

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

SEPTEMBER 9, 2014

The Regular Meeting of the Ames City Council was called to order at 7:00 p.m. on September 9, 2014, in the City Council Chambers in City Hall, 515 Clark Avenue pursuant to law with Mayor Ann Campbell presiding and the following City Council members present: Gloria Betcher, Amber Corrieri, Tim Gartin, Matthew Goodman, Chris Nelson, and Peter Orazem. *Ex officio* Member Lissandra Villa was also present.

Mayor Campbell announced that the Council members would be working from an Amended Agenda. Added under Item No. 10c was closure of Welch Avenue, between Chamberlain and Hunt, as part of the Dinkey Day celebration, which will occur on September 26.

PROCLAMATION FOR ADDICTION RECOVERY MONTH: Mayor Campbell proclaimed the month of September 2014 as Addiction Recovery Month. Accepting the Proclamation were Jason Haglund, Director of Treatment, Youth and Shelter Services, and Michelle DeLaRira, CEO of Community and Family Resources.

CONSENT AGENDA: Council Member Betcher asked to pull Consent Items 10 and 11, requests from Campustown Action Association for Dinkey Day and Ames High Homecoming Committee Requests, respectively, for separate discussion. Item 9, Closure of Douglas Avenue for Library Grand Re-Opening, and Item 14, Change Order for the Library Renovation and Expansion Project, were pulled from the Consent Agenda for separate discussion as requested by Council Member Gartin.

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

1. Motion approving payment of claims
2. Motion approving minutes of Special Meeting of August 19, 2014, and Regular Meeting of August 26, 2014
3. Motion setting November 10, 2014, as Regular City Council meeting date, instead of November 11, 2014 (Veterans' Day)
4. Motion approving certification of civil service applicants
5. Motion approving Report of Contract Change Orders for August 16-31, 2014
6. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class E Liquor, C Beer, & B Wine – Cyclone Liquors, 626 Lincoln Way
 - b. Class C Liquor – Corner Pocket/DG's Taphouse, 125 Main Street
 - c. Class B Liquor & Outdoor Service – Hilton Garden Inn Ames, 1325 Dickinson Avenue
 - d. Class C Liquor – Whiskey River, 132-134 Main Street, pending proof of dram shop coverage
 - e. Class C Liquor, B Wine, & Outdoor Service - +39 Restaurant, Market, & Cantina, 2640 Stange Road, pending proof of dram shop coverage
 - f. Class C Liquor & Outdoor Service – Wallaby's Grille, 3720 W. Lincoln Way
7. RESOLUTION NO. 14-476 authorizing issuance of General Obligation Bonds, Series 2014
8. RESOLUTION NO. 14-483 changing bid due date and date of public hearing to September 25, 2014, and October 14, 2014, respectively, for Furnishing 69kV SF6 Circuit Breakers for Electric Services Department
9. RESOLUTION NO. 14-484 awarding contract to Stivers Ford of Waukee, Iowa, for two 2015 Ford Taurus Interceptor Sedans at \$25,586 each
10. RESOLUTION NO. 14-486 approving completion of 2012/13 Water Program (Toronto Area Water Main Replacement)

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

CLOSURE OF DOUGLAS AVENUE FOR LIBRARY GRAND RE-OPENING: Council Member Gartin explained that he had requested this item be pulled for separate discussion as he did not see any documentation that adjacent affected property owners had been notified about the anticipated street closure. Lynne Carey, Library Director, stated that she will ensure that notification had been made.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 14-477 approving closure of Douglas Avenue on September 14 from Noon to 2 p.m. for the Library Grand Re-Opening.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

REQUESTS FROM CAMPUSTOWN ACTION ASSOCIATION (CAA) FOR DINKEY DAY ON SEPTEMBER 26, 2014: Council Member Betcher recalled that there had been some concerns about how this event could be held safely in Campustown. She requested that the Director of the CAA address those concerns.

Kim Hanna, CAA, 200 Stanton, Ste.102, Ames, clarified that the requests were actually from the Ames 150 Committee, not the CAA. Dinkey Day is the third of four Ames 150 events for 2014. The Dinkey Day celebration is to mark the 150th anniversary of Ames and Iowa State University (ISU) working together. Ms. Hanna listed the planned activities that will be part of Dinkey Day. According to Ms. Hanna, all of the businesses in the 200 Block of Welch Avenue were notified of the anticipated closure of Welch Avenue. Follow-up with emails and on-site visits had also been done.

Moved by Betcher, seconded by Nelson, to:

- a. Approve a Blanket Vending Permit;
- b. Adopt RESOLUTION NO. 14-478 approving the waiver of fees for parking, electricity, and the Blanket Vending Permit;
- c. Adopt RESOLUTION NO. 14-479 approving closure of Parking Lots T and Y on Welch Avenue and closure of Welch Avenue between Chamberlain and Hunt from 1:00 p.m. to 11:00 p.m.

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

AMES HIGH SCHOOL HOMECOMING COMMITTEE REQUESTS: Council Member Betcher asked representatives of the Committee to explain their plans for this event.

Ames High School Homecoming Parade Chairpersons Nadia Hoffman, 3101 Aspen Road, Ames, and Serena Paulson, 3213 West Street, Ames; and Alexa Cross, 4101 Valley View Road, Ames Game and Fireworks Chairperson, were present. The events planned in observance of Ames High Homecoming were highlighted.

Moved by Betcher, seconded by Goodman, to take the following actions pertaining to requests of the Ames High School Homecoming Committee:

- a. Adopt RESOLUTION NO. 14-480 approving closure of Parking Lot MM, the south half of Parking Lot M, portions of CBD Lot Z, and portions of Main Street, Douglas Avenue, Fifth Street, Burnett Avenue, Kellogg Avenue, Clark Avenue, and Pearle Avenue from 5:30 p.m. to approximately 7:30 p.m. on September 15, 2014
- b. Adopt RESOLUTION NO. 14-481 approving waiver of parking meter fees in Main Street Cultural District from 5:30 p.m. to 6:00 p.m. and for Parking Lot N from 5:00 p.m. to 6:00 p.m. on September 15, 2014
- c. Adopt RESOLUTION NO. 14-482 approving of waiver of fee for Fireworks Permit
- d. Approve a Fireworks Permit for display after the football game (approximately 9:30 p.m.) on September 19, 2014.

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

CHANGE ORDER NO. 18 FOR LIBRARY RENOVATION AND EXPANSION PROJECT:

Council Member Gartin noted that this is the 18th Change Order for the Library Renovation Project. He asked for a summary of the Change Orders, whether the Project was on schedule, and if this many Change Orders would be considered to be in the ordinary course of construction for this type of project.

Construction Manager Brad Heemstra of Integrity Construction advised that, in his experience, when a new facility is constructed on bare ground, 2-3% is sometimes adequate for change orders. However, on any kind of a renovation project, 5 - 8% is budgeted for change orders. Mr. Heemstra noted that this Project is still within that range. He stated that each change order is analyzed; some have been design-related, and some have been due to owner-requested changes in scope. Mr. Heemstra reported that all of the change orders have been necessary to bring the Project to completion.

Mr. Gartin asked to know the budget for change orders for this Project. Mr. Heemstra advised that there is still nearly \$300,000 available for construction change orders. He does not anticipate that the construction change order budget will be depleted. Library Director Carey reported that there is nearly \$700,000 in contingency funds remaining in the overall budget of \$20 million. Mr. Heemstra stated that there are just a few changes that will still come through the process; those are being priced-out at this point. City Manager Steve Schainker stated that any unspent funds will go to the Debt Service Fund to help retire the debt from the Library Renovation Bond Issue.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 14-485 approving Change Order No. 18 with A&P/Samuels Group for the Library Renovation and Expansion Project.

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

PUBLIC FORUM: Richard Deyo, 505-8th Street, #2, Ames, expressed frustration over the decisions that had been made pertaining to the Ames Public Library Gala that was held last Friday night. He noted that he was not able to go into the building and use the restroom. Mayor Campbell advised that the Gala was under the jurisdiction of the Friends Foundation of the Library; the Council did not have involvement in those decisions. She also pointed out that the library was not yet open to the public when the Gala was held.

Neil Bezeau, identified himself as an ISU student and representative of the Government of the

Student Body (GSB). He stated that he represents the Residence Halls and serves on the University Affairs Committee, which has, as a part of its mission, to improve students' lives. Amanda Lewis, also a member of the GSB, said she was the current Director of Special Events. She expressed appreciation of the lights that had been installed on Mortensen Way, which was a joint project between the City and ISU. Ms. Lewis said that the lights had definitely been noticed by the students. Abhijit Patwa, identified himself as the Finance Director and Chief Financial Officer for the GSB. He said he and the others wanted to introduce themselves and show their appreciation for the support shown to the students by the City Council. Lissandra Villa, *ex officio* Council Member, informed the Council that, at the most-recent GSB Senate meeting, she had invited members of the GSB to attend this meeting and speak under Public Forum. Her intent was that the Council members could then recognize some of the members of the GSB prior to its upcoming Joint Meeting with the Council.

No one else came forward to speak, and Mayor Campbell closed Public Forum.

HEARING ON REZONING OF QUARRY ESTATES SUBDIVISION: Kelly Diekmann, Director of Planning and Housing, explained that the request before the Council was to rezone, with a Master Plan, the 79-acre parcel north of Ada Hayden Heritage Park and immediately south of 190th Street, which is located in the North Growth Area. If approved, this would be the first rezoning in the Area. He noted that the City Council had previously committed to improvements to Grant Road and infrastructure being extended to the north to support this anticipated development.

City Planner Jeff Benson advised that the owner is proposing the development of a residential subdivision to be known as Quarry Estates and is requesting rezoning of 68.8 acres from Agriculture to Suburban Residential Low-Density and 10.1 acres from Agricultural to Suburban Residential Medium-Density. The total development is estimated to be between 225 and 365 dwelling units. The applicant is proposing a mix of apartments, independent senior living, single-family attached housing, and single-family detached dwelling units.

The Council was reminded that the land in question was annexed into the City on December 30, 2013. Ultimately, development of the site will require approval of a Conservation Subdivision and a Site Development Plan, subsequent to approval of the rezoning request. Prior to annexation, agreements were approved between the City and owners of the property and of other land parcels between Ada Hayden Heritage Park and the railroad right-of-way and south of 190th Street, which established the timing and responsibility for extension of the urban infrastructure necessary to provide City services to the area. This was to be accomplished through an assessment district for the improvement of Grant Avenue.

Mr. Benson said that this development is the first project to request approval under the Conservation Subdivision standards of the *Municipal Code*. The Conservation Subdivision standards were designed to protect the quality of water in Ada Hayden Lake, protect existing surface drainage systems, promote interconnected greenways, provide commonly owned open space and conservation areas, and protect such areas in perpetuity.

Planner Benson recalled that, on March 4, 2014, the City Council determined that a Master Plan would be required for rezoning the property. Project details of the Master Plan were explained. The proposed Master Plan shows 25% of the property as interconnected conservation areas and open space distributed throughout the development and abutting the residential areas. Those open spaces will serve as a buffer between proposed residences and existing residences on the east and south of the property. Conservation easements will be established for all conservation areas and will be

maintained according to a conservation area management plan that is required during the subdivision process.

Mr. Benson emphasized that there will be pedestrian access from Quarry Estates into Ada Hayden Heritage Park near the middle of the site in question at the west end of the shared property boundary just west of the upland pond within the Park. This will provide a connection to the existing Upland Trail within the Park.

Council Member Gartin asked if there would be a visual buffer, perhaps higher shrubs or trees, between the houses and the Upland Trail of Ada Hayden that would offer additional protection of the Trail area. He said that he would take note of Mr. Gartin's request; however, those details would be worked out as part of the platting. A Landscaping Plan and Conservation Plan will be required, and staff could be specific as to what should be planted in that area. Planner Benson noted that it was important to the owners that the view of Ada Hayden Heritage Park not be blocked. Mr. Benson said that it might be possible for the City to require some buffering between the Trail and the houses between the common property of the Homeowners' Association. Director Diekmann added, however, that there would not be a way to screen houses per se, other than planting very large trees, in this type of environment.

At the inquiry of Council Member Betcher pertaining to the delineation of the northern boundary of Ada Hayden, Director Diekmann advised that it had been determined by the Parks and Recreation Department that no type of perimeter fencing was appropriate along the Ada Hayden boundary. Instead, an open planted buffer area with decorative boundary markers was preferred. Ms. Betcher also asked if the markers would be maintained by the Quarry Estates Homeowners' Association or be considered City property. Planner Benson said that the Parks and Recreation Department had been working on this independent of this development; however, no decision had been made, to his knowledge, about whose responsibility it would be to maintain them. Mr. Diekmann added that those details would come back to the Council at the time of subdivision.

Planner Benson stated that the Master Plan had identified developable and undeveloped areas, range of uses and residential unit types consistent with the proposed FS-RL and FS-RM zoning district. Staff had concluded that the infrastructure under construction will be adequate to serve the project as well as that the proposed rezoning of the subject property is consistent with the Goals and Objectives and Future Land Use Map of the City's Land Use Policy Plan as long as the following conditions are met:

1. Central transportation corridor on an east-west alignment through the site provides facilities for motor vehicles, pedestrians, and bicycles.
2. Developer is responsible for frontage and intersection access improvements at the time of subdivision.
3. A single pedestrian access be provided from Quarry Estates into Ada Hayden Heritage Park at the location shown on the Master Plan.
4. A 30-foot-wide buffer of undevelopable open space be established between the developed lots of quarry Estates and Ada Hayden Heritage Park.

Discussion ensued over the concerns of the use of phosphorous in the residential developments and ways to restrict it. According to Assistant City Manager Bob Kindred, the City could request the

Homeowners Association to include phosphorous use restrictions in its by-laws. Council Member Goodman expressed a strong desire for the City to monitor the level of phosphorous and other chemicals in Ada Hayden and the bio-swales, and depending on those results, adjust the Conservation Subdivision requirements to further protect Ada Hayden. City Manager Schainker reported that restrictions on the use of phosphorous were already included in the Pre-Annexation Agreement previously approved for Quarry Estates.

Developer Kurt Friedrich, 100 Sixth Street, Ames, said it is their desire to start some grading of the site this year. They hope that lots will be available by this time next year.

Addressing concerns expressed by Council Member Gartin, Mr. Friedrich stated that the project, in no way, will change the lay-out of the Upland Trail.

Mr. Friedrich showed the Council a Concept Plan of the site in question. He emphasized that it is not part of the approval at this meeting, but he wanted the Council to have a preview of the lay-out of the lots.

An article pertaining to Conservation Communities, written by Hubbell Realty development consultant Joe Petrizynski, was read by Mr. Friedrich. According to Mr. Friedrich, there are currently six conservation communities in the Metro, the most-recent in Waukee. He read the article to point out the benefits of Conservation Subdivisions.

Scott Williams, FOX Engineering, highlighted the various studies that had been completed in accordance with the City's Conservation Subdivision Ordinance and in advance of the City's first conservation subdivision. He also summarized the findings of those studies.

The Council was informed by Director Diekmann that staff had not yet finished preparing the Zoning Agreement. However, to expedite the various steps needed to develop the property in question, staff recommended that the City Council approve the rezoning on first reading. The signed Zoning Agreement would be brought back for Council approval prior to the third reading of the Rezoning Ordinance.

Mayor Campbell opened the public hearing. After no one came forward to speak, the Mayor closed the hearing.

Moved by Nelson, seconded by Gartin, to pass on first reading an ordinance rezoning Quarry Estates Subdivision from Agricultural (A) to Floating Suburban Residential Low-Density (FS-RL) and Floating Suburban Residential Medium-Density (FS-RM) with the proposed Master Plan, subject to the following conditions:

1. Central transportation corridor on an east-west alignment through the site provides facilities for motor vehicles, pedestrians, and bicycles.
2. Developer is responsible for frontage and intersection access improvements at the time of subdivision.
3. A single pedestrian access be provided from Quarry Estates into Ada Hayden Heritage Park at the location shown on the Master Plan.
4. A 30-foot-wide buffer of undevelopable open space be established between the developed lots of Quarry Estates and Ada Hayden Heritage Park.

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

HEARING ON AMENDMENTS TO FLOOD PLAIN ZONING REGULATIONS CONTAINED IN *MUNICIPAL CODE CHAPTER 9*: City Planner Charlie Kuester reported that, since the City participates in the National Flood Insurance Program (NFIP), property owners in the City are eligible to purchase flood insurance to protect their structures and contents. To participate in the NFIP, the City is obligated to regulate development so as to reduce the risks of loss of life, personal injury, and property damage. To accomplish those goals, the City Council adopted an ordinance that regulates development in the flood plain and maps that identify the flood plain for waterways throughout the City. Part of that Ordinance adopts by reference the Flood Insurance Rate maps (FIRMs) prepared by the Federal Emergency Management Agency (FEMA).

Mr. Kuester further explained that the current Flood Insurance Study and FIRMs were completed and adopted in 2008. A new study and maps have been prepared for a portion of the community and are slated to become effective on October 16, 2014. The City must adopt those maps by that date in order to remain in compliance with the NFIP. Those maps affect the area around College Creek and Worle Creek (and two tributaries) in West and South Ames, respectively.

Mr. Kuester stated that in April 2011, City staff met with representatives of the Iowa Department of Natural Resources (IDNR) and FEMA to discuss a scope of services that would allow for remapping of flood plains in Ames. The mapping study required a 25% match, which the IDNR indicated it would provide. The two watersheds were selected as the study area due to identified problems with the current mapping of the flood area and because of the limited available funding for studies. The more accurate maps will help the community plan for and better regulate development activities in the flood plain. They will also help affected homeowners and businesses to obtain the proper level of flood insurance coverage at the best price.

The amendments were summarized by Planner Kuester as follows: [1] An amendment to Section 9.2(2) adopts the new FIRMs; [2] An amendment to Section 9.5(2)c removes the reference to National Geodetic Vertical Datum 1929 (NGVD 29); [3] An amendment to Section 9.7 references the new definition of “development” (rather than repeating it) found in Section 9.11, deletes another reference to NGVD 29, and authorizes the establishment of a fee for the issuance of flood plain development permits, which became effective on July 1, 2014; [4] Amendments to Section 9.11 establish new definitions for “development,” “minor project,” and “routine maintenance of existing building and facilities.”

The public hearing was opened by the Mayor.

Michael Petersen, 3302 Morningside Street, Ames, stated that his home is located in Southwest Ames along College Creek. Mr. Petersen requested that the City Council ask the engineers and those who revised the flood plain zoning regulations if the new amendments have any influence on where Breckenridge can place buildings near the flood plain and floodway fringe on the Middle and South Parcels of the Old Middle School property, specifically in relation to the new regulations effective October 16, 2014. Mr. Petersen asked how the new amendments will protect residences from 100-year floods, especially those who live next to College Creek on Morningside Street.

Marilyn Clem, 3306 Morningside, Ames, said she owns the property at 3310 Morningside. She told the Council about the damages to her home from flooding over the past years, most recently from the 2010 flood. Currently, she pays approximately \$2,100/year in flood insurance. In 2010, she met with FEMA officials on different occasions, however, she never received “even a dime” from FEMA. She is hopeful that the new Ordinance will be adopted; perhaps it will lower her flood insurance premiums.

The hearing was closed by Mayor Campbell.

Moved by Nelson, seconded by Orazem, to pass on first reading an ordinance making amendments to the Flood Plain Zoning regulations contained in *Municipal Code* Chapter 9.

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

HEARING ON CITY HALL RENOVATION PROJECT - PHASE 2: Doug Houghton, Police Support Services Manager, explained that this project will improve the basement in City Hall and complete the Police Department renovations on the first floor; thereby better utilizing the existing space. It will include moving the Information Technology Division staff to City Hall prior to the expiration of its current office lease in September 2015. Construction is expected to last from October 1, 2014, to July 31, 2015. During that time, staff will relocate to other spaces in City Hall, at the Public Works Maintenance Facility, and in the Fifth Street location after the Information Technology Division moves into the renovated basement.

Mr. Houghton summarized the bids received on August 27, 2014. Staff and the consulting architectural firm Walker Coen Lorentzen Architects concluded that the apparent low bid submitted by HPC, LLC, of Ames was the lowest responsive responsible bid. All other cost components of the project are expected to be within the budgeted amounts, and with the construction portion under budget, the project can proceed within the currently approved budget. The project includes an add alternate to replace the carpet in the public corridors on the remainder of the first floor.

Mayor Campbell opened the public hearing.

Harold Pike, owner of HPC, LLC, stated that his company will do a good job for the City. Mr. Houghton pointed out that HPC had done the most-recent renovations in the Police Department and had been the contractor when the former Middle School was converted to the City Hall.

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 14-487 approving final plans and specifications and awarding a contract to HPC, LLC, of Ames, Iowa, in the amount of \$820,000 for the base bid and \$9,900 for Alternative #1.

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

HEARING ON WPC DIGESTER IMPROVEMENTS PROJECT: The hearing was opened by Mayor Campbell. After no one came forward to speak, the hearing was closed.

Moved by Goodman, seconded by Corrieri, to adopt RESOLUTION NO. 14-488 approving final plans and specifications and awarding a contract to Ericksen Construction Company, Inc., of Blair, Nebraska, in the amount of \$1,615,750.

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

HEARING ON GT2 CONTROL ROOM AND SHOP PREACTION SPRINKLER SYSTEM AND FIRE ALARM UPGRADE: The Mayor opened the public hearing and closed same after there was no one who wished to speak.

Moved by Nelson, seconded by Betcher, to adopt RESOLUTION NO. 14-489 approving final plans and specifications and awarding a contract to Summit Fire Protection of Urbandale, Iowa, in the amount of \$48,418.

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

HEARING ON 2014/15 RIGHT-OF-WAY RESTORATION PROGRAM (CONTRACT #1):

Public Works John Joiner advised that the intention was to let two contracts under the 2014/15 CIP program. The first contract was for restoration of projects that are currently under construction. A second contract was to be brought to the City Council in Spring 2015 for the remaining projects that are included in the CIP for this year. However, no bids were received. Since there were no bidders on this work, all of the projects currently under construction will be temporarily stabilized with green hydro-mulch to prevent erosion and provide sediment control until permanent stabilization is completed next spring. Staff will notify abutting property owners of the City's revised time line for the restoration work.

Council Member Goodman noted that some of the projects were from 2010/11. He also pointed out that the project was not bid until September. Mr. Joiner advised that the funds for this project were not available until July 1, 2014. Mr. Goodman suggested that the project be bid in March in hopes that contractors could do the work in the spring.

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

Moved by Corrieri, seconded by Goodman, to accept the report of no bids.

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

Moved by Corrieri, seconded by Goodman, to direct staff to evaluate alternatives for accomplishing permanent turf restoration for the planned project areas.

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

PRELIMINARY PLAT FOR RODEN SUBDIVISION: Planning Director Diekmann advised that this site was previously approved with an eight industrial lot Preliminary Plat on September 28, 2004. The Preliminary Plat was valid for one year from the date of City Council approval. It has since expired since a Final Plat was not submitted within one year of approval.

According to Mr. Diekmann, along with the Preliminary Plat, the applicant has requested that the City Council waive subdivision sidewalk improvements along the project frontage of Freel Drive and Southeast 5th Street. Rather than waiving the requirement for sidewalks, City staff suggested that installation be deferred.

Council Member Goodman said that he would not be voting in favor of approving the Subdivision because he is opposed to deferring the installation of sidewalks.

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 14-490 approving the Preliminary Plat for Roden Subdivision, with the following conditions:

1. That the developer construct and dedicate all public improvements within the development to City of Ames Urban Standards, as required, including: dedication of public right-of-way, street paving, curb, gutter, sidewalks, street lights, water main, sanitary sewer main, and storm sewer improvements prior to approval of the Final Plat, or execute an Improvement Agreement to

guarantee the completion of all public improvements and provide security in the form of an Improvement Guarantee, as set forth in Section 23.409 of the *Municipal Code*.

2. That the development secure a Flood Plain Development Permit prior to any construction activities on the site.
3. That installation of sidewalks within the right-of-way of Freel Drive and Southeast 5th Street be deferred. A Deferment Agreement will be required prior to Final Plat approval to ensure the ultimate installation of sidewalks. The Agreement will require submittal of cash in escrow, a Letter of Credit, or another form of acceptable financial security for installation of the sidewalks.
4. That the accessory structure presently located in the side yard on proposed Lot 4 be moved outside the minimum required 12-foot side yard setback west of the existing building and be removed from the site or located outside all required building setbacks on the site for accessory structures.
5. That the building outline and reference to the “Existing Building (to be removed)” on proposed Lot 7 be removed from the Preliminary Plat.

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

Council Member Orazem reported that the City of Huxley allows the requirement for sidewalks to be waived in locations where the sidewalks would “lead to nowhere.” In lieu of installing the sidewalks at that location, the developer is required to install a sidewalk elsewhere in the City where there is a gap. Mr. Orazem noted that he had raised this possibility in the past, but it was not supported by the remainder of the Council. Council Member Goodman said that he would support any innovative way to improve pedestrian access throughout the City. Director Diekmann advised that staff would address that as part of the review of the City’s Right-of-Way Ordinance.

PARKING REVISIONS ON NORTH 2ND STREET: Public Works Director Joiner recalled that the City Council had referred a letter from Wandling Engineering, 923 North 2nd Street, requesting that the Council approve the removal of the 90-minute parking regulation in front of its business. The Ordinance establishing that regulation had been enacted in 1962 and was intended to facilitate a shared parking relationship between Wandling Engineering and its neighbor Ellen’s Ceramics. Since that time, Ellen’s Ceramics has closed and the building has been removed. There have also been significant changes to the availability of off-street parking by the creation of new private parking lots. For those reasons, staff believes that the conditions warranting the 90-minute parking prohibition appear to no longer exist. Due to the fact that no other business is affected by this parking regulation, it seems appropriate to staff to remove the restriction.

Moved by Goodman, seconded by Nelson, to direct the City Attorney to draft an ordinance to remove the 90-minute parking prohibition on North 2nd Street.

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

2013 CARBON FOOTPRINT REPORT: Management Analyst Brian Phillips told the Council that the City had achieved its carbon reduction goal in the Building Sector in 2013. He noted that, due

to its renovation, the Library had been removed from the analysis and the baseline. The remaining facilities are evaluated on electrical and natural gas consumption.

For the Building Sector, Mr. Phillips reported that:

1. Adjusted natural gas consumption is down 29.2% in 2013, which is a substantial reduction in percentage. However, because natural gas is much less carbon-intensive than electricity, the decrease equates to only a small reduction in the City's overall carbon footprint.
2. Adjusted electrical consumption is down 21.9% in 2013. This is the first year that the Building Sector has achieved a carbon reduction greater than 15%.

For the Fleet Sector, it was stated by Mr. Phillips that the total non-CyRide Fleet emissions was down 11.7% this year to 1,481 tons of CO₂. The non-CyRide Fleet is 13.1% more efficient than its baseline. Total CyRide emissions are up 25.8% this year, which drops CyRide's efficiency to 4.9% worse than its baseline. Mr. Phillips noted that CyRide's ridership was 6,261,819 in 2013, or 50% greater than its baseline average.

According to Mr. Phillips, the Streetlight Sector is up 369 tons of CO₂, or 9.7% compared to the baseline.

Mr. Phillips reported that the CO₂ emissions attributed to City operations declined 0.7% due to substantial reductions in the Building Sector and emissions remained relatively flat in the Fleet and Streetlight Sectors.

It was noted that 2014 is the last opportunity to meet the goal of reducing the City's carbon footprint by 15%. A final report will be given, and the City Council may wish to consider whether a new goal should be set or if no further reporting should be provided.

BANNER POLICY: Assistant City Manager Melissa Mundt advised that, recently, the Main Street Cultural District (MSCD) has been using the Downtown bollards to advertise District events, even though that currently is not allowed by the Banner Policy. According to Ms. Mundt, the City Engineering staff has reviewed the proposed changes and provided restrictions to allow for proper visibility for both pedestrians and drivers if the bollards are to be used for placement of banners. Engineering staff recommended restricting the height to no more than 36 inches off the ground to keep the visibility triangle clear at the intersections. Staff discussed the proposed Banner Policy revisions with MSCD and incorporated its feedback into the policy revisions. Specifically, the MSCD requested that bollard use be restricted to MSCD activities only and that they would have approval of the banners prior to the City issuing a permit.

Heather Johnson, Octagon Center for the Arts, stated that it had used the bollards last year to promote its Art Festival and the Festival of Trees. She noted that the City currently has no policies regulating the use of the bollards for advertising events. The Octagon has made a request to use the bollards along Main Street for installation of banners to advertise the Octagon Arts Festival.

City Manager Schainker told the Council that, if it did not want to see the bollards restricted to activities occurring in the District, Council could direct that the bollard language be created that is similar to the overhead banner restrictions, which is written broader to allow for advertising or announcing particular civil, political, religious, fraternal, or other non-profit activities and not limit it to the District.

Council Member Goodman suggested that the bollards only be used to advertise special events.

Moved by Goodman, seconded by Corrieri, to modify the Banner Policy to limit the use of the bollard signage system to apply to special events in the MSCD where a Special Event Permit is issued.

Council Member Gartin expressed his opinion that the bollards should be left out of the Banner Policies.

Management Analyst Phillips noted that there actually is no Special Event Permit issued; reviewing of Special Events is its own process.

Moved by Goodman, seconded by Corrieri, to amend the motion to delete “where a Special Event Permit is issued” and add the maximum display time to 14 days.

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

Ms. Mundt explained that this policy would govern two bollards at Douglas and Main, two at Burnett at Main, and two at Kellogg and Main.

Council Member Betcher asked if there could be conflicting events. Ms. Johnson advised that the use of the bollards actually allows for multiple events to be advertised.

Council Member Gartin asked how long these banners would be left displayed. Ms. Mundt explained that the Council could restrict the number of days that it would allow the banners on the bollards.

Vote on Motion, as amended: 5-1. Voting aye: Betcher, Corrieri, Goodman, Nelson, Orazem. Voting nay: Gartin. Motion declared carried.

SPECIAL EVENT NOTIFICATION: Management Analyst Phillips reminded the Council that, at its August 12, 2014, the Council requested options to modify the process for street closures during special events to ensure that affected property owners and business owners are notified of the closure. Mr. Phillips advised that the City received 29 applications for events involving the closure of streets or City parking lots. Applicants are often informally asked by the staff at Special Events Review Committee meeting about their plans to notify the affected neighbors prior to events. The applicant is not asked to provide information about the notification process proposed.

According to Mr. Phillips, complaints to the City regarding special events are rare. When received, City staff forwards the complaint to the organizers and keeps the complaint on file for planning future events. In 2013, no complaints were recorded. In 2014, two complaints were recorded for Hope Run, two were recorded for MSCD Country Night, and one complaint was received for the Ames 150 Celebration.

Mr. Phillips defined methods to confirm notification, which included: (1) written notification plan submitted to the City prior to approval of the event; (2) gather signatures from affected parties, (3) mail notification to affected parties, and (4) post temporary signage (sandwich boards, signs staked in the right-of-way, electronic sign boards) throughout the affected area.

Council Member Gartin noted that he had been the one to refer this to staff for review and report

back to the City Council. After seeing the number of complaints over the past two years, he felt that perhaps nothing further needed to be done. Council Member Goodman disagreed, stating that he felt that there needed to be a notification requirement in the commercial districts.

Discussion ensued as to the best method to accomplish assurance of notification of the affected business owners. Mr. Phillips said that, the number of people to be notified would depend on the event; it could be a few or it could be thousands in the case of a road race. The notification process could be very cost-prohibitive for many, including non-profit agencies. He felt it would be necessary for the City to allow a variety of notification methods to be used. According to Mr. Phillips, the Special Events application form had been revised to ask specifically about notification of affected residents/businesses.

Council Member Corrieri asked if the City would require approval of the street closure by 100% of those affected. Mr. Phillips responded that, if that were the case, there would be no special events.

Moved by Gartin, seconded by Betcher, to direct that event organizers provide a written notification plan to the City prior to event approval.

City Manager Schainker clarified that staff would not verify that written notification had actually been done. The burden would be on the applicant to propose the appropriate method to notify the affected parties of the closure.

Vote on Motion: 4-2. Voting aye: Betcher, Gartin, Nelson, Orazem. Voting nay: Corrieri, Goodman. Motion declared carried.

YOUTH MASTER PLAN: Management Analyst Brian Phillips recalled that, at the City Council Goal-Setting Session in January 2014, the Council had tasked staff with providing an overview summarizing the definition of a Youth Master Plan. Staff had provided a memo to Council on this topic on August 15, 2014, and Council had subsequently requested that it be placed on a future agenda for discussion. It was noted by Mr. Phillips that, in some communities, the need is not necessarily to develop a comprehensive Youth Master Plan, but rather to address individual issues that affect youth. He stated that, according to the National League of Cities, over 30 communities in the U. S. have created Youth Master Plans. The Plans recognize that many stakeholders are involved in the development and well-being of young people.

Mr. Phillips asked the Council to define some of the basic problems that it would like addressed by the creation of the Youth Master Plan. Mayor Campbell pointed out that there are many organizations in existence in Ames to provide youth services that are not available in other communities.

Council Member Goodman believes the City should guide City funding in the context of what works. He believes that Youth and Shelter Services (YSS) is the most-robust youth organization and would be the most-affected by the creation of a Youth Master Plan. Council Member Orazem disagreed, stating that the Ames Community School District would be the biggest stakeholder. Council Member Goodman said that he does not know of any other organization who works with more troubled youth than YSS does. Mr. Orazem noted that this is about all youth, not just troubled youth. Council Members Betcher and Corrieri stated their opinions that the City could not do this without the Ames School District and perhaps they would partner with the City.

Council Member Goodman provided an example of a Youth Master Plan created in Providence,

Rhode Island. He stated his belief that funds should not just be given to an organization for the services that it offers. Funding should be allocated based on data-driven results on what is needed and then request the agency to provide the needed services and fund those services. Mr. Goodman said that he wants to leverage City funding depending on the things that work. Mayor Campbell noted that the City Council will have a Joint Meeting with the Ames Community School District on September 16; this issue could be raised during that Meeting.

Council Member Gartin suggested that the City take on one specific aspect, rather than taking on a comprehensive review. It was noted by several members that larger metropolitan cities have many more problems and a greater need for a Youth Master Plan than the City of Ames. Council Member Orazem recommended that the City start with the group who represents the most youth.

ORDINANCE PERTAINING TO PARKING REGULATIONS ON NEW STREETS AND CORRECTIONS AT VARIOUS LOCATIONS: Moved by Goodman, seconded by Corrieri, to pass on second reading an ordinance pertaining to parking regulations on new streets and corrections at various locations.

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

ORDINANCE DESIGNATING PARKING RESTRICTIONS AND LOADING ZONE ON ASPEN ROAD: Moved by Betcher, seconded by Corrieri, to pass on second reading an ordinance designating parking restrictions and loading zone on Aspen Road.

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

REZONING 205 SOUTH WILMOTH AVENUE: Moved by Betcher, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4193 rezoning 205 South Wilmoth Avenue from Special Government/Airport (S-GA) to Residential Low Density (RL).

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 Goodman, to direct staff to place on the September 23, 2014, Council Agenda a discussion of rezoning the parcel at 601 State Avenue to Residential Low-Density.

Ms. Betcher explained that the City has to rezone the parcel, and she would like to move forward. It was left in some sort of “limbo” when the hearing was held, and she would like to open up discussion on rezoning the parcel to Residential Low-Density. There is a very strong indication that a Super Majority (5 votes) will not be received to approve the rezoning to FS-RL.

Assistant City Attorney Jessica Spoden explained City Attorney Judy Park’s opinion that the applicant’s request to rezone the parcel to FS-RL “is still alive;” it has not been denied. It will most likely come back with additional information. She stated that the motion to approve the rezoning to FS-RL had failed by a vote of 4-2. A valid protest had been filed, which necessitated that a super majority vote (or five votes) would be required to approve rezoning the land to anything except RL. In addition, an application for rezoning to RL has not currently been submitted. At the inquiry of Council Member Orazem, City Manager Schainker replied that the City could initiate an application for rezoning it to RL.

Council Member Gartin asked if the motion fails, does the Council then need to make a motion to deny. Ms. Spoden replied in the affirmative.

Council Member Goodman stated that he disagreed with the interpretation that the request to rezone to FS-RL had not been denied. He has never seen that interpretation when a motion has failed. Director Diekmann referred to the terms contained in the Zoning Code that state the application has to be approved or denied. The motion to approve was 4-2; there was a majority in favor to rezone, but not a super majority, which was required due to the filing of a valid formal petition.

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

Moved by Orazem, seconded by Gartin, to refer to staff the letter dated September 5, 2014, from Chuck Winkleblack requesting that the City annex two properties in Northwest Ames, specifically 3599 and 3601 G. W. Carver.

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

Moved by Orazem, seconded by Gartin, to refer to staff the letter dated September 5, 2014, from Chuck Winkleblack requesting that a public utility easement be vacated between Lots 8 and 13 on Wakefield Circle be vacated.

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

Moved by Goodman, seconded by Corrieri, to refer to staff for a memo the letter dated August 27, 2014, from Kurt Friedrich requesting a change to the Land Use Policy Plan Map for the property known as Eastgate Subdivision.

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

Moved by Goodman, seconded by Corrieri, to refer to staff the email dated September 2, 2014, from Jim Rock requesting a revision to the City's tree licensing requirements.

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

Ex officio Member Villa referenced the letter dated September 4, 2014, that she had sent to the Mayor and Council concerning the Student Affairs Commission. She requested that staff be directed to prepare a 28E Agreement between the City and the Government of the Student Body (GSB) to address issues related to the Student Affairs Commission. Mayor Campbell noted that it had been nearly impossible for her to fill the vacant positions on the Student Affairs Commission. It was pointed out by Council Member Goodman that the Student Affairs Commission had been created by Ordinance.

Moved by Betcher, seconded by Goodman, to refer to staff the request of Lissandra Villa, *ex officio* Member, for staff to prepare a 28E Agreement between the City and the GSB pertaining to the Student Affairs Commission.

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

ADJOURNMENT: Moved by Corrieri to adjourn the meeting at 10:21 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

