is student-run and professionally managed. She introduced Sam Moeller, who is a Student Project Manager, and said that Mr. Moeller had been approached by Ames Pet Resort to bring this event to Ames. According to Ms. LeFever, Dock Dogs is a national organization that have similar events throughout the United States. Ms. LeFever stated that the MSCD is supportive of this event. They had also talked to businesses that will be impacted, and all were onboard. In addition, the

City's Public Works Department had been contacted and approved of the water draining into the City's system.

Sam Moeller, 2921 Wood Street, Ames, explained that he had just graduated from ISU. At the inquiry of Council Member Betcher, Mr. Moeller answered that it is their hope to make this part of the annual 4<sup>th</sup> of July event.

Ms. Betcher asked if they had talked to the businesses about the issue of the possible rust in the water. Mr. Moeller stated that they did talk to Torrent Brewing. According to Mr. Moeller, that is the only company that will be impacted.

Council Member Gartin asked how many dogs would be participating in the event. Mr. Moeller said that Dock Dogs is tracking the registration, so they really don't know. Ms. LeFever commented that they are expecting approximately 5,000 people to be in attendance at the event.

Moved by Betcher, seconded by Corrieri, to approve the following requests from Model Farms and the Ames Pet Resort for a Dog Dock Jumping Competition on July 3-4:

- a. Motion approving blanket Temporary Obstruction Permit for the closed area
- b. RESOLUTION NO. 17-401 approving closure of Burnett Avenue between 5<sup>th</sup> Street and 6<sup>th</sup> Street from 9:00 a.m. Monday, July 3 to 12:00 a.m. Wednesday, July 5
- c. RESOLUTION NO. 17-402 approving closure of 13 metered parking spaces on Burnett Avenue and waiver of fees for July 3
- d. RESOLUTION NO. 17-403 approving waiver of fee for usage of electricity

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

**COMPLETION OF CDBG PUBLIC FACILITIES IMPROVEMENTS PROGRAM FOR NON-PROFIT ORGANIZATIONS (PARKING LOT IMPROVEMENTS FOR MAINSTREAM LIVING):** Council Member Corrieri noted that she had a conflict of interest with this item.

Moved by Gartin, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 17-424 accepting completion of CDBG Public Facilities Improvements Program for Non-Profit Organizations (parking lot improvements for Mainstream Living).

Roll Call Vote: 5-0-1. Voting aye: Beatty-Hansen, Betcher, Gartin, Nelson, Orazem. Voting nay: None. Abstaining Due to Conflict of Interest: Corrieri.

Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

**PUBLIC FORUM:** Mayor Campbell opened Public Forum.

George Belitsos 5508 West Lincoln Way, Ames, representing the Iowa Network Against Human Trafficking, introduced Jan Beran, representative of Protecting our Children; Virginia Greisheimer, representative of ACCESS, and Rhett Clayton, Massage Therapist from Ames Racquet & Fitness., Mr. Belitsos requested that the Council ask City staff to draft an ordinance to regulate massage businesses in Ames. A copy of the Johnston Ordinance regulating massage businesses was given to the Mayor and City Council members. It was reported that the Johnston Police Department had already closed two "massage parlors." According to Mr. Belitsos, a portion of the *Iowa Code* was stricken by the Iowa Legislature, which now gives

cities more control over massage businesses. At the inquiry of Council Member Gartin, Mr. Belitsos stated that he had discussed this with the Ames Police Department. He gave a summary of two incidents where arrests for prostitution and one arrest for sexual assault had been made in Ames.

No one else requested to speak, and the Mayor closed Public Forum.

