

**MINUTES OF THE MEETING OF THE AMES AREA  
METROPOLITAN PLANNING ORGANIZATION (AAMPO)  
TRANSPORTATION POLICY COMMITTEE AND  
REGULAR MEETING OF THE AMES CITY COUNCIL**

AMES, IOWA

JULY 11, 2017

**MEETING OF THE AMES AREA METROPOLITAN PLANNING ORGANIZATION  
TRANSPORTATION POLICY COMMITTEE**

The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee meeting was called to order by Ames Mayor and voting member Ann Campbell at 6:03 p.m. on the 11<sup>th</sup> day of July, 2017, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Other voting members present were: Bronwyn Beatty-Hansen, City of Ames; Gloria Betcher, City of Ames; Amber Corrieri, City of Ames; Tim Gartin, City of Ames; Chris Nelson, City of Ames; and Peter Orazem, City of Ames.

AAMPO Administrator John Joiner, City of Ames Transportation Planner Tony Filippini, and City of Ames Transit Director Sheri Kyras were also present. Voting members Bill Zinnel, Boone County Supervisor; Jonathan Popp, Gilbert Mayor; Lauris Olson, Story County; and Transit Representative Kate Gregory were absent.

**HEARING ON FY 2018-2021 TRANSPORTATION IMPROVEMENT PROGRAM (TIP):** Transportation Planner Filippini recalled that the Transportation Policy Committee, at its meeting on May 23, 2017, had reviewed the Draft 2018-2021 TIP and had unanimously approved it. He named the five projects that would be included. The Program was reviewed by the AAMPO's state and federal partners. No comments by the public. Once approved, it will be sent to the Iowa Department of Transportation.

Mayor Campbell opened the hearing. No one came forward to speak, and the hearing was closed.

Moved by Corrieri, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 17-430 approving the Final FY 2018-2021 TIP.

Roll Call Vote: 8-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**ADJOURNMENT:** Moved by Corrieri, seconded by Gartin, to adjourn the meeting at 6:06 p.m.

**REGULAR MEETING OF THE AMES CITY COUNCIL**

The Regular Meeting of the Ames City Council was called to order by Mayor Campbell at 6:07 p.m. on July 11, 2017, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem. *Ex officio* Member Rob Bingham was also present.

**PRESENTATION:**

Jean Kresse, Executive Director of United Way; Kim Hanna, Director of Raising Readers in Story County (Raising Readers); Judy Dahlke, representative of Raising Readers of Story County; Jerri Heid, representative of Ames Public Library and Raising Readers; and Marion Kresse, representative of Raising Readers, were present. Ms. Kresse presented the All-America City Finalist Award for the Ames community's work in Grade-Level Reading Proficiency. Ms. Kresse provided information on the programs offered in Ames and gave statistics on the progress made by children in Ames elementary schools in reading proficiency.

Mayor Campbell accepted the Award on behalf of the City.

**CONSENT AGENDA:** Moved by Gartin, seconded by Corrieri, to approve the following items on the Consent Agenda: Council members vote on the motion.

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of June 27, 2017
3. Motion approving Report of Contract Change Orders of June 16-30, 2017
4. Motion approving new Class C Beer and Class B Native Wine for Hampton Inn & Suites Ames, 2100 SE 16<sup>th</sup> Street, pending final inspection
5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Class C Liquor – Welch Ave. Station, 207 Welch Avenue
  - b. Class C Liquor & Outdoor Service – Bar, 823 Wheeler Street, Suite 4, pending dram
  - c. Class B Beer – Pancho's Mexican Grill, 1310 South Duff Avenue, Suite. 103
  - d. Class C Liquor – Applebee's, 105 Chestnut Street
  - e. Special Class C Liquor – Triple Double (Trio Asian Restaurant), 223 Welch Avenue, Upper Level
  - f. Class C Liquor, Catering, & Outdoor Service – Iowa State Center - Scheman Building, Scheman Building, Iowa State University
  - g. Class C Liquor – Sportsman's Lounge, 123 Main Street
6. RESOLUTION NO. 17-431 approving 2017/18 Human Services Agency (ASSET) Contracts with Heart of Iowa Regional Transit Agency (HIRTA) and Lutheran Services in Iowa (LSI)
7. RESOLUTION NO. 17-432 approving Certification of Local Government approval on behalf of local non-profit organizations receiving emergency shelter grant (ESG) funds
8. RESOLUTION NO. 17-433 approving Intergovernmental Agreement for Keigley Branch Watershed Management Authority
9. RESOLUTION NO. 17-434 approving Professional Services Agreement with WHKS & Co. of Ames, Iowa, for 2015/16 Sanitary Sewer Rehabilitation Construction Services in an amount not to exceed \$141,600
10. RESOLUTION NO. 17-435 approving Professional Services Agreement with Snyder & Associates, Inc., of Ankeny, Iowa, for 2017/18 South Duff Avenue Improvements in an amount not to exceed \$133,000
11. RESOLUTION NO. 17-436 approving Professional Services Agreement with Stanley Consultants, Inc., of Des Moines, Iowa, for 2017/18 Arterial Street Pavement Improvements (13<sup>th</sup> Street from UP Railroad to Harding Avenue) in an amount not to exceed \$81,500
12. Requests from Healthiest Ames for Open Streets on Sunday, October 1, 2017:
  - a. Motion approving blanket Temporary Obstruction Permit
  - b. RESOLUTION NO. 17-437 approving closure of Main Street between Clark Avenue to Douglas Avenue from 8:00 a.m. to 5:00 p.m.
  - c. RESOLUTION NO. 17-438 approving closure of 115 metered parking spaces and suspension of parking enforcement on Main Street
  - d. RESOLUTION NO. 17-439 approving waiver of fee for usage of electricity
13. RESOLUTION NO. 17-440 approving preliminary plans and specifications for 2016/17 Right-of-Way Restoration (various locations); setting bid due date for August 2, 2017, and August 8, 2017, as date of public hearing
14. RESOLUTION NO. 17-441 awarding contract to Communications Engineering Company of Ankeny, Iowa, for New Water Plant Audio-Visual System in the amount of \$84,997
15. RESOLUTION NO. 17-442 approving Ames Intermodal Facility License Agreement for incidental use of premises by Ames Police Department
16. RESOLUTION NO. 17-443 awarding 3-year contract to Arthur J. Gallagher & Co., of Centennial, Colorado, to provide Health Benefits Consulting Services & Actuarial Valuation Services for

Human Services & Finance Departments in the total amount of \$120,000

17. RESOLUTION NO. 17-444 awarding 1-year contract extension (7/01/17 to 6/30/18) with Electronic Engineering Co., to provide 800-MHZ trunked radio equipment, pagers, and related equipment and services for City Departments
  18. RESOLUTION NO. 17-445 accepting the tax liability settlement proposed by EvapTech of Lenexa, Kansas, and authorizing payment in the amount of \$43,820.38 for Power Plant Cooling Tower Replacement project
  19. RESOLUTION NO. 17-446 approving contract and bond for Specialized Wet Dry Vacuum, Hydro Blast, and Related Cleaning Services for Power Plant
  20. RESOLUTION NO. 17-447 accepting completion of 2016/17 Accessibility Enhancement Program (Various Locations)
  21. RESOLUTION NO. 17-448 approving Plat of Survey for 302, 304, and 308 South 3<sup>rd</sup> Street
  22. RESOLUTION NO. 17-449 approving Minor Final Plat for LDY Subdivision
  23. RESOLUTION NO. 17-450 approving Major Final Plat for Crane Farm Subdivision, 4<sup>th</sup> Addition
  24. RESOLUTION NO. 17-451 approving partial completion of public improvements and reducing security for Scenic Valley Subdivision, 1<sup>st</sup> Addition
- Roll Call Vote: 6-0. Motions/Resolutions declared carried/adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**PUBLIC FORUM:** Mayor Campbell opened Public Forum. No one came forward to speak, and the Mayor closed Public Forum.

**321 STATE AVENUE:** Kelly Diekmann, Director of Planning and Housing, presented an update on the Request for Proposals (RFP) for the development of the City's ten-acre site at 321 State Avenue. He noted that the City had received one formal proposal for the site from JCorp., Inc., which included 48 homes. The City Council had reviewed that proposal at its meeting held on June 13, 2017. Mr. Diekmann recalled that the initial proposal had had an estimated financial gap between available City funding and the developer's requesting funding of approximately \$400,000 (\$550,000 for infrastructure vs. \$950,000 that was requested. The City Council, at its June 13, 2017, meeting, had directed staff to work with the developer on an alternative proposal that would have less infrastructure cost to help eliminate the financial gap between development costs and the available CDBG funding. According to Director Diekmann, JCorp has provided an alternative layout that reduces infrastructure costs by building fewer streets and reducing the total development size to between 37 and 43 housing units. Defer until If the Council decides to stay with 43 units, off-site improvements would be required, there would be the same infrastructure costs. In submitting the alternate proposal (37 units), it was the intention of the developer to stay within the budget of \$550,000. At this point, there would be a 50/50 (City/developer) split on costs (each at \$550,000). Profit would be made for the developer from the sale of the market-rate homes. Developer also is proposing that the 60% low-income housing goal be reduced to match what really can be done on the north and south sides. This would lower than number to approximately 54%; the City's minimum is 51%. There is not a large contingency (\$40,000); there are probably some costs have not yet been included. The sales prices for affordable housing would likely have to absorb some of infrastructure costs.

Council Member Gartin asked if the City had received the revised per forma from JCorp. Mr. Diekmann answered that the new version was emailed to staff today.

Council Member Gartin asked if the Council were really in a position to make a decision tonight given the fact that Planning just received important numbers tonight. Mr. Gartin said he was apprehensive about binding the City in a decision tonight without having all the pieces on the table.

Mr. Diekmann stated that nothing was going to be binding on the City tonight. The only direction that Council needs to make tonight is to direct staff to draft a Development Agreement. He said it would also be helpful if the Council could give direction on whether it preferred Version 1 or Version 2. Council Member Gartin added that digesting the new numbers might impact the Council's decision on which version they wanted to approve.

Housing Coordinator Vanessa Baker-Latimer advised that the CDBG Action Plan needs to be submitted to the Department of Housing and Urban Development by August 16, 2017. The funds would need to be drawn down by no later than April 25, 2018.

Mr. Schainker reiterated that the first offer would require the City finding additional funds; those funds cannot come from the CDBG funding.

Council Member Orazem said that the difference between 37 and 43 homes would equate to approximately \$300,000 in additional infrastructure to provide improvements to the alley. Council Member Orazem asked what happens to the land that can't be developed into housing. Mr. Diekmann said that the extra land would be used for a large storm water feature and common space fronting on Tripp Street. The bike path is being shown for conceptual purposes only; Public Works had not approved it yet.

According to Mr. Schainker, the Developer's Agreement could be written so that additional lots can be developed if the City finds the additional \$300,000 for Phase II. Director Diekmann explained the conceptual plan of lot layout. He noted that either eight lots would be developed north of Outlot D or two additional lots would be developed south of Outlot D.

Mr. Gartin commented that he likes the first version in terms of layout; however, it has substantially higher costs. Based on new estimates, there is probably a larger financial gap than initially thought, which was \$400,000. Therefore, the subsidized amount could be as high as \$80,000, instead of \$72,000/house. The desire is to keep the homes as "affordable housing" for a period of time, and he wants to ensure that the project is desirable for around 20 years down the road.

At the inquiry of Council Member Betcher, Ms. Baker-Latimer said that the City would have to draw down at least four to for 4.5 percent of the allocation. She pointed out that she doesn't set that amount anymore; HUD does that.

Marilyn Clem, 3306 Morningside, Ames, said that she is concerned about parents buying the house and renting it out to students. Director Diekmann answered that the market-rate homes on the south side of Tripp Street could be rented out; that is not regulated by HUD. The City would have to set those restrictions; that could be a component of the Development Agreement. Council Member Gartin said that he would be advocating for including an owner-occupied restriction. Ms. Clem added that it is important to the neighborhood that the project not add rental housing; it is already at 60% rentals.

Sarah Cady, 2812 Arbor Street, Ames, spoke on behalf of Ames Bicycle Coalition (ABC). She explained the issue with traffic crossing the shared-use path on the south side of the alley. Director Diekmann stated that it would be possible to put the path on the north side. Ms. Cady commented that the alley would cause an issue if the eight houses front on the alley side. There would be a lot of driveways and turning conflicts with the bike path. It was also noted that the shared use path shown is only eight feet; the City's standard is ten feet. Ms. Cady stated that the ABC requests that the shared-use path be ten-foot in width. Mr. Diekmann stated that 15 feet is to be reserved for the path; it has not yet been designed.

Duane Jensen, JCorp, 708 North Highway 69, Huxley, Iowa, stated that his company is attempting to work with the City to provide affordable housing in Ames. Phased construction seems to be a way to do that. Mr. Jensen suggested that they use the money that is available and phase in additional homes in the future if the funding is available. Mr. Jensen cited his preference for Version 1, but Version 2 is workable as well.

At the inquiry of Council Member Orazem, Mr. Jensen answered that the goal of market-rate homes, if built by JCorp, would be to cost between \$220,000 to \$280,000. Director Diekmann said that the range for the affordable housing would be between \$120,000 and \$165,000. At this point, staff does not have house designs. There will be various price points based on size and amenities. Staff would prefer that the affordable housing cost \$150,000.

Moved by Orazem, seconded by Corrieri, to go with Option 1 and direct staff to prepare a Development Agreement based on a commitment to the 35-home Phase 1 layout.

Council Member Gartin reiterated that he was hesitant to move forward if there are still some unknowns in regard to the pro forma that was just received today. Director Diekmann commented that staff needs to know if the Council is willing to add additional funding to the project beyond the \$550,000, and if so, where would the funding come from. City Manager Schainker said that the real question is if it is the Council's priority to get the second phase worked out now. Council Member Orazem said that he didn't believe so. That would give the City time to adjust. He doesn't think they should tie the City's hands if the CDBG funding is not continued in the future.

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

**ENHANCED PARKING ENFORCEMENT IN CAMPUSTOWN NEIGHBORHOODS:** Chief Chuck Cychosz advised that this report was in response to a May 16, 2017, City Council motion requesting a cost estimate for enhanced parking enforcement in the Campustown neighborhoods. Chief Cychosz outlined the potential expenses for providing additional parking enforcement in the residential area south of the Iowa State University Campus (residential neighborhoods from Beach to State and Lincoln Way to Storm). This area encompasses approximately 30 blocks. It was noted by Chief Cychosz that cost projections are based on a goal of continuous patrol in the areas affected by four- and six-hour limits from approximately 8 AM to 6 PM, and overnight alternate-side enforcement after the changeover period. It would require approximately 84 additional Community Safety Officer (CSO) hours each week. Chief Cychosz explained the projected impact that would have on the budget. The net cost of increased enforcement in this area was estimated to be \$60,202 annually (\$116,746 annual estimated expense with annual estimated revenue of \$56,544). Assuming a September 1, 2017, start date, the FY 2017/18 costs are projected to be \$50,168; that expense is not reflected in the Adopted Parking Fund Budget. If Council chooses to proceed with the increased enforcement effort in this fiscal year, the funding would need to come from the unobligated portion of the Parking Fund balance; that balance is currently projected to be \$380,000. Chief Cychosz also noted that the Council had already directed that the next budget cycle include a review of fees and fines related to the Parking System. If the Council elects to increase enforcement at this time, the fees and fines could be adjusted to recover those costs for FY 2018/19 and further deter non-compliance.

Chief Cychosz pointed out that residents in the area, many of whom park on the street, would need to be alerted to a change in enforcement plans. That might also trigger concerns from residents and commuters who have adapted to the current model of complaint-driven enforcement, which in turn, could trigger feedback to the Police Department and City Council members. For that reason, the Police Department could issue predominantly warnings during the first week. In the summer, there are not large numbers of vehicles in the area in question.

Council Member Nelson asked if the Council should be looking at this in terms of regulation and enforcement. Chief Cychosz offered that he was a fan of consistent regulations. He would prefer to do this as a “package” and deal with responses to the “package.” Police will respond to requests for enforcement.

Council Member Betcher commented that the reason she supported this particular plan is because the City has not been enforcing the regulations. There are many signs, but enforcement has been handled only on a complaint basis. She feels the neighborhood residents are tired of complaining. Ms. Betcher offered that she was not necessarily seeing this as a long-term plan moving forward, but this would determine if it is working. At some point in the future, she hopes that the City will reconsider of all the ordinances and simplify the regulations.

Moved by Betcher, seconded by Corrieri, to implement the plan for as many months as it takes to determine the viability of it.

Council Member Nelson noted that there will be charges incurred right away; there will be expenses in recruiting, hiring, training, and supervising the CSOs. Chief Cychosz said that it is anticipated that there will be more citations written at the beginning and fewer as there is compliance; however, the expenses will continue. He said that he considered that when he prepared the estimates. The CSO staff will increase by 50% and the schedule will change. Chief Cychosz advised that he had not had a dialog about this with representatives of the University.

Council Member Gartin stressed the importance about notifying students and those that will be impacted the most by this change. He wants the City to reach out to its partners at the University.

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

**HEARING ON ZONING TEXT AMENDMENT PERTAINING TO NEW COMMERCIAL PARKING LOT LANDSCAPING EXCEPTIONS:** Mayor Campbell opened the hearing. No one requested to speak, and the hearing was closed.

Moved by Gartin, seconded by Corrieri, to pass on first reading an ordinance creating exceptions for parking lot minimum setbacks and landscape percentage in commercial zones.  
Roll Call Vote: 6-0. Motion declared carried unanimously.

**HEARING ON ZONING TEXT AMENDMENT PERTAINING TO APPEALS OF ADMINISTRATIVE DECISIONS REGARDING ZONING-RELATED ISSUES:** The public hearing was opened by the Mayor. She closed same after no one came forward to speak.

Moved by Corrieri, seconded by Betcher, to pass on first reading an ordinance pertaining to appeals of administrative decisions regarding zoning-related issues.  
Roll Call Vote: 6-0. Motion declared carried unanimously.

Council Member Gartin noted that a couple years ago, the Council make a very conscious decision to use a 30-day time period for appeals, instead of 20 days. The proposed new Ordinance went back to the 20 days. He believes strongly that 30 days should be the time period for appeals.

Moved by Gartin, seconded by Betcher, to amend the Ordinance to state 8b has a 30-day appeal period.  
Roll Call Vote: 6-0. Motion declared carried unanimously.

**HEARING ON PROPOSED 2017/18 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN (Continued from May 9, 2017, and June 13, 2017):** Housing Coordinator Baker-Latimer noted that the City had received \$19,000 more than what had been anticipated. The deadline for the Annual Action Plan to be received by HUD is on or before August 16, 2017.

The original Proposed Budget, based on \$490,000, was reviewed by Ms. Baker-Latimer. She then presented the Anticipated/Proposed 2017/18 CDBG Program Revenue Resources. The new recommended project funding levels were highlighted by Ms. Baker-Latimer. She noted that the revenue amount did not include any revenue from the sale of the 6<sup>th</sup> Street or Stafford properties.

At the inquiry of Council Member Orazem, Ms. Baker-Latimer clarified that the proposed Action Plan did not include any funding for the City to purchase rental homes and convert them back to single-family homes.

According to Ms. Baker-Latimer, during the original comment period, one comment was received from a citizen who expressed his concern about participating in the First-Time Homebuyer Program; that comment had been included in the Staff Report. Ms. Baker-Latimer also noted that an additional comment period had been opened when the City was notified about additional funding.

Council Member Corrieri said she understood that the 6th Street property was not included in this process and asked to know the process for selling that property. Ms. Baker-Latimer responded that the process would be that the City would have to sell the property at market value. The proceeds would go to HUD and come back to the City as program income in whatever year the property is sold. The program income could be allocated in any of the programs that had been approved in the Annual Action Plan. Ms. Corrieri asked where proceeds might be placed. Ms. Baker-Latimer said that the money would have to be placed where it could be drawn down quickly. She would probably spread it across programs; however, her preference at this time would be to add it to the First-Time Homebuyer Program. When asked how much the City should be able to sell the property for, she said that her estimate is that the home could be sold for \$160,000 to \$170,000. Ms. Baker-Latimer said staff projects program income. Director Diekmann said that there are three lots that could have six homes. If townhomes were to be constructed, more might be able to be built.

Moved by Corrieri, seconded by Orazem, to direct staff to increase the program income by \$170,000 for the anticipated sale of the 6<sup>th</sup> Street properties, to add back the Acquisition/Reuse Program, and fund it with the \$170,000.

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

Council Member Orazem asked whether there was a program that could assist people who want to convert rental properties back to single-family. Ms. Baker-Latimer clarified that funds could be applied for under the Single-Family Housing Improvement Program and used if the people first purchased the home. If they purchased the home, they can apply for funds to make improvements to the home.

Mayor Campbell noted that the hearing on this item had been opened on May 9, 2017; continued to June 13, 2017; and then continued again to this meeting. She asked if there was anyone who wished to speak on the projects being proposed to be included in the 2017/18 CDBG Annual Action Plan.

No one came forward, and Mayor Campbell closed the hearing.

Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 17-452 approving the 2017/18 CDBG Annual Action Plan, as amended.

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

**HEARING ON DESIGNATION OF BARILLA URBAN RENEWAL AREA AND ON PROPOSED URBAN RENEWAL PLAN AND PROJECT:** Director Diekmann advised that the City Council is not committing to the rebate at this meeting. Staff will be coming back with the Development Agreement.

The public hearing was opened by Mayor Campbell. She closed same after there was no one wishing to speak.

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 17-453 adopting the Barilla Urban Renewal Plan and establishing the Barilla Urban Renewal Area.

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 pass on first reading an ordinance creating the Barilla Tax Increment Financing District.

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

Moved by Nelson, seconded by Corrieri, to directing the Interim City Attorney to prepare the Development Agreement.

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

**HEARING ON VALVE MAINTENANCE AND RELATED SERVICES AND SUPPLIES FOR THE POWER PLANT:** Mayor Campbell opened the hearing. There was no one who came forward to speak, and the hearing was closed.

Moved by Gartin, seconded by Beatty-Hansen, to accept the report of bids and delay award of a contract.

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

**RESOLUTION REGARDING EQUAL PROVISION OF PUBLIC SERVICES:** Council Member Orazem recalled that he had read aloud his proposed resolution at the Council's meeting of June 27, 2017. He noted that in 1868, the State of Iowa ratified the 14<sup>th</sup> Amendment to the U. S. Constitution that declared that "No state shall deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Council Member Betcher proposed some minor revisions based on a couple of her observations. She wanted it added that the numbers used in the proposed Resolution referring to the alumni, population, and Census, were from the Fall of 2016. Also, Ms. Betcher commented that the City can't guarantee that citizens will be fully informed of their responsibility to extend the rights of equal protection under the laws of the City to all residents, citizen and noncitizen. She asked that the wording under "NOW, THEREFORE, BE IT RESOLVED," paragraph be changed to state "attempt to inform." Another change requested by Ms. Betcher was to the second paragraph from the bottom. She preferred it be worded to state: "We, the City of Ames and its employees, will not deprive residents of the City of Ames, citizen or noncitizen, of life, liberty, or property without due process of law."

Mayor Campbell asked Ms. Betcher to provided the edited version of the Resolution to the City Clerk.

Moved by Orazem, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 17-454 regarding equal



provision of public service, as edited.

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

**CITY ATTORNEY RECRUITMENT:** Mayor Campbell advised that she had provided an overview in the Council Action Form. There are a variety of decisions that needed to be made at this meeting.

Supervisory Structure. Council Member Corrieri shared her desire to keep the structure the same: City Council supervises the City Manager and City Attorney. She emphasized that it is important that communication between the City Attorney and the City Manager and other Department Heads occurs regularly.

Moved by Corrieri, seconded by Betcher, to maintain the same supervisory structure as currently exists. Vote on Motion: 6-0. Motion declared carried unanimously.

Job Description.

Kaila Kenjar, Human Resources Director, brought the Council's attention to the memo regarding the job description and recruitment that had been part of the Agenda packet. Staff had suggested several changes, including:

1. The individuals to whom the City Attorney will be responsive
2. A statement outlining the requirements of this position to follow various City policies and procedures
3. Modifications to the education and experience requirements

Council may also want to further discuss whether it is satisfied with the minimum qualifications and determine the necessity of the residency requirement for the City Attorney.

At the inquiry of Council Member Betcher, Ms. Kenjar reviewed the education and experience requirements previously required.

Council Member Gartin recommended that the "Department of Education (DOE)-accredited" should be changed to "American Bar Association (ABA) - accredited law school."

Moved by Corrieri, seconded by Gartin, to approve the job description, with revision to state the ABA-accredited law school.

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

Recruitment Plan. Ms. Kenjar reviewed the suggested Recruitment Plan. She questioned whether the Council wanted Human Resources to use a recruiting firm. At the inquiry of Council Member Orazem, Ms. Kenjar stated that the City had not used a recruiting firm in the past for the City Attorney position.

Mr. Gartin recommended that a recruiting firm be used as Iowa is a very small pod, and it could generate a larger applicant pool. Ms. Kenjar noted that the use of a recruiting firm could generate candidates, but would result in a longer period to allow for Human Resources to work with the firm and for the firm to source the candidates. In addition, steps after qualifications review will be delayed, and there will also be an additional cost.

When asked, Interim City Attorney Mark Lambert replied that in the age of the Internet, it gets copied to other Web sites. He noted that he had found the Assistant's job posted on line on the University of Ohio's Web site. Mayor Campbell noted that there had been a significant number of applicants without

using a search firm. She saw no reason to use a search firm, especially with the use of the Internet.

Ms. Kenjar commented that recruiting firms have been used in the past for other positions; some times the search is successful; other times, not. City Human Resources would still want to manage the process. Human Resources would like to post the position this Friday. It takes time to employ a recruiting firm and time to meet with the recruiting firm; it does take a lot more time. Mayor Campbell acknowledged confidence in the City's Human Resources Department ability to handle the recruitment. She said the process is similar to what is currently used for other Department Heads.

Moved by Beatty-Hansen, seconded by Betcher, to approve the recruitment plan, as proposed by Human Resources.

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

Regarding a salary range, Ms. Kenjar said that the City Attorney position is different than other positions in the City. Historically, a salary range has not been determined; salary is set by Council. Ms. Kenjar pointed out that the expected salary range information needs to be completed on the application; if not, staff will contact the applicant and request that information. Council Member Orazem asked Ms. Kenjar for her advice. She said it would be a Council decision whether a salary range should be provided for the position. Council Member Gartin offered that the more information that is noted for the position, the more helpful it is to potential applicants.

Moved by Gartin, seconded by Corrieri, to direct that staff make the salary commensurate with experience.

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

Another item that Council needed to decide was whether there should be a residency requirement. Ms. Kenjar noted that the City Manager's philosophy on this is that there be a residency requirement for Department Heads.

Council Member Gartin stated that he wanted to include a residency requirement for the City Attorney. He commented that the City Attorney needs to have a pulse on the community; if they don't reside here, they lose out on that.

City Manager Schainker said that the Council has flexibility as far as the time given to achieve residency.

Moved by Gartin, seconded by Betcher, to include a residence requirement, but on a schedule to be approved by the Council.

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

Modification of Chapter 2.48 of the *Municipal Code*. Assistant City Manager Bob Kindred explained that Section 2.48 of the *Municipal Code* outlines the powers and duties of the City Attorney. He noted that the *Code* is so fundamental in responsibilities of the City Attorney and believes that it should be made clear that this position operates within the confines of the greater City.

Moved by Beatty-Hansen, seconded by Corrieri, to direct staff to modify Chapter 2.48 of the *Municipal Code* to parallel the job description.

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

**ORDINANCE TO ALLOW SIGNAGE ON RESIDENTIAL HIGH-DENSITY PROPERTIES WITH MIXED USES:** Moved by Nelson, seconded by Corrieri, to pass on third reading and adopt

ORDINANCE NO. 4316 adding language to allow signage on RH properties with mixed uses.

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

**ORDINANCE PROHIBITING PARKING ON PORTIONS OF 24<sup>TH</sup> STREET AND BROADMOOR AVENUE:** Moved by Betcher, seconded by Beatty-Hansen, to pass on third reading and adopt ORDINANCE NO. 4317 prohibiting parking on portions of 24<sup>th</sup> Street and Broadmoor Avenue.

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 Corrieri, seconded by Orazem, to refer to staff for a memo the request of residents of Forest Glen for parking modifications.

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

Moved by Betcher, seconded by Beatty-Hansen, directed that one of the first items for the Campus and Community Commission be the parking situation in Campustown.

Assistant City Manager Brian Phillips said that he would prefer to ask the Commission what issues it has and bring those back to Council to discuss.

Motion withdrawn.

Moved by Gartin, seconded by Beatty-Hansen, to request a memo from staff regarding the request for Pre-Annexation Agreement for a 230-acre piece of ground, specifically, getting staff's response on each bullet point of the request with respect to the viability of a project like this.

Vote on Motion: 5-1. Voting aye: Beatty-Hansen, Betcher, Gartin, Nelson, Orazem. Voting nay: Corrieri. Motion declared carried.

Moved by Gartin, seconded by Corrieri, to request a memo to the Council with respect to the Police Department's experience with fireworks and what was learned from the last 4<sup>th</sup> of July.

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

Mayor Campbell advised that, in her absence and the absence of Mayor Pro-Tem Orazem, Council Member Corrieri will chair meeting on July 25, 2017,

**ADJOURNMENT:** Moved by Corrieri to adjourn the meeting at 8:16 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor