

## MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

APRIL 24, 2018

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on April 24, 2018, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Gloria Betcher, Bronwyn Beatty-Hansen, Tim Gartin, David Martin, and Chris Nelson. *Ex officio* Member Rob Bingham was also present.

Mayor Haila announced that Council would be working off of an amended agenda. Consent Item No. 38, a Resolution approving Change Order No. 2 with TEI Construction Services, Inc., of Duncan, South Carolina, for Boiler Maintenance Services in the amount of \$125,000 was added.

**PROCLAMATION FOR “MONTH OF THE YOUNG CHILD:”** Mayor Haila proclaimed April as “Month of the Young Child.” Those accepting the Proclamation were Elizabeth Miner, Director of ACPC, and niece Coraline, teacher Christy Dunn and son Gunther.

**PROCLAMATION FOR “ARBOR DAY:”** Mayor Haila proclaimed April 27, 2018, as “Arbor Day”. John Jacobson, Dave and Diane Brotherson, and Bill LaGrange, accepted the Proclamation. Mr. Jacobson stated that they were a part of Trees Forever and will be helping plant the trees at Stuart Smith Park on April 27. Due to help through Ames SmartEnergy and Ames SmartWater, \$50 vouchers are available to anyone that would like to plant a tree on their property in the City of Ames.

**PROCLAMATION FOR “BIKE MONTH AND BIKE TO WORK WEEK 2018:”** The week of May 14 - 20, 2018, and the month of May were proclaimed by the Mayor as “Bike to Work Week 2018” and “Bike Month 2018,” respectively. Mayor Haila announced that Saturday, May 12, will be the Mayor and Council Bike Ride from City Hall and to Ada Hayden Park. Accepting the Proclamation on behalf of the Ames Bicycle Coalition were Jacob Nolte, Carol Williams, Wayne Rohret, and Sarah Cady.

**PROCLAMATION FOR “NATIONAL PRESERVATION MONTH:”** May 2018 was proclaimed as “National Preservation Month” by Mayor Haila. Kim Hanna, Chair of the Historic Preservation Commission, accepted the Proclamation on behalf of the Historic Preservation Commission.

**PRESENTATION OF THE AMES HUMAN RELATIONS COMMISSION “A HOME FOR EVERYONE” AWARD:** Joel Hochstein joined by Heidi Thompson of the Ames Human Relations Commission presented “A Home for Everyone” Award to Carrie Moser. The Award recognizes those persons who demonstrate, by their deeds, an exemplary commitment to provide safe and equitable housing opportunities to disadvantaged persons. According to Mr. Hochstein, because of the exemplary commitment and actions by Ms. Moser, Executive Director of Emergency Residence Project in Ames, she was nominated for this award. In the last two years, Ms. Moser has modernized activities and sought new sources of income to improve the quality of services and the number of people served. She has worked to secure funding opportunities for other shelters in the region. She has engaged in increased grant applications and fund-raising opportunities and educated citizens on

what the Emergency Residence Project offers for services and worked on the physical upgrade to the facilities. Ms. Moser stated that she embraces the philosophy that everyone deserves a safe place to call home.

**PRESENTATION OF MAIN STREET IOWA AWARD:** Eric Abrams President of the Main Street Cultural District Board, stated they will soon be known as Downtown Ames. Mr. Abrams stated that there is an excellent partnership between the City and the private sector to make the Downtown area work. The City has invested about \$50,000 per year in facade improvements since 2009. He presented the Main Street Iowa Award to the City of Ames in recognition of achieving the milestone of \$10 million of private investment in the District since 2009. Mayor Haila accepted the Award on behalf of the City.

**CONSENT AGENDA:** *Ex officio* Member Bingham pulled Consent Item No. 14, Request from ISU Homecoming Central Committee for Homecoming Parade; and Mayor Haila pulled Consent Item No. 39, Approval of Plat of Survey for 202 and 212 Lincoln Way and 111 South Sherman Avenue, for separate discussion.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of April 10, 2018
3. Motion approving Report of Contract Change Orders for April 1-15, 2018
4. Motion approving new Class C Liquor License for Safari Cuisine, 217 S. Duff Avenue
5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Class C Liquor, Catering, & Outdoor Service – Cyclone Experience Network, Hilton Coliseum
  - b. Class C Liquor, Catering, & Outdoor Service – Perfect Games, 1320 Dickinson Avenue
  - c. Special Class C Liquor & B Native Wine – Szechuan House, 3605 Lincoln Way
  - d. Class C Liquor & Outdoor Service – Provisions Lot F, 2400 N. Loop Drive
  - e. Class C Beer – Swift Stop #2, 3406 Lincoln Way
  - f. Special Class C Liquor – Great Plains Sauce & Dough, 129 Main Street
6. Motion approving application for participation in Department of Justice Office of Justice Programs Bulletproof Vest Partnership Program
7. Requests from Ames Patriotic Council for Memorial Day Parade on Monday, May 28:
  - a. Motion approving blanket Temporary Obstruction Permit for closed area
  - b. RESOLUTION NO. 18-204 approving closure of Pearle Avenue and 5<sup>th</sup> Street from east of Pearle Avenue through Clark Avenue intersection from 9:00 a.m. to 11:00 a.m. for parade line-up
  - c. RESOLUTION NO. 18-205 approving temporary closure of Clark Avenue from 5<sup>th</sup> Street to 9<sup>th</sup> Street from 10:30 a.m. to 11:00 a.m. for movement of parade
  - d. RESOLUTION NO. 18-206 approving temporary closure of 9<sup>th</sup> Street between Clark Avenue and Maxwell Avenue from 10:45 a.m. to 11:00 a.m. for movement of the parade
  - e. RESOLUTION NO. 18-207 approving temporary closure of 6<sup>th</sup> Street at Clark Avenue and Duff Avenue at 9<sup>th</sup> Street, as parade moves through those intersections
8. RESOLUTION NO. 18-210 approving Quarterly Investment Report for period ending March 31,

2018

9. RESOLUTION NO. 18-211 confirming appointment of Jacob Schrader and Juan Bibiloni to serve as Iowa State University Student Government representatives to Ames Transit Agency Board of Trustees
10. RESOLUTION NO. 18-212 approving Intergovernmental Agreement for Combined Law Enforcement Investigations of Controlled Substances
11. RESOLUTION NO. 18-213 approving Intergovernmental Agreement for Combined Law Enforcement Operations
12. RESOLUTION NO. 18-214 approving Professional Services Agreement with HDR Engineering, Inc., of Omaha, Nebraska, in the amount of \$261,411 to perform Water Pollution Control Facility Nutrient Reduction Feasibility Study
13. RESOLUTION NO. 18-215 approving renewal of health insurance Administrative Services Agreement with Wellmark
14. RESOLUTION NO. 18-216 approving renewal of Administrative Services Agreement with Delta Dental of Iowa
15. RESOLUTION NO. 18-217 approving Encroachment Permit for sidewalk café patio at 502 Burnett Avenue
16. RESOLUTION NO. 18-218 approving Encroachment Permit for monitoring wells 903 N. 2<sup>nd</sup> Street
17. RESOLUTION NO. 18-219 approving borrowing \$5,000 from the City-wide Affordable Housing Fund for the purchase of 3305 Morningside Street in connection with 2017/18 CDBG Program
18. RESOLUTION NO. 18-220 approving preliminary plans and specifications for Structural Repairs Project Phase II at the Water Pollution Control Facility; setting May 23, 2018, as the bid due date and June 12, 2018, as date of public hearing
19. RESOLUTION NO. 18-221 approving change in bid due date for Continuous Emissions Monitoring System from April 26, 2018, to May 3, 2018
20. RESOLUTION NO. 18-222 waiving Purchasing Policies and Procedures and awarding a contract to Keltec, Inc., for the purchase of Panasonic Toughbook CF33s in-car computers for the Police Department in the amount of \$67,646.55
21. RESOLUTION NO. 18-223 awarding contract for purchase of one tractor with loader, box blade, and accessories for Parks and Recreation Department
22. RESOLUTION NO. 18-224 renewing contract for FY 2018/19 purchase of Pebble Lime for Water Treatment Plant with Graymont Western Lime, Inc., of West Bend, Wisconsin, in the amount of \$160 per ton
23. RESOLUTION NO. 18-225 renewing contract for 2018/19 Concrete Crushing with Reilly Construction Company of Ossian, Iowa, in the amount of \$51,000
24. RESOLUTION NO. 18-226 approving contract and bond for 2017/18 Asphalt Street Pavement Improvements Program
25. RESOLUTION NO. 18-227 approving contract and bond for Electrical Materials for Top-O-Hollow Substation (Bid Nos. 1, 2, and 3)
26. RESOLUTION NO. 18-228 approving contract and bond for 2017/18 Arterial Street Pavement Improvements (13<sup>th</sup> Street - Ridgewood Avenue to Harding Avenue)
27. RESOLUTION NO. 18-229 approving contract and bond for Power Plant Window Replacement
28. RESOLUTION NO. 18-230 approving contract and bond for North River Valley Park Low Head Dam Improvements
29. RESOLUTION NO. 18-231 approving contract and bond for 2017/18 CDBG Public Facilities

Neighborhood Infrastructure Improvements Program (Tripp Street Extension - South Wilmoth Avenue to State Avenue)

30. RESOLUTION NO. 18-232 approving contract and bond for Water and Pollution Control Lime and Ash Pond Fencing
  31. RESOLUTION NO. 18-233 approving contract and bond for CyRide Bus Lifts Replacement Project
  32. RESOLUTION NO.18-245 approving Change Order No. 2 with TEI Construction Services, Inc., of Duncan, South Carolina, for Boiler Maintenance Services in the amount of \$125,000
- Roll Call Vote: 6-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**REQUEST FOR IOWA STATE UNIVERSITY HOMECOMING:** *Ex officio* Member Bingham pulled Consent Item No. 14 so a student could speak about the upcoming Homecoming events. Jenny Long, 2118 Sunset Drive, Ames, stated that the ISU Homecoming parade would be October 21. She addressed the concern of working with the Fire Department to create an emergency action plan. There is hope for more representation from local businesses. There is also a proposal to put in a handicapped port-a-potty to be more accessible for all citizens. Council Member Betcher asked how the City would have a more prominent exposure in the parade. Ms. Long replied that emails and advertisement on FaceBook will go out.

Moved by Nelson, seconded by Corrieri, to approve the following Motions/Resolutions pertaining to the Iowa State University Homecoming.

- a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License for event activities
- b. RESOLUTION NO. 18-208 approving closure and suspension of parking regulations on portions of Pearle Avenue, Fifth Street, Main Street, Clark Avenue, Burnett Avenue, Kellogg Avenue, Douglas Avenue, Depot Lot TT, City Hall Parking Lot M, and City Hall Parking Lot MM from 12:00 p.m. and 4:00 p.m.
- c. RESOLUTION NO. 18-209 approving usage and waiver of electrical fees and waiver of fee for blanket Vending License for event

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

**PLAT OF SURVEY FOR 202 AND 212 LINCOLN WAY AND 111 SOUTH SHERMAN AVENUE:** Mayor Haila requested Consent Item No. 39 be pulled for separate discussion due to his inquiry on the fact that there is a moratorium in place on that area pending future action by Council, the car wash may not be an acceptable use. Therefore he asked if it was necessary to have the car wash on the attachment. Director Diekmann stated that there is not a requirement for a title or heading to be with it. A project does not have to be identified by the use. Council would instruct staff when preparing the official plat to remove any reference to use with the Plat of Survey. The surveyor can make the correction very easily.

Moved by Nelson, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 18-234 approving the Plat of Survey for 202 and 212 Lincoln Way and 111 South Sherman and the removal of any

reference to the use for the official Plat of Survey.

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

**PUBLIC FORUM:** Public Forum was opened.

Alex Yakobson, 3334 Southdale, Ames, stated that he feels some people have experienced issues in the school system and housing. He was concerned with the bus transportation because he was unable to locate his child for two hours and was not assisted in finding out what had happened with his child. Mr. Yakobson also does not feel there is proper communication in the City and that First Amendment rights are very important.

Richard Deyo, 505 - 8<sup>th</sup> Street, #2, Ames, addressed his request to speak at the end of the Council meeting.

Mayor Haila closed public forum

**DOWNTOWN/GATEWAY ZONING DISTRICT:** Council Member Nelson announced that he will refrain from taking part in this discussion and vote due to conflict of interest.

Planning and Housing Director Kelly Diekmann provided background on the Downtown Gateway area. Staff has proposed a new special purpose zoning district for the Downtown Gateway focus area. The proposed zoning is a new district for the City and is not an overlay of the existing Highway Oriented Commercial (HOC) zoning district or Downtown Service Center (DSC) zoning district. The proposed changes create new categories of non-conformities for certain existing uses, site improvements regarding parking, allowing for residential and mix-use development to occur, and for the design/setbacks of structures in some circumstances.

Director Diekmann reminded Council of the request for clarification on the difference between non-conforming and pre-existing. A use non-conformity would be if a use exists on a parcel that is not permitted by the applicable zoning district. A non-conforming use cannot be expanded and increased in intensity of use, but could be maintained and allowed to remodel. If a non-conforming use ceases to operate, it could be deemed abandoned after 12 months and not permitted to be reestablished. The zoning would remain the same; it is about use. A structure non-conformity is any building requirement of the zoning district that is not met, such as setbacks, building height, building coverage percentage, and number of stories of a building. A non-conforming structure that is damaged less than 70% of its assessed value can be rebuilt in its previous configuration. If it is damaged more than 70%, it must have approval to be rebuilt. A building can not be demolished and rebuilt in the same non-conforming way. Site development and other non-conformity would include issues not related to use or the structure, such as landscaping, parking lot design, parking lot landscaping, and parking stall quantity. Mr. Diekmann noted that most people focus on the use non-conformity the most, because if the use ceases the use can not be reestablished.

Mr. Diekmann explained that pre-existing is a term that has been applied to certain uses that were previously permitted uses, but are no longer allowed to be established as a new use. A pre-existing designation considers the use as permitted with no restrictions on changes to its intensity of use, other than to comply with current zoning standards for the site. If a pre-existing use is discontinued for 12 months or more, the use cannot be reestablished.

Director Diekmann stated that staff conducted a review of the properties in the Downtown Focus area to evaluate the conformity of each parcel to both current zoning standards and the proposed Downtown Commercial standards. Currently, it is estimated that 78% of the properties in the Gateway area have a nonconformity for one or more zoning standards. The proposed zoning would only increase the non-conformity to 88%. The primary reason for that increase is the prohibition of Vehicle Service Facilities and the changes to the standards for parking. Overall, when evaluating properties against the current Downtown Service Center (DSC) and Highway Oriented Commercial (HOC) zoning and the proposed Downtown Gateway Commercial (DGC) zoning, the amount of nonconforming structures decreases to 31% under the proposed DGC zoning. It was discovered that the existing drive-thrus would be non-conforming, but still able to be there. He added that the funeral home had not been included in the report, but it would add another use and property to the non-conformity.

Mayor Haila inquired if there were any structures that become non-conforming that are currently not on the chart presented by Planning. Planner Gould responded that all of the ones that will be non-conforming are non-conforming currently for one reason or another. Ms. Gould confirmed that fewer become non-conforming under the new Ordinance than what is currently present when discussing structures.

Planning and Housing Director Kelly Diekmann noted that staff had prepared four rezoning boundary options:

Option 1: Include all 70 properties in the area and extend from Grand Avenue to Duff and include properties both north and south of Lincoln Way. This option would have the most nonconformities in regards to uses and site development conditions. This broad rezoning approach would establish a long-term view for the redevelopment of the area.

Option 2: Central Core Area (centered upon Kellogg and Lincoln Way intersection blocks, north and south). This option is viewed as the heart of the focus area, between Clark Avenue and Duff Avenue, for properties north and south of Lincoln Way focused on the four primary blocks that meet at the intersection of Kellogg and Lincoln Way. This approach focuses on the four most critical blocks for the area and establishes a vision for redevelopment along both sides of Lincoln Way.

Option 3: Central Core Area, north only. This option would limit the rezoning to the blocks along Lincoln Way between Clark and Duff only on the north side. This maintains the two most critical areas for rezoning. This would reduce many potential conflicts about nonconforming uses.

Option 4: Limited Downtown Gateway Zoning North of Lincoln Way with DSC Zoning on Kellogg.

The proposed DGC zoning identifies unique development standards for Kellogg recognizing its context as a connection to Main Street. This rezoning option allows for the Kellogg block to maintain its current DSC zoning, and establish the DGC zoning to the east and west of Kellogg on the north side of Lincoln Way.

Laura Cram, 1601 Johnson Street, Ames, stated that her property is currently zoned HOC and her request is to stay HOC. The property is bordered by the railroad on the north and power lines on the south. Properties along the railroad are prohibited from building on the front 50 feet of their property along with other restrictions. She believes that the rezoning would take 45' of her property and cut her business in half. The new height requirement would not work for her property because of the power lines. Ms. Cram feels that a chance of getting a loan for a property that could not conform would be slim to none. This Ordinance could be condemning her building, which is her livelihood. Ms. Cram stated her opinion that commercial property is just as important as housing.

Robert Goodwin, 311 Lincoln Way, Ames, shared that when there is an inverse condemnation, meaning a Zoning Ordinance that is burdensome results in a taking. This would mean that the City would provide relocation assistance. The City would purchase the property and reimburse the owner to get relocated to a property that is equal to the present property. Parking is also a part of a business. According to Mr. Goodwin, under the current HOC there are 31 uses available, under the new proposed zoning there would only be 18 uses. He suggested amending the current HOC to allow residential use. There would not be a taking, present property owners could do with what they wish, and a developer could have residential use.

Tim Grandon, 414 Lincoln Way, Ames, suggested leaving a portion of the zoning to HOC.

Chuck Winkelblack, 105 South 16<sup>th</sup> Street, Ames, encouraged extending the amount of time that a business is not operational from 12 months to 18 months. Unfortunate events can happen and there are times of the year when pouring concrete is not possible, which shortens the time that can be used for reconstruction and be operational. The discussion of drive-thrus is that no more drive-thrus may be added. The City would be turning new people away if there were no more on Lincoln Way unless someone goes out of business. Mr. Winkelblack is concerned that if the uses are not allowed, there are not a lot of options for these businesses to go. He feels the development should stay on the north side of Lincoln Way, because those places are right for development. The properties on the south side are more challenging for large development.

Rick Thompson, 414 South Duff, Ames, stated he agreed with the thoughts of Chuck Winkelblack.

Jolene Trickle, 120 Lincoln Way, Ames, stated most of those businesses have been there for a long time and it has worked.

Council Member Martin inquired about time consideration taken for diligent progress within that 12-month time for abandonment. Mr. Diekmann responded that time related to disaster is not taken into account as part of the 12 months for use and 18 months for a structure. That is also why there

is an appeal process if there is any dispute of time.

Council Member Corrieri clarified that a business with a non-conforming use would be able to sell and the new owner could continue that non-conforming use as long as it is within the 12 months. Council Member Gartin clarified that adopting this new Ordinance does not mean that current business owners will lose their property. If they are a non-conforming business today, they will be after the Ordinance. Mr. Diekmann stated if there is a truly unique issue, there is the avenue of a variance, which could be a use, structure, or parking. The owner would have to make a case, but it can be done.

Director Diekmann responded to the question of the ability to add residential to HOC. There was a tool created three years ago called the Lincoln Way mixed use overlay. This is a method in which HOC based zoning and then go to the City to ask for the overlay to add residential. It is a modest three-story allowance, not to the same magnitude as today's vision. It is an approach, but does not signal the same expectation as the City. That is set-up as commercial with some residential added, not a destination as itself. The City would not be creating the same place, because it also accommodates commercial parking, the purpose of HOC.

Moved by Beatty-Hansen, seconded by Corrieri, approving no parking requirement for development along Kellogg.

Director Diekmann stated that the long-term goal in this area is to have collective parking. The only reason to put parking in on Kellogg is because access to public parking is limited. This was to encourage on-site parking.

Vote on Motion: 5-0-1. Voting Aye: Betcher, Martin, Beatty-Hansen, Gartin, Corrieri. Voting Nay: None. Abstain due to conflict of interest: Nelson. Motion declared carried.

Mr. Diekmann stated that the reason for not allowing parking everywhere is to reduce the front setback to give a little more building area and flexibility. The result would be the ability for landscape or doing a patio area. This way there will be a front door as a design trade off. The staff recommends option 1.

Moved by Corrieri, seconded by Beatty-Hansen, to approve the restriction of parking between the building and the street.

Mayor Haila clarified that those that have parking in front of their building now can continue even if this were to be a part of the new Ordinance. He stressed this is not making business owners to change their parking. Mr. Diekmann confirmed that it can remain until development of a new use. The biggest ramification of this is for corner properties, because this does make the owner put the building at the corner and put the parking on both sides of the street frontage. This is an urban design approach to set the building with the corner.



Vote on Motion: 5-0-1. Voting Aye: Betcher, Martin, Beatty-Hansen, Gartin, Corrieri. Voting Nay: None. Abstain due to conflict of interest: Nelson. Motion declared carried.

Moved by Corrieri, seconded by Martin, to prohibit uses for Warehouse, Funeral Home, Vehicle Service Facilities consistent with the proposed DGC Zoning Ordinance.

Director Diekmann outlined the three options. Option 1: Existing uses would be able to continue and no new ones would be established. There would be limits to changing those uses to increase intensity. Option 2: Designate the same uses as pre-existing rather than non-conforming. This would give existing businesses more ability to reformat or intensify their use, but no new uses of that type could come into the district. Option 3: Allow for things but require for Special Use Permits. This would have to go through the Zoning Board of Adjustment.

Council Member Gartin asked why Funeral Homes are on the list of not desired uses. Mr. Diekmann stated because it does not have a consistent level of demand. It can create an absence activity or on a particular day have a substantial amount of activity. It does have a Special Use Permit because it is not an everyday use. Director Diekmann stated the vehicle service facilities are not desired because of the hours of operation, noise, don't mix with residents, and are not of desired uses.

Council Member Betcher asked how long a property can have the Special Use Permit. Mr. Diekmann stated that it is an entitlement that stays with the property. It allows for that use no matter who the operator is to run that business with the description that was approved. Council Member Betcher asked if Council could exempt the Funeral Homes and leave as a Special Use Permit option. Director Diekmann responded that it would not be inconceivable because the use is not a distraction or nuisance to residential uses.

Moved by Betcher, seconded by Corrieri, to amend the prohibited uses to exempt funeral homes, but include them as a Special Use Permit option.

Council Member Gartin expressed concern about the limited amount of fuel stations. He feels the City still needs access to the vehicle service facilities in Central Ames.

Vote on amendment: 4-1-1. Voting Aye: Betcher, Corrieri, Gartin, Beatty-Hansen. Voting Nay: Martin. Abstain due to conflict of interest: Nelson. Motion declared carried.

Vote on Motion: 4-1-1. Voting Aye: Betcher, Corrieri, Martin, Beatty-Hansen. Voting Nay: Gartin. Abstaining: Nelson. Motion declared carried.

Council Member Betcher does not feel four bedrooms should be downtown. Four bedroom units add to the parking requirements also.

Moved by Betcher, seconded by Corrieri, to remove four bedroom from the DCG Zoning Ordinance.

Mayor Haila reminded Council of the possibility of the necessity of design to have four bedroom units. Council Member Gartin noted that it may be necessary for design purposes and does not want to micro-manage. Council Member Betcher added that she does not want to incentivize four bedroom units in this area. Council Member Beatty-Hansen agreed that this is work-force housing and four bedroom units are not needed..

Vote on Motion: 3-2-1. Voting Aye: Betcher, Beatty-Hansen, Corrieri. Voting Nay: Martin, Gartin. Abstaining due to conflict of interest: Nelson. Motion declared carried.

Council Member Betcher asked why would the Ordinance would increase the number of stories a building could be. She is opposed to the increase in height. Planning Director Diekmann stated the increase of height because this is an area that could have height, such as a tower. This is considering an element that is different than any where else in the City. Seventy-five feet is when construction type changes. A tower would be taller than that, and would have to be at least ten-stories tall to justify the high-rise construction cost.

Council Member Gartin inquired about a Multi-Use Trail along side of the Corridor. Mr. Diekmann stated that if Highway 69 jurisdiction is transferred off of this stretch of Lincoln Way, the City would then be able to look at reconfiguration of that roadway. The reason for that is it would no longer be a highway and there would be less traffic.

Moved by Martin, seconded by Beatty-Hansen, to approve the Central Core Area and expanding west and south of Lincoln Way to be adopted as the map for the DGC.

Council Member Martin commented that the site on the north is right for a large-scale development. Council Member Gartin feels that the whole area should have the zoning classification for long-term.

Council Member Martin withdrew his motion.

Moved by Gartin, seconded by Corrieri, to approve the full extent of the downtown Gateway Focus Area.

Vote on Motion: 4-1-1. Voting Aye: Martin, Beatty-Hansen, Gartin, Corrieir. Voting Nay: Betcher. Abstain due to conflict of interest: Nelson. Motion declared carried.

Director Diekmann informed Council that the Planning Commission has already reviewed the standards and made recommendations to Council. Council can proceed May 8 to adopt the zoning district standards. The direction that was given was to notice this area to initiate the public hearing process for rezoning. This will have to go to the Planning Commission before Council is able to take action on this. It will not be on the May 8 agenda.

Meeting recessed at 8:32 p.m. The meeting reconvened at 8:47 p.m.

**RENTAL CONCENTRATION CAP:** City Attorney Mark Lambert stated this is establishing the

25% rental cap in certain neighborhoods. A provision is put in the Ordinance to establish a map by resolution at the third reading. Mayor Haila announced an estimate of 400 people have sent emails concerning this topic.

Lisa Prichard, 413 Lynn Avenue, Ames, opposed the rental cap. Her family lives in complete student saturation of students now. The increased student rental saturation is not conducive to raising a young family. This Ordinance will restrict whom she can sell her property to. She wants to have the same property rights as when she purchased her property. This would be taking away the widest market for her to sell to.

TJ Paskach, 420 Hilltop, Ames, stated that he purchased his home as a graduate student and has raised his family there. At the time of purchase it was mostly owner-occupied now there is an increased number of rentals as the increase of Iowa State enrollment. Rentals are not the way to create neighborhoods. Neighborhoods are needed and important to this community. He feels there are too many rentals and should not increase. Mr. Paskach is in favor of the cap.

Lara Hallgrimsdottir, 1810 Waterbury Circle, Ames, commented that change needs to be dealt with. The opportunity that realtors received to speak with Council showed her a concern for the lack of affordable housing in Ames. Ms. Hallgrimsdottir's opinion is that there is plenty of affordable housing in Ames. She opposed the rental cap.

Deborah Fink, 222 South Russell, Ames, stated that her neighborhood is Oak-Riverside, and full of children. She feels because her neighborhood is within walking distance of Downtown and Iowa State it is a desirable area for developers. In her opinion, there needs to be a limit to the rentals and if there is not a cap the neighborhood will be gone. Ms. Fink feels the 25% rental cap is a mixed neighborhood and that is enough.

Tim Tusha, 2317 Baker Street, Ames, informed Council that he purchased a house for his daughters while they attended college. When he purchased the property in this neighborhood there were no strings attached. It is in a desirable neighborhood for students, where 60% are student rental. This is a changing community due to the school. Mr. Tusha stated that his intentions are to sell his property once his children are done with school. He would like to get back a bit of the money he put into this community and would like to sell without any attachments. He stated that he is not in favor of the rental cap.

John Jacobson, 3409 Oakland, Ames, stated that he lives in the Oakwood-Forest Neighborhood. His concern is with the map and would like to make sure his neighborhood is included in the cap. He is seeing an encroachment coming up the hill. Mr. Jacobson would like to see the cap of 25% rental.

Tami Hicks, 4125 - 530<sup>th</sup> Street, Ames, spoke on behalf of herself and three families that could not attend. They oppose the rental cap and do not feel the cap is the right way to achieve balance in the neighborhoods, control nuisances, provide affordable inventory, or bring more owner-occupied homes to the neighborhoods to create social stability. These problems are the natural result of the

increased enrollment of ISU, low number of homes in the nation, and rising rental rates in the nation. The number of affordable housing that is an active listing has decreased substantially. Ms. Hicks encouraged Council to table the rental cap.

Lisa Hill, 422 Lynn Avenue, Ames, stated that over the past six years her neighborhood has continually decreased in owner-occupied homes. Ms. Hill feels the integrity of the neighborhood is threatened and supports the rental cap.

Paul Livingston, 1926 George Allen Avenue, Ames, commented that realtors are in support of and love the neighborhoods too. The difference is the approach and that the cap is wrong. Private property rights are being taken. Mr. Livingston encouraged developing a home owner's association that would be able to decide the rules and not be imposed on by the City. Realtors would be in favor of helping the neighborhoods.

Nita Pandit, 336 Hickory Drive, Ames, stated that she lives in the Edwards Neighborhood. She is in support of the rental cap and would like it to be for all eight areas. If there is a problem in one area it is going to move to the other areas. Most homes that do get converted tend to be the smaller homes that are affordable to young families and should be reserved for home ownership. Ms. Pandit encouraged Council to look ahead and be proactive.

Caroline Hayes, 3416 Oakland Street, Ames, supported the cap and would like her neighborhood, Oakwood-Forest to be included. She purchased her property because it is a family-friendly neighborhood. Houses that are owner-occupied tend to be better kept. She supports having a healthy mix. The rental cap will support a sufficient number of owner-occupied homes and the overall investment in the area will protect the values of the properties.

Julian Birch, 2925 Arbor Street, Ames, stated that he is in favor of the cap. He noted that the neighborhood is not anti-student, but believes students add enthusiasm to the neighborhood and positive elements to the town. Mr. Birch believes there needs to be a healthy mix of rentals. The rental cap would be appropriate and timely.

Ken Platt, 3620 Woodland Street, Ames, stated that he is in favor of the rental cap. He feels the proposed Ordinance is well written, but the flaw is that it does not include all neighborhoods. Mr. Platt thinks some of the neighborhoods were not included to see if the rental cap would work, but that decision makes his more vulnerable. He stressed the desire to be included in the rental cap.

Joanne Pfeiffer, 3318 Morningside Street, Ames, reminded Council that College Creek-Old Ames Middle School (CCOAMS) has been working with Council to strengthen the neighborhood for years. Ms. Pfeiffer brought forth a paper with 31 names of CCOAMS residents in favor of the rental cap. She stressed the quality of life in an owner-occupied neighborhood. Quality needs to be promoted to have balance. Balance is a variety of ages, families, and occupations, that promote stability, connectivity, and healthy sense of community.

Kathy Schnauble, 2639 Noble Street, Ames, stated she is in favor of the rental cap and asked to have the cap include the Old Edwards and Oakwood Forest neighborhood be included. There has been a lot of turnover in the last few years. Ms. Schnauble stated that a few families have left recently because of the incompatible life styles. Many for sale signs have popped up recently. She expressed concern if there is not a rental cap soon it will be too late for her neighborhood.

Am Fink, 2206 South Russell, Ames, stated that he has seen many houses in his neighborhood convert to rentals. He feels that affordable housing statistics are skewed because the homes that could be affordable are never sold, because they are used for rentals.

Ralph Ring, 1606 South Duff, Ames, informed Council that less than 10% of his reality business is from investors. The highest and best use of the neighborhood decides how properties sell and how it is used. Realtors can't force anyone to sell or buy a property. Mr. Ring is opposed to the cap, because he does not feel the rental cap will accomplish the goal, but have an adverse effect. Many people that got into the rental business are seeing that rentals have gone soft. Those owners maybe ready to sell now, which gives those properties more opportunity to be more affordable to owner-occupied buyers. The rental cap will encourage owners to keep the properties, because they could never get an LOC back on that property so it won't free up affordable housing inventory.

Chad Gorley, 2335 Baker Street, Ames, opposed the cap because he feels it imposes on people's property rights. Mr. Gorley is not sure a neighborhood full of rentals will attract owner-occupied homes. He suggested the enforcement of laws.

Mary Conroy, 2318 Baker Street, Ames, stated that when she purchased this home she believed it would be a good investment and attractive to many because of the location. This property was to be a beginner home that would eventually be put on the market. This Ordinance will drastically change the value of the property when it is put on the market. The inability to sell for a rental will result in a loss of a substantial amount of money that will affect her family, because of a condition that did not exist at the time of purchase. Ms. Conroy opposed the rental cap.

Kent Rupiper, 3305 NW 82<sup>nd</sup> Place, Ankeny, purchased a home for family use that does not have an LOC. At this time he feels trapped because he believes that he can not get an LOC, rent to his kid or sell for a rental.

Sara Conroy, 2318 Baker Street, Ames, requested to exclude all property owners west of Lynn Avenue in the rental cap.

Pam Rupiper, 425 Hayward Avenue, Ames, stated that she is opposed to the rental cap.

Jason Miller, 1923 Paulson Drive, Ames, stated that he is speaking on behalf of two clients that are preparing to sell their homes in the effected areas. The market analysis showed a loss of around \$20,000 to those unable to sell as a rental. Mr. Miller encouraged enforcement of the laws to end the nuisance issues.

Jay Adams, 248 Village Drive, Ames, stated there may be a time when he will need to sell his home in the College Creek Neighborhood, because of medical issues, student loans, or many other hardships. Mr. Adams commented that he can not afford to lose \$20,000. He does not feel the cap will do anyone any good and is opposed to the rental cap.

Jane Jacobson, 3409 Oakland, Ames, expressed that she feels the rental cap should be on all neighborhoods as not to just push the problem from one area to another. She would like to keep a balance in her neighborhood between students and non-students.

Leslie Kawaler, 2121 Hughes, Ames, feels that landlords are protected by their LOCs, which may become more valuable with the rental cap. The students that will be gone after the school year have no long-term stake in SCAN. Possible home-sellers that face the consequences of decisions made by Council, but also the residents that chose to stay.

Sarah Laaser-Webb, 419 Pierson, Ames, stated that she wants to see the neighborhoods flourish and do well. Realtors do not decide whether a person will buy or sell a property. An average homeowner owns a home for five-seven years, but investors normally own a property for years until the property is paid off. Ms. Laaser-Webb is speaking because she feels that the rental cap will have a negative effect on property values, give less options for those with hardships, and not the best interest for Ames as a whole.

Mary Reilly McIntire, 517 Ash Avenue, Ames, stated that the arguments about the value of a property can go both ways. She supports the cap because it is a way to have a balance in the neighborhood. Ms. McIntire commented that when her family purchased a home she was under the impression there were limits to rentals. There has to be something in place; good will is not going to create a stable neighborhood. She concluded that there is not necessarily a price to put on the quality of life where a person lives.

Tony McFarland, 323 - 5<sup>th</sup> Street, Ames, addressed the petition signed by property owners that oppose the rental cap in the neighborhoods that could have the rental cap imposed on them. He encouraged Council to recognize the opposition by these property owners. Property owners are also taxpayers that are buying into this community.

Barbara Pleasants, 516 Lynn, Ames, responded to the petition to split the SCAN neighborhood. She believes that carving up the neighborhoods will leave more neighborhoods vulnerable. One side of the street can not be under the cap and the other side not.

Nancy Marion, 2714 Aspen road, Ames, stated the cap will hurt people who are selling that live in high rental areas. It will be hard to encourage a buyer to purchase in that neighborhood when knowing that it will be difficult for them to sell.

Robert Lorr, 233 Hilltop Road, Ames, commented on how his neighborhood has continually increased with rentals. He does favor the 25% rental cap due to issues with renters.

John Pleasants, 516 Lynn, Ames, believes that some of the signatures that are on the petition are landlords. In his opinion, there is a difference between home-owners that live in the neighborhood versus landlords that don't live there.

Steve Bock, 661 Xanadu Place, Ames, feels that many people are concerned with affordable housing. He is not in favor of the cap. People that are going to be impacted are the people that don't have an LOC. These people that own houses that don't have an LOC will lose money when they sell. Home owners have the option of setting up a homeowners association.

Nathan Heaberlin, 5399 O'Neil Drive, Ames, believes that everyone pays taxes, so everyone should have a right to vote on the rental cap. Realtors are looking out for their clients and only want the best for them. Passing this Ordinance will take away people's rights. Home owner associations do work.

Meeting recessed at 10:53 p.m. The meeting reconvened at 11:04 p.m.

Council Member Martin explained that he did not feel the way the Ordinance related to a Transitional Letter Of Compliance (LOC) did not exactly match what the Council motion was. His recollection of the motion was that each owner would have only one opportunity for a consecutive two-year period of Transitional LOC, then the owner is eligible for one-year transitional LOCs as long as they are separated by 12 months. City Attorney Lambert stated that he would be able to draft an amendment for the language of that Ordinance.

Moved by Martin, seconded by Betcher, to review the previous motion's language concerning a Transitional LOC and reconcile with the Ordinance as drafted.

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

Mayor Haila asked City Attorney Lambert to address the issue of the super-majority vote and the overlay versus zoning issue. He stated that the confusion and concern of this be cleared up. Mr. Lambert stated there could have been some confusion because it was initially discussed as a possible zoning overlay, but was ultimately decided to be put into the Rental Code. The reason that it was put into the Rental Code because it did not affect uses or structures, it is really a restriction on the number of LOCs that can be issued within a certain neighborhood. Mr. Diekmann added that at the March 20 workshop it was stated that it would be pursued as a Rental Code amendment, as reflected by the Minutes. At the March 27 meeting staff came back to Council for direction. Mr. Diekmann recalled Mr. Lambert stating because guide lines were not added, changing parking requirements, or doing any of the other things to regulate properties in the area. There was not enough tie to the zoning standards to carve out an overlay amount percentages. It was a fit for the existing Rental Code that was adopted by the City Council and not the Planning and Zoning Commission. City Attorney Lambert noted that there is a law that states if City Council is looking to do a rezoning and there are 20% of property owners that are adjacent to the area that sign a petition they can protest the rezoning and that would initiate a 5-1 vote. This is not a zoning change so it does not apply, because this is a Rental Code Ordinance.

Moved by Gartin, seconded by, Betcher, to pass on first reading an Ordinance as amended for the Rental Concentration Cap.

Council Member Nelson stated that he could possibly support dependent on the maps and come back with different ways to deal with hardships and grandfathering. Council Member Corrieri reiterated her concern for the financial hardships. Council Member Martin explained that the Transitional LOC was put in place until after the moratorium in September and two years would be given with no questions asked. Then hardships could be looked at again and Council can figure out the right exemption scheme for hardships.

Council Member Martin explained his chart of logged communications sent mostly to the entire Council concerning the Rental Concentration Cap.

Roll Call Vote: 5-1. Voting Aye: Betcher, Nelson, Martin, Beatty-Hansen, Gartin. Voting Nay: Corrieri. Motion declared carried.

Moved by Nelson, seconded by Corrieri, to discuss hardships and grandfathering in September. Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Gartin, seconded by Beatty-Hansen, to direct staff to come back with a resolution to adopt for limiting the concentration of rental dwellings to 25% in SCAN north, Colonial Village, College Creek/Old Ames Middle School, and Oak-Riverside.

Vote on Motion: 4-2. Voting Aye: Betcher, Martin, Beatty-Hansen, Gartin. Voting Nay: Nelson, Corrieri. Motion declared carried.

Council Member Martin made a case with the data to include Edwards and Oakwood-Forest Neighborhoods to the concentration rental cap. He stated that a notice was sent out to all property owners in all eight neighborhoods. He also feels that the data shows that Edwards and Oakwood-Forest rallied together to respond this last week and their desire to have the rental cap.

Moved by Martin, seconded by Gartin to add Edwards and Oakwood-Forest Neighborhoods to the resolution that staff will come back to Council with.

Vote on Motion: 5-1. Voting Aye: Betcher, Nelson, Martin, Beatty-Hansen, Gartin. Voting Nay: Corrieri. Motion declared carried.

**AMES COMPREHENSIVE PLAN REQUEST FOR PROPOSALS:** Moved by Corrieri, seconded by Beatty-Hansen, to direct staff to issue a formal Request for Proposals consistent with the draft RFP.

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

**BROOKSIDE PARK PATH LIGHTING PROJECT:** Lori Biederman, 1239 Orchard Drive, Ames, expressed her opposition to the lighting in Brookside. The design suggestions are better than the original plan, but the experts in the staff report also note that there will still be serious impacts



on the wildlife.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-235 awarding contract for Brookside Park Path Lighting Project to VanMaanen Electric of Newton, Iowa, in the amount of \$128,700.

Council Member Martin stated that he opposed this due to preserving some darkness in this part of the City where it has been dark for a long time. He feels there is a good reason to be dark there. Council Member Beatty-Hansen agreed and stated that if it does need to be lighted a few more compromises will be needed.

Roll Call vote: 4-2. Voting Aye: Betcher, Nelson, Gartin, Corrieri. Voting Nay: Martin, Beatty-Hansen. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Gartin, seconded by Beatty-Hansen, to change the lighting to 3000 K in place of the 4000 K and add timers.

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

**REQUESTS FROM MSCD FOR RAGBRAI ON MAIN ON TUESDAY, JULY 24:** Moved by Beatty-Hansen, seconded by Corrieri, to approve the following Motions and Resolutions pertaining to RAGBRAI on Main on Tuesday, July 24, 2018.

- a. Motion approving blanket Temporary Obstruction Permit for closed area
- b. Motion approving 5-day (July 23- 27) Special Class C Liquor License with Outdoor Service for MSCD for closed area
- c. RESOLUTION NO. 18-236 approving closure of Main Street from Pearle Avenue to Douglas Avenue and portions of Clark Avenue, Burnett Avenue, Kellogg Avenue, Depot Lot V, and Tom Evans Plaza from 6:00 a.m. Tuesday, July 24, until 9:00 a.m. Wednesday, July 25
- d. RESOLUTION NO. 18-237 approving closure of 203 metered parking spaces, suspension of parking regulations and waiver of fees within closed area from 6:00 a.m. Tuesday, July 24, until 9:00 a.m. Wednesday, July 25
- e. RESOLUTION NO. 18-238 approving usage and waiver of electrical fees for event
- f. RESOLUTION NO. 18-239 approving suspension of existing sidewalk café licenses in closed area from 4:00 p.m. Tuesday, July 24, until 2:00 a.m. Wednesday, July 25
- g. RESOLUTION NO. 18-240 approving waiver of enforcement of Section 17.16 of *Municipal Code* related to minors prohibited on certain premises with respect only to proposed downtown entertainment area for event
- h. RESOLUTION NO. 18-241 approving waiver of enforcement of Section 17.17 of *Municipal Code* related to alcohol consumption in parks with respect only to Tom Evans Plaza for event

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

**COMPLETE STREETS PLAN DEVELOPMENT:** Traffic Engineer Damion Pregitzer reminded Council about the two committees that were established; a Technical Advisory Committee (TAC) and a Community Advisory committee (CAC) to guide the Complete Streets project. TAC is made up of professional staff from the City, Iowa State University, and the Ames Area Metropolitan Planning Organization. CAC is a committee with representatives from Downtown and Campustown Business Districts, Biking/Walking Advocacy Groups, Health-Living and Active Transportation Advocacy, ISU Student Government and Student transportation advisory members, Story County, and Ames Development Community Members. The two committees will come back on May 11 with their feedback.

Mr. Pregitzer stated that this presentation does not answer procedural questions and policy as it relates to policy and how applied to a development. This is more of the “Big Picture” plan. The City has sub-division code that assigns who pays for what. This is a design guide and does not hold any regulatory weight. City Manager Schainker added that Council will have to make a policy decision on if the funding formula needs to change.

Mayor Haila asked about the process to get public and developer feedback. Mr. Pregitzer responded that the Community Advisory Committee has developer representation and staff is planning on requesting feedback from the design community. He also add that the website portal is the way for the public to share their feedback. The website will be advertised by press release and there is also a public meeting planned for June.

Moved by Gartin, seconded by Corrieri, to take the Complete Streets Plan out to the public.  
Vote on Motion: 6-0. Motion declared carried.

**ORDINANCE REGARDING BUILDING GUIDELINES FOR ACCESSORY STRUCTURES IN RESEARCH PARK INNOVATION DISTRICT:** Moved by Corrieri, seconded by Gartin, to pass on second reading an Ordinance regarding building height and architectural design guidelines for accessory structures in Research Park Innovation District.  
Roll Call Vote: 6-0. Motion declared carried unanimously.

**ORDINANCE RELATING TO RAGBRAI EVENTS ON JULY 23 - 25, 2018:** Moved by Nelson, seconded by Gartin, to pass on second reading of an Ordinance relating to RAGBRAI events on July 23 -25, 2018.  
Roll Call Vote: 6-0. Motion declared carried unanimously.

**ORDINANCE INCREASING WATER RATES EFFECTIVE FOR BILLS ON OR AFTER JULY 1, 2018:** Moved by Gartin, seconded by Corrieri, to pass on second reading an Ordinance increasing water rates by 3.5% and sewer rates by 3% effective for bills on or after July 1, 2018.  
Roll Call Vote: 6-0. Motion declared carried unanimously.

**ORDINANCE ESTABLISHING PARKING REGULATIONS ON CRANE AVENUE:** Moved by Gartin, seconded by Corrieri, to pass on second reading an Ordinance establishing parking regulations on Crane Avenue.

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

**ORDINANCE ON RENTAL HOUSING CODE:** Moved by Gartin, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4343 revising Chapter 13, Rental Housing Code, regarding occupancy.

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

Moved by Martin, seconded by Nelson, to adopt as amended RESOLUTION NO. 18-242 setting boundaries of the “Near Campus Neighborhoods”.

Council Member Martin explained that the amendment includes College Creek/Old Ames Middle School that mistakenly was omitted from the previous version of the resolution.

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

**ORDINANCE REVISING CHAPTER 28 ON THE EXEMPTION FROM INDIVIDUAL METERING:** Moved by Betcher, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4344 revising Chapter 28 to exempt, from individual metering requirement, those projects that had submitted site development plan to Planning and Housing Department prior to January 1, 2019.

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

**ORDINANCE TO REMOVE PROPERTY FROM WARD 3, PRECINCT 4:** Moved by Betcher, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4345 removing property located at 398 S. 500<sup>th</sup> and 5508 Lincoln Way (commonly known as Trinitas) from Ward 3, Precinct 4.

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

**ORDINANCE REGARDING PORTABLE SIDEWALK SIGNS IN CAMPUSTOWN:** Moved by Corrieri, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4346 regarding portable sidewalk signs in Campustown.

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

**ORDINANCE RENAMING OLD AIRPORT ROAD TO GREEN HILLS DRIVE:** Moved by Betcher, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4347 renaming Old Airport Road to Green Hills Drive.

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

**ORDINANCE TO VACATE APPLE PLACE AND PEACH LANE RIGHTS-OF-WAY:** Moved

by Corrieri, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4348 vacating Apple Place and Peach Lane rights-of-way.

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

**HEARING ON 2018/19 PAVEMENT RESTORATION - SLURRY SEAL PROGRAM:** Mayor Haila opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 18-243 approving final plans and specifications and awarding contract to Midwest Coatings Company, Inc., of Modale, Iowa, in the amount of \$254,677.60.

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

**HEARING ON CONVEYANCE OF VACATED APPLE PLACE AND PEACHLANE RIGHTS-OF-WAY:** The Mayor opened the public hearing and closed the same since no one asked to speak.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 18-244 conveying by Quit Claim Deed to Grand Center, LP, contingent upon receiving Permanent Ingress, Egress, and Utility Easement from property owner.

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

**HEARING ON AMENDMENT OF MAJOR SITE DEVELOPMENT PLAN FOR 3305 AND 3315 AURORA AVENUE:** Mayor Haila opened the public hearing. There was no one wishing to speak, and the public hearing was closed.

Moved by Corrieri, seconded by Nelson, to continue the hearing to May 8, 2018.

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

**DISPOSITION OF COMMUNICATIONS TO COUNCIL:** Moved by Beatty-Hansen, seconded by Corrieri, to accept the petition and direct staff to begin the process to establish the district.

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

Moved by Nelson, seconded by Corrieir to direct staff to bring back a memo on the Land Use Policy Plan Amendment.

Vote on Motion: 4-2. Voting Aye: Betcher, Nelson, Gartin, Corrieri. Voting Nay: Martin, Beatty-Hansen. Motion declared carried.

Moved by Beatty-Hansen, seconded by Corrieri, to respectfully decline the request for donation to the Ames Science Olympiad team.

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

Moved by Beatty-Hansen, seconded by Corrieri, to respond of non-interest to the request of

permitting dry cleaning and laundry uses in an HOC zone.

Vote on Motion: 4-2. Voting Aye: Betcher, Martin, Beatty-Hansen, Corrieri. Voting Nay: Nelson, Gartin. Motion declared carried.

Moved by Nelson, seconded by Corrieri, to refer to staff the request for a text amendment to the sign regulations to allow identifying signage on private park properties.

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

**Council Comments:** Mayor Haila stated that there has been news on backfill that the legislature on that may die and the City will get the full backfill for this year. It will come back for fiscal year 2019-20. The potential change to TIF never made it out of committee so that died. According to lobbyists things are looking positive.

Moved by Gartin, to adjourn the meeting at 12:14 a.m.

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Diane R. Voss, City Clerk

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John A. Haila, Mayor

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Stacy Craven, Recording Secretary