**HEARING ON REZONING PROPERTY AT 398 SOUTH 500<sup>TH</sup> AVENUE (COLLEGIATE AMES SUBDIVISION) [Continued from June 13, 2017]; and HEARING ON MAJOR SITE DEVELOPMENT PLAN FOR 398 SOUTH 500<sup>TH</sup> AVENUE (Continued from June 13, 2017):** Planning and Housing Director Kelly Diekmann advised that the next three items on the Agenda involve actions that are necessary to help facilitate the development of property in the west part of Ames. He said that the Trinitas Development is requesting a Floating Planned Residence District (PRD) rezoning and approval of a Major Site Development Plan concurrent with a Preliminary Plat for the property at 398 South 500<sup>th</sup> Avenue. Mr. Diekmann provided the history of the steps that had already occurred, namely, approval of annexation and a Pre-Annexation Development Agreement in March 2017. Key components of the Development Agreement were reviewed by Mr. Diekmann. He noted that the Agreement is not binding on the developer if the City does not approve the rezoning to PRD, and ultimately, the Final Plat for the project.

Director Diekmann stated that, due to recent changes in state law, staff was asking for a slight modification to the recommended action for the text amendment that is a companion item for this rezoning, Major Site Development Plan, and Preliminary Plat. Staff is asking that under Condition No. 1b1 that states, “Approval of a text amendment to allow attached dwelling houses in a PRD,” the following language be added, “or to modify the building types to two-family homes.” By doing so, the proposed text amendment can be approved or disapproved without affecting the property.

Planner Julie Gould advised that the subject site totals 33.57 gross acres with 30.51 acres of net lot area for development purposes. The site will have access from Lincoln Way, South 500<sup>th</sup> Avenue, and Norris Street. The site was annexed into the City on March 7, 2017. The Development Agreement approved in March requires paving of South 500<sup>th</sup> Avenue adjacent to the sites frontage and to the north of Lincoln Way. Lincoln Way will be improved with a turning lane and the extension of a shared use path to Wilder Avenue to the east. Ms. Gould said that approval of a PRD sets a base density standard for the development, but allows for more flexible application of most development standards through approval of the Major Site Development Plan. Approval of PRD zoning and site development plan requires findings of consistency with design principles relating to the housing variety, efficiency of layout, quality of design, open space, and landscaping that in combination exceeds what can be accomplished with standard zoning.

According to Ms. Gould, the proposed project includes three developable lots configured around the creation of a public street (Lawrence Avenue) and the extension of Norris Street from the east to connect to Lawrence Avenue. The layout also includes a large central storm water detention pond and storm water management features for outlet to the east that then becomes College Creek. The storm water plan includes extensive changes to the drainage ways on the site and adjacent to the site including changes to Drainage District facilities; those

improvements require additional approvals by affected agencies. The proposed lots all have frontage on a public street. Lawrence and Norris Streets will meet local street improvement requirements.

Ms. Gould said that, although CyRide does not provide service to the project site and has no plans to at this time, CyRide has requested the strengthening of the public streets for potential future bus service; the internal local streets of The Collegiate would have to be strengthened to support a bus. A condition on approval of the rezoning has been recommended by staff that part of Lawrence be strengthened to allow for future bus service as well as to the south end of Fitzgerald and Lawrence. Staff has discussed this option with the developer and they support this requirement. All required parking is located on the private streets since the residences are not on individual lots with individual off-street parking. The initial factor for the layout of the site is use of public streets versus private streets.

The Council was told by Ms. Gould that the project includes 240 housing units with a total of 860 bedrooms. The required parking consists of 884 spaces for 24 individual one-bedroom dwelling units and 216 dwelling houses at a rate of one space per bedroom. All parking is on private street facilities and does not rely upon parking along public streets. The applicant contends that this proposed development is promoting a housing option that isn't currently available in Ames. They are proposing a cottage-type development with two-family attached residential units. These residential units range from one to five bedrooms. In order to provide five bedrooms in a unit in an attached residential structure that can be rented consistent with City standards, a text amendment will be required. Ms. Gould advised that the applicant has made separate application to request a text amendment to the PRD zoning district to allow attached dwelling houses.

According to Ms. Gould, the Commission recommended that the City Council approve the requests with several conditions. She noted that, since the Planning and Zoning Commission review, the applicant has continued to work on the storm water management plan and improvements plan, for the site. Options for Council action on the requested rezoning and Preliminary Plat were explained by Ms. Gould.

Council Member Betcher noted that the Council Action Form, on Page 12, states that, "The developer proposes to use the existing vegetation and fencing to screen this development from adjacent properties, to the east and to the south. Additionally, the developer will utilize existing landscaping and fencing abutting the commercial property for screening. Most of the existing vegetation and fencing exists on the adjacent property and not on this site." She asked how the City can be assured that there will be continued buffering between this site and the commercial property next door if the existing vegetation and fencing are not on the subject site. Director Diekmann said that staff has placed that requirement in the conditions.

Council Member Gartin expressed his concern about the private streets. He asked if the Fire Department staff would be comfortable with the width of the streets in terms of getting a fire truck in and out of the Subdivision. Director Diekmann said that structurally, the roads would not be built to City standards. They do, however, have to be constructed so that they can carry the weight of a fire truck. The right-of-way width is not as wide as a City right-of-way, and the biggest difference is that the parking is 90-degree parking. Mr. Gartin said he wanted to think 50 years down the road and would the City be willing to take on maintenance of the street if

asked to do so by a future owner. Mr. Diekmann said he did not believe so because the roads are not going to be built to City standards.

Mr. Gartin also inquired as to how students living within the Subdivision would get to Campus. Director Diekmann reiterated that CyRide does not run a bus to the area; its closest stop is about a half mile from the site. The developer has stated that they might run a shuttle, which was discouraged by CyRide, since it does not want private shuttle systems operating in the City. For that reason, staff did not make that recommendation. At some point in the future, if CyRide agrees to service this development, the developer would have to improve the streets to allow for that. The developer has already agreed to strengthen certain streets to accommodate buses should that be a possibility in the future. It was also asked by Mr. Gartin if there had been any discussions with Iowa State University (ISU) about the usage of shuttles. Mr. Diekmann replied that ISU had been working through a policy for private drop-off and shuttle systems; however, it appears that they won't be allowed to operate on Campus.

Council Member Betcher questioned the request for a waiver of the 360.5 feet of sidewalk. It appeared to her that the plan would be creating a gap where people on the south side of Norris have to cross Lawrence to get to the shared-use path and then they have to cross it again, and eventually they have to cross Lincoln Way to get to the trail system. She does not feel that a waiver is a good idea. Director Diekmann noted that the developer is asking for the waiver because they believe that the sidewalk would be installed when the adjacent parcel is developed.

The Mayor noted that the public hearing on this item had been continued from June 13, 2017, to this meeting. She asked if there was anyone wishing to come forward to speak.

Travis Vencel, representing Trinitas, gave a presentation on its request to rezone this site and accompanying requests for approval of a Major Site Development Plan and Preliminary Plat. According to Mr. Vencel, the University's student population has grown by 44% and the City has grown 18% over the last ten years. Housing has not kept pace with growth since 2008, resulting in high prices for housing and high occupancy. He commented that Trinitas wants to bring its product to Ames; it is a product that Ames currently doesn't have. Trinitas brings a bed/bath parity and a full list of amenities. Mr. Vencel showed pictures of the housing concept. The developer described its buffering (landscaping and vegetation) recommendation. Mr. Vencel also explained the request for a waiver of approximately 361 feet of sidewalk. It is believed that, at some point in time, the adjacent parcel will develop, and at that time, it would be appropriate to require a sidewalk. Mr. Vencel also stated that the developer has agreed with the conditions recommended by staff.

Marilyn Clem, 3306 Morningside, Ames, asked where the water was going to go. She said that this area is a greenbelt area and is pretty swampy. They are proposing some detention ponds, but they would be covering over a lot of land with this development. Ms. Clem advised that her property is on the low end of College Creek, and College Creek has been coming up in her yard more and more every year. College Creek starts at the area where this project is proposed to be developed. She believes that the culvert on State Street needs to have an overflow pipe or two to accommodate for the increasing non-saturation of land. Ms. Clem added that the culvert is, however, on state property.



Catherine Scott, 1510 Roosevelt Avenue, Ames, expressed that she is against this project for the same reason that she was against the Breckenridge project: She doesn't feel that this project can be re-purposed at some point in the future for anything except student-housing. Ms. Scott said she doesn't think the concept is appropriate for the area. She thinks that part of town needs more single-family housing.

At the inquiry of Council Member Gartin, Director Diekmann explained the surface water storage plan. Public Works has verified that it meets water quality and quantity control performance requirements.

Council Member Corrieri asked Mr. Diekmann to comment on what else by way of apartments is coming on line. Director Diekmann replied that, since 2014, the City has added an average of 1,050 bedrooms/year. Next year, there could be up to 1,600 beds coming on the market based on the rezonings that have already been approved. He noted that Brick Town is in phases, so all of that would not come on in one year; without Brick Town, it would be approximately 1,000 bedrooms.

Council Member Gartin shared that he was excited about this project and what it means to affordable housing. He noted that at its last meeting, the Council approved an affordable housing project at a cost to the City of approximately \$70,000/unit for 29 units. Mr. Gartin sees the Trinitas development as is an opportunity to inject a large number of rental properties into the market to put pressure on rental prices. He thinks that that would do a lot to improve the quality of the rental housing stock in Ames; there are many units that are in very bad shape.

Council Member Beatty-Hansen commented that she doesn't see it as such a benefit. She expects to see rents lowering now with the current stock of rentals. In addition, she doesn't believe the location on the edge of town is the right place to put student housing, especially since Cy-Ride will not be able to service the area. Ms. Beatty-Hansen expressed her concerns about the need for improved bicycle/pedestrian infrastructure on Lincoln Way, fire response, increased traffic since CyRide will not go out to the site, and the increased pressure on parking in Campustown.

Mr. Gartin stated that he has a real concern about the number of people who are having to live in other communities who would like to live in Ames. He noted that there aren't infill concerns with this site, so there aren't the neighborhood concerns about the project as there were with Breckenridge.

Council Member Betcher shared that she had voted for annexing the site; however, she is not convinced that Ames needs 860 more beds. She is pleased that the property has been annexed, but isn't sure this is the right project for the site. Ms. Betcher commented that it appears to her that the City is getting ahead of the student housing.

Council Member Gartin again expressed his concern about the number of people who have to commute into Ames for employment; one-third of the people who work in Ames don't live in Ames. He added that this project would have the potential for increased occupancy.

Ms. Beatty-Hansen said that if the proposal in question is not approved, it doesn't mean that the site won't be developed.

Council Member Orazem pointed out that increased pressure on rental prices will result in fewer properties being converted to rentals. He believes it would also result in some rentals being converted back to single-family residences.

Ms. Betcher noted that parents are still buying affordable single-family housing for their students to live in. She said that she is very concerned about the number of people who will be using cars and where those cars will be parked.

Moved by Nelson, seconded by Orazem, to pass on first reading an ordinance rezoning property at 398 South 500<sup>th</sup> Avenue (Collegiate Ames Subdivision) from Agricultural (A) to Planned Residence District (F-PRD).

Roll Call Vote: 3-3. Voting aye: Gartin, Nelson, Orazem. Voting nay: Beatty-Hansen, Betcher, Corrieri. Motion failed.

Mayor Campbell stated that the requests for approval of a Major Site Development Plan and Preliminary Plat were now moot.

**HEARING ON PROPOSED ZONING TEXT AMENDMENT TO ALLOW DWELLING HOUSES IN PLANNED RESIDENCE DISTRICTS (Continued from June 13, 2017):** The hearing was opened by Mayor Campbell. No one came forward to speak, and the hearing was closed.

Moved by Betcher, seconded by Beatty-Hansen, to decline to adopt the proposed zoning text amendments.

Roll Call Vote: 3-3. Voting aye: Beatty-Hansen, Betcher, Corrieri. Voting nay: Gartin, Nelson, Orazem. Motion declared approved.

**SAFE COMMUNITY RESOLUTION:** Jan Flora, 1902 George Allen Avenue, Ames, said that he was a member of Ames United Church of Christ, which is a member of AMOS. Mr. Flora explained that he was speaking on behalf of AMOS in place of Rick Exner, who was unable to be present at this meeting. Mr. Flora provided the background to explain why the Safe Community Resolution was being proposed. According to Mr. Flora, AMOS believes that the Resolution presents a positive image towards immigrants and promotes good community policing. It is recommended that the Resolution be adopted by the City Council “without being watered-down.”

Cheryl Binzen, 707 Burnett Avenue, Ames, spoke in favor of the Resolution that was proposed by the Ames Human Relations Commission. She noted that the word *reaffirming* is a keyword. It is believed that the Ames Police Department do its job; the value of the Resolution is that it is a very clear statement that Ames police force is intended to do, which is deal with public safety.

Council Member Orazem asked if there was any documentation of specific incidents where the Ames Police Department violated the rights of non-citizens in the City of Ames. Ms. Binzen said that was not the intent at all. It is a reaffirmation of what Ames Police is already doing.

Mr. Orazem said he was trying to find out what the nature of the problem is. Ms. Binzen said that the context is that fear has been created by some of the political rhetoric - primarily at the

federal level - that affected a large group of people who are living in fear of what might happen. The Resolution is to mitigate that fear. Council Member Orazem stated his belief that the proposed Resolution deals primarily with the actions of the Ames police. Ms. Binzen said that the Resolution addresses the problems of people being fearful. It reaffirms that the function of the Ames Police Department is to deal with public safety.

Council Member Orazem stated that many people who work for the City of Ames provide services to residents in the City. He sees the Resolution in question as singling out the police, and he believes that is unfair. Council Member Beatty-Hansen said she sees this as a small step that can be done right now because it is basically reaffirming what is currently being done.

Mr. Orazem noted that police officers, when sworn in, agree to a condition of employment to uphold the Constitution of the United States and the laws of the state of Iowa; that guarantees the rights of immigrants. If they violate that, their employment will be terminated. No other employees have to make that statement. Mr. Orazem reiterated that he does not like that the police are being singled-out in the Resolution. He feels strongly that the Police should be commended, not singled out for the work that they do. Mr. Orazem stated that he had written an alternative proposal, which is a little broader. Council Member Orazem read his proposed Resolution.

Council Member Beatty-Hansen commented that she agreed with everything that Council Member Orazem had said in his proposed Resolution; however, she did not see the original Resolution as being critical of the Police.

Council Member Corrieri stated her opinion that the Resolution in no way undermines the work of the Police.

Moved by Beatty-Hansen, seconded by Corrieri, to adopt the Resolution as proposed by the Ames Human Relations Commission (AHRC).

Council Member Orazem pointed out that the Resolution proposed by the Human Relations Commission is not motivated by what is being done in Ames. He noted that the Resolution was written by the Iowa City Council; it was not prepared by the AHRC. Mr. Orazem again commented that he believed that the proposed Resolution was federally politically motivated.

Council Member Gartin said that the Resolution also specifically addresses domestic violence. Council Member Orazem contended that he did not believe that there had been any case of domestic violence pertaining to this Resolution. Mr. Gartin emphasized that the last thing he wanted this to be about was sanctuary cities and noted his personal disagreement with the recent actions taken by Story County Sheriff Fitzgerald.

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

**CITY'S PARTICIPATION IN ACCOUNTABLE CARE ORGANIZATION:** Andrea Cardenas, City Health Promotion Coordinator, stated that, over the past two calendar years, the City has participated in an Accountable Care Organization (ACO) pilot program with

Wellmark, the City's health plan administrator. The program is for those receiving health insurance benefits through the City of Ames as employees, retirees, spouses, and dependents. Ms. Cardenas explained that an ACO is a local health care provider that is held accountable for the quality and cost of the care it delivers. It is focused on improving the health care experience and slowing the rate in health care cost increases. The ACO arrangements were created to keep healthy people well and improve outcomes for people when they need care. An ACO is not an insurance product or benefits; it is an agreement between providers and payers to incentivize value-based healthcare. Incentives are paid to providers when quality targets are met or improved above the target. Each ACO must also meet Wellmark's trend and Consumer Price Index cost targets in order to receive incentives. If an ACO does not meet its targets, it pays back losses to the company or employer that pays the claim. The ACO model is expanding across the country, and Wellmark has now adopted the Iowa ACO network as part of a larger national initiative called Blue Distinction Total Care. Currently, 13 ACOs in the state of Iowa have agreements with Wellmark. The City of Ames health plan participants are patients at four of those ACOs: McFarland Clinic, Mercy Des Moines, The Iowa Clinic, and Heartland. By far the largest portion of City insurance members are patients at McFarland Clinic. While it is not possible to attribute all healthcare costs or savings to McFarland participating as an ACO, the City experienced only a 3.2% cost increase since January 2015, as compared to Wellmark's network average of 10.4% from January 2015 to September 2016.

Ms. Cardenas reviewed the risks of participating and not participating. Cost estimates received from Wellmark for the coming plan year were noted. Using those totals, the City could owe the ACO anywhere from \$262,800 to \$342,000 based on the estimated savings yielded from the cost containment efforts for the total ACO operations. However, it is still possible under this arrangement that, although the ACO in total proved to meet the savings threshold in its total business, the City of Ames' claims experience might result in increased costs to the City. Therefore, in addition to the payments for healthcare claims, the City would still have to make a substantial payment to the ACO because of the "savings" generated for the total system. With no cap on the amount the City would owe the ACO for savings, entering into this arrangement will subject us to substantial financial risk. Rather than reject the concept at this time, the staff intends to hire a third-party expert to review the City's historical healthcare data and offer a recommendation as to whether participation in the ACO is an acceptable risk that should be assumed by the City.

Moved by Beatty-Hansen, seconded by Gartin, to decline to participate in the 2017 Blue Distinction Total Care program from July 1, 2017, to June 30, 2018, and direct that the City continue to evaluate that approach and reconsider whether to adopt it in 2018-19.

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

**SALARY FOR CITY MANAGER FOR 2017/18:** Council Member Betcher explained that she and Council Member Gartin had been named by the Mayor to evaluate the two Council appointees. In FY 2016-17, the City Manager performed well in all areas of his job. The survey of the City Council and Mayor, administered in mid-February, provided a snapshot of Mayor/Council feedback and assessment of 13 points of the City Manager's job at that time. The City Manager performed "Acceptable" or "Very Good" work in all 13 areas, receiving a 100% rating of "Very Good" on five questions. Ms. Betcher continued by saying that Council Members believed that the City is a well-run civic machine and that Steve does a great job of

balancing the varied opinions and priorities of all Council Members. The City Manager's work continues to be excellent.

According to Council Member Betcher, although the long-standing excellent work of City Manager Schainker merits a pay increase of \$6,055.52, which the Council would like to recommend, the City Manager will accept no greater increment than the rest of the staff has received. Therefore, the recommendation was as follows:

Base Pay:	\$207,401.63 (an increase of \$5,550.90)
Deferred Compensation:	\$ 34,076.09 (an increase of \$912.02)
Vehicle Allowance:	\$ 6,000.00 (no change)

Moved by Betcher, seconded by Corrieri, to approve that recommendation for the City Manager's salary for 2017/18.

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

**AGREEMENT WITH CITY ATTORNEY JUDY PARKS:** Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 17-428 approving the Agreement confirming the separation of City Attorney Judy Parks from City employment.

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

**NAMING INTERIM CITY ATTORNEY:** Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 17-429 naming Mark Lambert as the Interim City Attorney at a salary of \$101,650 retroactively from May 23, 2017.

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

Moved by Corrieri, seconded by Betcher, to direct that staff provide a job description and various alternatives for overseeing the position to the City Council for consideration.

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

**ORDINANCE TO ALLOW SIGNAGE ON RESIDENTIAL HIGH-DENSITY PROPERTIES WITH MIXED USES:** Moved by Gartin, seconded by Corrieri, to pass on second reading an ordinance to allow signage on RH properties with mixed uses.

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

**ORDINANCE PROHIBITING PARKING ON PORTIONS OF 24<sup>TH</sup> STREET AND BROADMOOR AVENUE:** Moved by Corrieri, seconded by Betcher, to pass on second reading an ordinance prohibiting parking on portions of 24<sup>th</sup> Street and Broadmoor Avenue.

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

**ORDINANCE MAKING ZONING TEXT AMENDMENTS TO ADD DEFINITIONS OF "PRE-EXISTING" AND "TWO-FAMILY DWELLING, IF PRE-EXISTING:"** Moved by Gartin, seconded by Nelson, to pass on third reading an adopt ORDINANCE NO. 4311 adding definitions of "pre-existing" and "two-family dwelling, if pre-existing to the Zoning Ordinance.

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

**ORDINANCE REVISING SITE LANDSCAPE REQUIREMENTS FOR ALL USES:** Moved by Betcher, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4312 revising site landscape requirements for all uses.

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

**STORM WATER UTILITY RATES ORDINANCE:** Moved by Betcher, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4313 reading the Storm Water Utility Rates Ordinance.

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

**ELECTRIC RATE ORDINANCE:** Moved by Corrieri, seconded by Betcher, to pass on third reading and adopt the ELECTRIC RATE ORDINANCE NO. 4314.

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

**FIREWORKS ORDINANCE:** Moved by Betcher, seconded by Nelson, to pass on third reading and adopt the Fireworks ORDINANCE NO. 4315 under *Municipal Code* Chapter 17.6.

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

**COUNCIL COMMENTS:** Council Member Betcher stated that she had recently attended the Statewide Preservation Conference where she had heard a presentation by the Deputy Building Code Commissioner with the State Fire Marshal's Office. The Commissioner stated that the *International Existing Building Code* (IEBC), under Chapter 14, allows for more flexible handling of historic structures and how improvements for safety are interpreted. Ms. Betcher believes that exploration of that Chapter in greater detail might be an opportunity for Ames with its historic buildings and older buildings in Campustown

Moved by Betcher, seconded by Beatty-Hansen, to request a staff report on Chapter 14 of the IEBC

and how it might be used in Ames to help redevelop some of its older properties.

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

Moved by Beatty-Hansen, seconded by Corrieri, to direct that Council Member Peter Orazem's proposed "Safe City" Resolution be placed on a future agenda.

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

Moved by Gartin, seconded by Betcher, to request a staff report on massage licensing and for it to include what is currently being done by the Police Department.

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

Moved by Orazem, seconded by Corrieri, to refer to staff for a report on the request of Jack Guan pertaining to the request to pave the alley within the square of Burnett Avenue, 7<sup>th</sup> Street, Kellogg Avenue, and 8<sup>th</sup> Street.

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

Moved by Nelson, seconded by Gartin, to refer to staff the request from Ames Foundation to defer funding from its tree-planting project to the Miracle Field project.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**ADJOURNMENT:** Moved by Corrieri to adjourn the meeting at 8:13 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor