

**JOINT MEETING OF THE AMES CITY COUNCIL
AND PARKS & RECREATION COMMISSION
AND REGULAR MEETING OF THE AMES CITY COUNCIL**

AMES, IOWA

JANUARY 14, 2014

JOINT MEETING WITH PARKS & RECREATION COMMISSION

The Ames City Council met in special session at 6:00 p.m. with the Parks & Recreation Commission on the 14th day of January, 2014, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding and the following Council members present: Gloria Betcher, Amber Corrieri, Tim Gartin, Matthew Goodman, Chris Nelson, and Peter Orazem. *Ex officio* Member Alexandria Harvey was also present.

INDOOR RECREATIONAL AQUATICS CENTER: Parks & Recreation Commission Chairperson Alisa Frandsen introduced the other members of the Commission present: Victoria Feilmeyer, Leo Milleman, Edward Moran, Melissa Rowan, and Jason Schaben. Commission Member Julia Johnston was absent. Ms. Frandsen advised that the Commission was present at this meeting to request that the Council: (1) approve the use of the Geitel Winakor bequest in the amount of \$1.8 million to move forward with an indoor aquatic center and (2) direct the Parks & Recreation Commission to initiate the exploration of a new indoor aquatic center (features, location, possible partnerships, funding, etc.).

Keith Abraham, Director of the Parks & Recreation, presented information on the following:

1. The Condition of the Municipal Pool. The Pool was built in 1965. It is a City-owned building on Ames Community School District (ACSD) property. The City and ACSD share operational and capital expenses on a 50/50 basis; that Agreement expires in April 2015. Mr. Abraham noted that the wading pool had been removed last summer due to recurring maintenance issues and decreased usage. The Pool is shared by three main user groups: ACSD, Ames Cyclone Aquatics Club (ACAC), and the City. Each of those users has specific hours of operation. Over the past 20 years, the City has spent approximately \$1.9 million on needed repairs. To make the Pool operational for the next ten or more years, \$3.5 million or more will need to be expended for HVAC and pool basin repairs. That estimate did not include any structural repairs. Pictures were shown of the current condition of the Municipal Pool.
2. Ames Community School District (ACSD) Plans. The ACSD has funding available to construct its own facility, which would be operational by 2015. They are focusing on building a 50-meter competitive indoor pool with a six-foot minimum depth. Because it would be designed as a competitive pool, the water temperature would be between 78 and 82 degrees. Community needs would not be met in a competitive pool, specifically, swim lessons; open swim; shallow water activities, e.g., water aerobics; warm water.
3. Shared-Use Agreement With ACSD Ends in April 2015. From a programming standpoint, ACAC would most likely make arrangements with the ACSD to use the competitive pool. Another possibility would be that the ACSD would compete with City programming to bring in additional revenue and make its facility more cost-effective. The City hopes to be able to maintain current programs and expand programs. If the Municipal Pool remains open after April 2015, the City would incur all expenses.

Presently, the City and ACSD split approximately \$100,000 in expenses. There also is the potential loss of revenue if ACAC and lap swimmers begin to use the ACSD facility. The City would also have to assume 100% of maintenance costs and project management. The Agreement does not address cost-sharing of any demolition or abandonment of the current Pool.

4. New Indoor Recreational Aquatic Center. A few years ago, the Parks & Recreation Commission put together a matrix as to what would be priority projects, based on the needs of the community. It included the following seven projects:
 1. Outdoor Aquatic Center (accomplished)
 2. Gymnasiums (accomplished through ACSD building project)
 3. Indoor Aquatic Center
 4. Community Parks:
 - a. In Southeast Ames
 - b. In Southwest Ames
 - c. In West Ames
 - d. In Northwest Ames

Key features to be considered in a new City indoor aquatic facility were listed. Public input would be needed. Pictures were shown of indoor aquatic centers that had been built in Overland Park, Kansas; Algona, Iowa; Clinton, Missouri; Gladstone, Missouri; Grandview, Missouri; and Ozark, Missouri.

Regarding potential location, the ACSD has stated that it is willing to set space aside next to its competitive pool for the City's facility. Public input would again be needed.

5. Geitel Winakor Bequest. The Parks & Recreation Commission had voted to recommend using the Winakor bequest to move forward with an indoor aquatic center. Other potential funding sources would be a bond referendum, donations, and partnerships.
6. Next Steps:
 - a. Continued conversation with the ACSD
 - b. City Council approval to begin the process
 - c. Hiring of a consultant
 - d. Touring other facilities
 - e. Public education and reaction
 - f. "Friends Group" formed
 - g. Commission recommends bond referendum date
 - h. Referendum is held
 - I. Facility designed and built

Director Abraham reiterated that, at its September 2013 meeting, the Parks & Recreation Commission voted to make two recommendations to the City Council:

1. To use the Winakor bequest (\$1.8 million) to move forward with an indoor aquatic center
2. To direct the Parks & Recreation Commission to initiate the exploration of a new indoor aquatic center, which may ultimately result in a bond referendum

Commission Member Milleman pointed out that the Winakor bequest of \$1.8 million will not build the pool; other resources would be needed. Mr. Abraham noted that a preliminary estimate of costs is \$6 - 9 million; however, it could be more or less than that amount depending on what would be included in the facility. There is a possibility of building the City's facility next to the ACSD new competitive pool; however, if that would not be the case, there would a cost for the land on which to construct the City's facility.

At the inquiry of Council Member Orazem, City Manager Schainker advised that the ACSD had stated that it had funding in place to pay for its facility. No separate referendum would be needed to pay for the School District's facility.

Mayor Campbell shared that she and City Manager Schainker had met with the Superintendent and President of the School Board last week. Mr. Schainker reiterated that the School District wants to build a competitive pool with a greater depth than what the City needs. There would definitely need to be two basins. It will take time to get public input, study the options, and decide on a funding mechanism.

Moved by Orazem, seconded by Gartin, to direct that the Winakor bequest (\$1.8 million) be used to move forward with an indoor aquatic center.

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

Moved by Betcher, seconded by Goodman, to direct the Parks & Recreation Commission to initiate the exploration of options for a new indoor aquatic center through a public process.

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

ADJOURNMENT: The Joint Meeting adjourned at 6:46 p.m.

REGULAR MEETING OF THE AMES CITY COUNCIL

The Ames City Council met in special session at 6:48 p.m. on the 14th day of January, 2014, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding and the following Council members present: Betcher, Corrieri, Gartin, Goodman, Nelson, Orazem. *Ex officio* Member Harvey was absent.

PROCLAMATION: Mayor Campbell proclaimed the entire year of 2014 as the celebration of the City's history. Accepting the Proclamation were Jim Black and Sheila Lundt, Co-Chair and Legacy Co-Chair of the Ames 150 Steering Committee, respectively; and Austin Woodin, President of the Ames Foundation.

Mr. Black gave a chronological list of Sesquicentennial events and activities being planned. He noted that two legacy projects: the planting of 150 trees in public spaces and the development of a traveling history trailer would continue to benefit the community for generations to come. Budget details were provided by Mr. Black. He reported that the Committee recently submitted a Fall Grant Application to the City with a request of \$31,500, which would provide much-needed seed money towards the estimated \$225,000 fund-raising goal. Mr. Black, on behalf of the Ames 150 Steering Committee, requested that \$10,000 of the \$31,500 Grant be allocated prior to March 31, 2014. Fund-raising for various projects is underway. Austin Woodin, President of the Ames Foundation, added that the Foundation had voted to make the Ames Sesquicentennial celebration its primary focus for 2014 by partnering with the 150 Steering

Committee. The Foundation will be contributing major funding toward the activities and projects as well as serving as the fiscal agent for the Committee.

CONSENT AGENDA: Council Member Nelson requested that Item No. 2, payment of claims, be pulled from the Consent Agenda for separate discussion.

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

1. Motion approving Minutes of Regular Meeting of December 17, 2013, and Special Meetings of December 30, 2013, and January 4, 2014
2. Motion approving appointment of Council Member Matthew Goodman as Mayor Pro Tem
3. Motion approving certification of civil service applicants
4. Motion approving Contract Change Orders for December 1-15 and December 16-31, 2013
5. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class C Liquor & Outdoor Service – Oddfellows, 823 Wheeler Street
 - b. Class C Liquor – Café Beau, 2504 Lincoln Way
 - c. Class C Beer & B Native Wine – Casey’s General Store #2560, 3020 South Duff Avenue
 - d. Special Class C Liquor – Vesuvius Wood-Fired Pizza, 1620 South Kellogg
 - e. Class A Liquor – American Legion Ames Post #37, 225 Main Street
 - f. Class C Liquor & Outdoor Service – Chipotle Mexican Grill, 435 S. Duff Ave., Ste. 10
6. RESOLUTION NO. 14-001 approving appointment of Council Member Chris Nelson to Ames Economic Development Commission Board of Directors
7. RESOLUTION NO. 14-002 approving appointment of Council Members Amber Corrieri and Tim Gartin to Ames Convention and Visitors Bureau Board of Directors
8. RESOLUTION NO. 14-003 approving appointment of Council Member Peter Orazem to Conference Board’s Mini Board
9. RESOLUTION NO. 14-004 approving appointment of Andrew Forbes to ASSET
10. RESOLUTION NO. 14-005 approving applications for procurement cards for Council Members Gloria Betcher, Amber Corrieri, Tim Gartin, and Chris Nelson and setting transaction limits
11. RESOLUTION NO. 14-006 approving certification of local government approval on behalf of local non-profit organizations receiving Emergency Shelter Grant funds
12. RESOLUTION NO. 14-007 approving Remote Parking Agreement between City and Randall Corporation for 2520 Chamberlain Street
13. RESOLUTION NO. 14-008 approving preliminary plans and specifications for 1200 Amp Switchgear for Vet Med Feeder Extension; setting January 29, 2014, as bid due date and February 11, 2014, as date of public hearing
14. RESOLUTION NO. 14-009 approving preliminary plans and specifications for Tree Removal at site for New Water Treatment Plant; setting February 5, 2014, as bid due date and February 11, 2014, as date of public hearing
15. RESOLUTION NO. 14-010 approving preliminary plans and specifications for 2013/14 Arterial Street Pavement Improvements - Lincoln Way (Thackeray Avenue to Hickory Drive); setting February 19, 2014, as bid due date and February 25, 2014, as date of public hearing
16. RESOLUTION NO. 14-011 approving preliminary plans and specifications for 2012/13 Asphalt/Seal Coat Rehabilitation Program - Carroll Avenue (East 9th Street to East 13th Street); setting February 19, 2014, as bid due date and February 25, 2014, as date of public hearing
17. RESOLUTION NO. 14-012 awarding contract for Ames Plant Area Substations Equipment Commissioning to L & S Electric, Inc., of Coon Rapids, Minnesota, in the amount of \$152,435
18. RESOLUTION NO. 14-013 awarding contract for Unit No. 7 Coal Mill Parts to Alstom Power, Inc., of Windsor, Connecticut, in the amount of \$141,131.99 (inclusive of sales tax)

19. RESOLUTION NO. 14-014 awarding contract for purchase of Unit No. 8 Steam Coil Air Heaters to Advanced Coil Technology, LLC, of Owatonna, Minnesota, in the amount of \$110,000 (plus applicable sales taxes to be paid directly by City to State of Iowa)
 20. RESOLUTION NO. 14-015 awarding a contract to WESCO Distribution of Des Moines, Iowa, for the purchase of Aluminum Cable in the amount of \$74,472, subject to metals adjustment at time of order
 21. Underground Trenching for Electric Services (from January 1, 2014, through December 31, 2014):
 - a. RESOLUTION NO. 14-016 approving renewal of Primary Contract with Ames Trenching & Excavating, Inc., of Ames, Iowa, in an amount not to exceed \$136,500
 - i. RESOLUTION NO. 14-017 approving contract and bond
 - b. RESOLUTION NO. 14-018 approving renewal of Secondary Contract with Communication Technologies, of Des Moines, Iowa, in an amount not to exceed \$58,500
 - i. RESOLUTION NO. 14-019 approving contract and bond
 22. RESOLUTION NO. 14-020 approving Change Order No. 10 with A&P/The Samuels Group for the Library Renovation and Expansion Project in the amount of \$56,043
 23. RESOLUTION NO. 14-021 accepting completion of NCAH Pump Station and Wastewater Metering Improvements
 24. RESOLUTION NO. 14-022 accepting completion of Water Pollution Control Supervisory Control and Data Acquisition (SCADA) Phase II
 25. RESOLUTION NO. 14-023 accepting completion of 2008/09 Traffic Signal Program (Lincoln Way & Sheldon Avenue)
 26. RESOLUTION NO. 14-024 accepting completion of 2009/10 Traffic Signal Program (Lincoln Way & Ash Avenue)
 27. RESOLUTION NO. 14-025 accepting completion of 2010/11 Traffic Signal Program (28th Street & Grand Avenue)
 28. RESOLUTION NO. 14-026 accepting completion of 2010/11 Traffic Signal Program (Southeast 16th Street & South Dayton Avenue)
 29. RESOLUTION NO. 14-027 accepting completion of Trickle Filter Pump Station Check Valve Replacement project
 30. RESOLUTION NO. 14-028 approving Plat of Survey for 2121 Sunset Drive
 31. RESOLUTION NO. 14-029 approving partial completion of public improvements for Northridge Heights Subdivision, 16th Addition, and lessening amount of required financial security
- Roll Call Vote: 6-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these minutes.

PAYMENT OF CLAIMS: Moved by Goodman, seconded by Corrieri, to approve the payment of claims. Vote on Motion: 5-0-1. Voting aye: Betcher, Corrieri, Gartin, Goodman, Orazem. Voting nay: None. Abstaining due to a conflict of interest: Nelson. Motion declared carried.

PUBLIC FORUM: Susie Petra, 2011 Duff Avenue, Ames, thanked the Council and Parks & Recreation Commission for recommending the use of the Winakor bequest toward a type of water facility. Ms. Petra noted that the State of Iowa Data Center had revealed that the 55-and-older demographic is Story County's fastest growing segment of population. She alleged that that group wants the Ames community to have indoor year-round recreational facilities to help maintain a healthy quality of life. Specifically, they have stated that they are interested in warm-water aquatic therapeutic exercise, ballroom dancing, and year-round indoor walking. Ms. Petra pointed out that Ames is competing for retirees with the Des Moines Metro, which had recently

been recognized as the “Top Age-Friendly Area.” It was suggested by Ms. Petra that Ames explore solutions from a broad range of possible stakeholders. The community needs to be asked what it actually needs, what it wants, how much can be supported, and what is the best location. Ms. Petra stated that the League of Women Voters Wellness and Recreation Programs and Facilities Committee is interested in helping the Ames community maintain health and vitality and would be willing to assist in getting the dialogue started.

Judith Lemish, 327 South Maple, Ames, referenced a recent article in the *Ames Tribune* concerning a new pool at the High School. The article stated that it might also include the possibility of a community pool being attached to it. Three entities that would be making the decisions regarding the High School pool were listed as the City, the School District, and the Ames Cyclone Aquatic Club. Ms. Lemish suggested that a broader group of concerned citizens be involved when it comes to cost and use of a new indoor community pool. She said that she had been using Parks & Recreation aquatic services for approximately 40 years and wanted her voice to be heard. Ms. Lemish shared that she was not sure if the possible location at the High School would meet the total needs of the community. She wants there to be dialogue in regards to the scope of this project and possible location. Ms. Lemish requested that there be an open dialogue with all the stakeholders at the beginning of the process.

Richard Deyo, 505 Eighth Street, Apartment #2, Ames, noted that the City Council members had sworn to uphold the Constitution and laws of the State of Iowa. He said that they should swear to support the people of Ames, which is what he does. Mr. Deyo asked that the law be changed so that he would be allowed to speak under the “Council Comments” section.

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

PRESENTATION OF AMES’ SESQUICENTENNIAL EVENTS/ACTIVITIES: Legacy Co-Chair Sheila Lundt noted that Mr. Black had covered the planned activities. She again requested that, if the 150 Committee is awarded a grant through the Fall Grant process, \$10,000 be advanced to the Committee prior to March 31, 2014.

SPECIAL CLASS C LIQUOR LICENSE & OUTDOOR SERVICE FOR MANGOSTINOS: Moved by Goodman, seconded by Corrieri, to approve a Special Class C Liquor License & Outdoor Service for Mangostinos, 604 East Lincoln Way.
Vote on Motion: 6-0. Motion declared carried unanimously.

5-DAY CLASS C LIQUOR LICENSE FOR OLDE MAIN BREWING: Moved by Betcher, seconded by Corrieri, to approve a 5-Day Class C Liquor License for Olde Main Brewing at CPMI Event Center, 2321 North Loop Drive.
Vote on Motion: 6-0. Motion declared carried unanimously.

PERMANENT TRANSFER OF CHARLIE YOKE’S CLASS C LIQUOR LICENSE: Moved by Corrieri, seconded by Orazem, to approve the permanent transfer of the Charlie Yoke’s Class C Liquor License to 2518 Lincoln Way, pending issuance of Certificate of Occupancy.
Vote on Motion: 6-0. Motion declared carried unanimously.

ENCROACHMENT PERMIT AT AJ’S ULTRA LOUNGE: Moved by Goodman, seconded by Orazem, to approve an encroachment permit for a sign at AJ’s Ultra Lounge, 2401 Chamberlain Street.

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

REQUESTS FROM MAIN STREET CULTURAL DISTRICT FOR JANUARY DOLLAR DAYS: Moved by Goodman, seconded by Corrieri, to adopt/approve the following:

1. RESOLUTION NO. 14-030 approving suspension of parking regulations and enforcement in the Central Business District (CBD) from 8:00 a.m. to 6:00 p.m., Thursday, January 30, through Saturday, February 1
 2. Motion approving a Blanket Temporary Obstruction Permit for CBD sidewalks from 8:00 a.m. to 6:00 p.m., January 30 - February 1
 3. Motion approving a Blanket Vending Permit for entire the CBD for January 30-February 1
 4. RESOLUTION NO. 14-031 approving a waiver of fee for Blanket Vending Permit
- Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

AMES GOLF & COUNTRY CLUB REQUEST TO BE REMOVED FROM AMES NORTH GROWTH AREA: City Planner Charlie Kuester provided background information as to the request of the Ames Golf and Country Club (AGCC) that it be removed from the Northern Growth Area. He noted that the AGCC is outside of the City of Ames, but abuts the City along its eastern border and is within the Ames Northern Growth Area designation. Mr. Kuester referenced the Ames Urban Fringe Plan that was adopted in 2006 by the Cities of Ames and Gilbert and Story County. A map showing the Urban Fringe Plan land designations and the location of the AGCC was shown. It was noted by Planner Kuester that the AGCC has an Ames Urban Fringe Plan designation of Rural Transition Residential Area.

Mr. Kuester explained that the City of Ames manages growth through a combination of subdivision and land use controls. The Land Use Policy Plan (LUPP) provides policy direction on future growth and expansion of corporate boundaries. Additionally, the LUPP incorporates the Ames Urban Fringe Plan (AUF) to coordinate development within two miles of the City. The AUF is accompanied by a cooperative 28E Implementation Agreement between Ames, Gilbert, and Story County and contains a shared common vision of development that incorporates land use controls as well as applicability of subdivision requirements. The chief project-level development control for the City is application of its Subdivision Code (Chapter 23) to the two-mile fringe area as authorized by the *Code of Iowa*.

According to Mr. Kuester, the AGCC desires to develop a rural residential subdivision in the future on approximately 20 acres of its 155-acre property. The AGCC seeks clarification of the LUPP designation and the AUF Plan related to long-term development interests of the City and its desire to proceed with a subdivision without annexation. Mr. Kuester provided a report on the Allowable Growth Areas of Ames and the AUF Plan, how the LUPP and the AUF Plan currently apply to the Ames Golf and Country Club, and what options the City Council may consider regarding their request.

Mr. Kuester reviewed the subdivision regulations that would apply to this request. He advised that, when a request for a subdivision outside of the City is received, it generally includes a request for a waiver of City subdivision requirements (e.g. water, sewer, streets, sidewalks). In accordance with City policy, a request for waivers to the Design and Improvements Standards is not presented to the City Council unless and until the owner of the subject property presents certain covenants to the City, signed and ready for recording. At a minimum, the City requires those three covenants that bind the owner and all subsequent owners of the subdivision to do the

following: a) Seek voluntary annexation whenever the City Council asks them to do so, b) Pay any costs associated with the buyout of rural water service territory associated with a future annexation, and c) waive objections to any special assessment necessary to bring City infrastructure and services to their property in association with future annexation. Planner Kuester further advised that the City has obtained and recorded those covenants for approximately a dozen developments in the fringe of Ames. To date, the City Council has not yet sought annexation of any of those developments, since they are not yet adjacent to the City limits and are, therefore, ineligible for annexation.

The Council was briefed on the specific request of the AGCC. He noted that the property in question lies within the Northern Growth Area of Ames and is classified as a Rural Transitional Residential Area in the Ames Urban Fringe Plan. AGCC is willing to develop in a fashion similar to other nearby rural developments outside of the City. It is proposing a low-density residential development along portions of the perimeter of the golf course. Single-family housing is proposed along George Washington Carver Avenue and 190th Street, and town homes are proposed along George Washington Carver Avenue for a total of potentially 25 units. The AGCC partner developer (Bella Homes) is willing to sign the typical covenants to obtain waivers of City infrastructure requirements and submit a preliminary plat consistent with the City's Conservation Subdivision requirements. These waivers would include allowing for Xenia water service and some method of septic treatment systems rather than a centralized sewer system. The preliminary plat would be subject to City Council approval. If approved, development would then proceed outside of the City.

Council Member Gartin asked if any precedents had been set from similar proposals for land in the same designated area. Planning and Housing Director Diekmann explained that Rose Prairie (a large development located just to the east of the land in question) was the most obvious. It intended to subdivide under County regulations. The City did not approve the requested waivers, and it was not allowed to subdivide. A lawsuit and subsequent settlement resulted in the land eventually being annexed. The tract of land is now in the city limits; however, does not yet have the zoning designation to proceed. To the west of George Washington Carver, there are large-lot rural subdivisions that are currently under construction.. The City has followed its practice of getting the required covenants pertaining to annexation, rural water, and special assessments on those developments. Mr. Diekmann also noted that if the property is in the Ada Hayden Watershed, it has an extra layer of conservation subdivision requirements to protect the water supply.

Council Member Nelson asked how similar this was to the development of the former Oaks Golf Course. Planner Kuester answered that that approximately 40 acres was located in the AUF Plan Agricultural and Farm Service Preservation area that is already exempt from City review. The AUF Plan was changed from Parks and Open Space to Rural Residential for that property, however, it was still within that category. The developer had to meet County zoning and subdivision standards. It was pointed out by Mr. Diekmann that the former Oaks Golf Course was never part of the City's Northern Growth Area due to the expense of installing infrastructure there.

Planning and Housing Director Kelly Diekmann advised that the City Council was being asked to clarify the policy intent for the Northern Growth Area in relation to the AGCC property. He noted that, beyond the policy issue of rural subdivision, there would still remain technical issues related to water and sewer services at the time of subdivision. Mr. Diekmann presented three

options for the Council's consideration:

1. The City Council may articulate an interest to maintain the Northern Growth Area Designation for the AGCC property, express its expectation that all development will conform to urban infrastructure requirements of the Subdivision Code, and state an intent to not allow for rural subdivisions with waivers at this time.

According to Mr. Diekmann, that option is the most consistent with past City policy to not allow for new development without annexing to the City. The most significant example of this policy involved the proposed Rose Prairie development. He reported that if Council chooses this option, no referral would be warranted.

2. City Council may find there is a policy balance between maintaining the Northern Growth Area Designation with its objectives in relation to AGCC and willingness to consider a potential rural subdivision in the near term without annexation that is consistent with the Rural Transitional Residential Area classification of the AUF.

Mr. Diekmann stated that, if Council chooses that option, no referral would be required. Under this option, Council would be indicating its willingness to consider the possibility of development of a rural subdivision in this area prior to annexation. With this option, the next step would be for AGCC to submit a Preliminary Plat, covenants, and a request for waivers to City subdivision requirements

3. City Council may identify an interest in amending the LUPP to remove the Northern Growth Area Designation conflict with the Ames Urban Fringe Plan land use classification of Rural Transitional Residential Area.

Director Diekmann added that, if Council chooses that option, it would refer to staff the processing of a LUPP Amendment. A rural subdivision would then be processed and still be required to provide the typical covenants and be subject to Council approval of the preliminary plat.

Larry Curtis, 2042 Cessna, Ames, representing the AGCC, stated that he had been working on the proposed project since 2002. He advised that the AGCC is willing to sign any covenants that the City might require; they will comply with all regulations. It was Mr. Curtis's opinion that the City will not move out to the AGCC land for a very long time period. The applicant would like to have something done now so that residential development may be enjoyed at that location. Mr. Curtis requested that the City approve Option No. 2. At the inquiry of Council Member Goodman, Mr. Curtis stated that they are proposing the construction of 25 homes around the golf course. He pointed out that the golf course occupies the majority of the property, it has been in existence for over 100 years, and there are no foreseeable plans to change its use.

Council Member Goodman asked if the development would be somewhere close to the City's required density. Mr. Curtis advised that septic systems would be used so there had to be at least 25,000 square feet in terms of the lots; there would be larger lots than what is seen in the City. Mr. Goodman further inquired what impacts would be created for the development if the Council were to approve a county subdivision, but required some of its subdivision standards. Mr. Curtis said that they would be happy to work with City staff.

Council Member Orazem asked if there were systems other than septic systems that would be more amenable to hooking up to a sanitary sewer. Mr. Curtis said that the septic systems being discussed are very modern with state-of-the-art technology. He noted that part of the proposed development would be townhouses that would have a central waste disposal system (mound system), which is a common practice for these types of rural developments. The larger 25,000-square-foot lots would have their own systems. Director Diekmann advised that the decision on the type of system to be allowed would come back to the Council as part of its subdivision review.

Council Member Orazem asked if Mr. Curtis if the AGCC were aware that Xenia Rural Water District would serve the property until a time that the property would be annexed into the City. Mr. Curtis shared that the AGCC planned to come to an agreement with the Xenia Rural Water District.

Council Member Betcher raised the issue of the extension of urbanized services should the property in question be annexed. A map of the current boundaries of the City's water and sanitary sewer utilities was shown.

Council Member Goodman referenced the City's former approval of the Northern Growth Area and noted that the City would be making a \$1.8 million investment in that area. According to Mr. Goodman, the "hard conversation" regarding how that change will impact the future choices in the Northwest Area had never really occurred. He questioned whether the City, if it is installing sewer and water and possibly a Bloomington Road extension, was going to want the type of returns that come from that densely developed area in the North or the very, very sparsely developed areas in the Northwest. Mr. Goodman emphasized that the conversation needed to occur, not specifically about the 25 potential homes in question, but what the Council thinks about future growth in the area.

Council Member Goodman referenced the Meadow Glen Neighborhood, which is a County subdivision that is surrounded by City of Ames property. He noted that as Ames grows, having those small areas near where Ames might grow, may impede future annexations. His opinion is that, if there is further growth in the Southwest Area, it will be an increasingly large problem and impede that growth. It was recommended by Mr. Goodman that the Council members really think about what they expect to see in the area in question in the long term and let that guide them in making the decision.

Council Member Gartin asked if there were any downsides to going forward with Alternative No. 2 from the Council Action Form. Director Diekmann advised that No. 2 defers any specific action on the Country Club property until it proposes a Preliminary Plat and requests waivers of subdivision improvement requirements. There are no policy changes or commitments with No. 2; however, it does signal to the Country Club to pursue the development proposal with the City. Planner Kuester noted that the long-term implications are that if it eventually ends up in the city limits, there will be large-lot (one-acre size) development around the perimeter; it will not be the standard city density for the 25 lots.

Mayor Campbell said that she was not recalling a time when the City had annexed any property that had been developed by rural standards and not caused an inordinate number of headaches.

Moved by Goodman, seconded by Orazem, to articulate an interest to maintain the Northern

Growth Area designation for the AGCC property, express its expectation that all development will conform to urban infrastructure requirements of the Subdivision Code and state an intent to not allow for rural subdivisions with waivers at this time.

It was asked by Council Member Orazem who would pay for the extension of City services if Option No. 1 were approved and the applicant still wanted to move forward with residential development. Director Diekmann answered that, per City policy, all development in the Northern Growth Area pays its own way; the developer would be responsible for all the costs. City Manager Schainker presented a possible scenario where the City would do the project, bill the Country Club, and calculate the benefit of the infrastructure. When other areas develop in the vicinity, there would be an agreement with those who hook up afterwards that the money collected in those fees would be reimbursed to the Country Club development since it bore the costs initially.

Council Member Orazem asked how the cost of septic systems would compare with the cost of the extension of utilities. Mr. Curtis stated that the costs of the septic system run about \$10,000/lot; however, to extend City services would be astronomical; it would not be feasible to spread the costs of running utilities among only 25 homes.

Chris Gardner, representing developer Bella Homes, stated that the rough estimate was approximately \$3 million to \$4 million to run sewer and water lines. He also stated that the development would not be do-able if in that amount were to be divided among only 25 homes.

Council Member Goodman asked Mr. Gardner if he felt he could sell the homes at City density. Mr. Gardner replied that they could look at that option, but it is not their method of operation. It was also stated by Mr. Gardner that if the development were to be allowed, their plan was always to build as much as possible to City specifications. They will have the easements in place, and the roads, water lines, etc., would be built to City specifications so as to make the transition as seamless as possible when and if annexation occurs.

Mayor Campbell clarified that the motion on the floor would require the AGCC to develop to urban infrastructure requirements.

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

Moved by Orazem, seconded by Nelson, to approve Option #2: the City Council may find there is a policy balance between maintaining the Northern Growth Area designation with its objectives in relation to AGCC and willingness to consider a potential rural subdivision in the near term without annexation that is consistent with the Rural Transitional Residential Area classification of the AUF.

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

HEARING ON ADOPTION, BY REFERENCE, OF 2012 EDITIONS OF INTERNATIONAL BUILDING, RESIDENTIAL, FIRE, EXISTING BUILDING, MECHANICAL, PLUMBING, AND FUEL GAS CODES (“Codes”): Seana Perkins, Building Official, told the Council that the Codes provide the requirements, consistency, and guidance as the City’s Inspection Division reviews and inspects projects within the city limits of Ames. The nationally recognized Codes

are adopted in three-year cycles. Staff is requesting that the Council approve the 2012 Editions of the International Building, Residential, Fire, Existing Buildings, Mechanical, Uniform Plumbing, and Fuel Gas Codes.

Ms. Perkins explained the method of review by City staff. After staff's review was finished, the Building Board of Appeals reviewed the proposed text amendments to *Ames Municipal Code* Chapter 5 (Building, Electrical, Mechanical, and Plumbing Code) and Chapter 8 (Fire Code). A community outreach meeting was held on September 23, 2013, with invitations going out to individuals who had done business with the Inspections Division during the past year. On December 2, 2013, the Building Board of Appeals finished its review and recommended approval of the aforementioned Codes, with local amendments. On December 10, 2013, staff brought the respective Codes to the City Council and explained the local amendments. At that meeting, the Council set this meeting as the public hearing on the adoption of the Codes.

Ms. Perkins informed the Council that, typically, the City's adoption process follows the State of Iowa adoption process for the Codes; however, the State has not yet adopted the 2012 Codes due to significant setbacks with its staffing. City staff has been told that the State's process may occur during Spring 2014 or not at all, so Ames had decided to move ahead at this time.

The Council's attention was brought to the Council Action Form where the significant changes being proposed had been explained.

At the inquiry of Council Member Orazem, Ms. Perkins clarified that staff is not recommending that the International Energy Conservation Code (IECC) be adopted at this time.

At the initiation by Council Member Goodman, discussion ensued on automatic fire alarms and manual fire alarms. Mr. Goodman recalled that Council had directed that the Fire Code section of Chapter 13 be removed to allow for the International Codes to act as the authority for rental housing. City Manager Steve Schainker noted that the Council had already directed staff to remove the fire alarm requirement from the Rental Housing Code. Fire Chief Shawn Bayouth confirmed that that had been the Council's direction; the exclusion from the Rental Code (Chapter 13) will be brought back to the Council in the near future.

Council Member Goodman noted the input that had been provided by *ex officio* Member Alexandria Harvey, specifically that "the timing piece was a big loss." Mr. Goodman asked if it would be possible to keep "the timing piece" in the Rental Housing Code and refer to the International Fire Code for all other detail. Fire Chief Bayouth said that would be possible if that was Council's direction. He suggested that the City first find out all the properties that would be affected and to notify them through the Fire Inspection Division, instead of the Housing Inspection Division. Mr. Goodman recommended that there still be some sort of time line, so that it would bring it before the Council for discussion. Mr. Bayouth clarified that Council had already referred it back to staff for the Fire Chief to create a time line. The Fire Inspector is already working on an inventory of the affected structures. Staff will then make a recommendation as to when to start the time line. That time line would be included as a Department policy, not necessarily in any Code. City Manager Schainker clarified that the Council had already directed staff to eliminate that requirement for the Rental Housing Code and it would be coming back to Council. There would be two separate actions: (1) to remove the fire alarm requirement from the Rental Housing Code and (2) come back under the Fire Code with a recommendation as to how to deal with fire alarms with all the different kind of housing uses.

At the request of Council Member Gartin, Ms. Perkins reported more specifically on the community outreach efforts taken by staff to inform the public and contractors. There were eight local contractors attending. Those individuals were mainly interested in fact-finding; however, at that meeting, it was discovered that adoption of the IECC would cause issues for contractors. Staff then researched it more significantly and discovered that the City should continue to follow its existing standards.

City Manager Schainker advised that he had received an inquiry about a potential Code change that would require residences occupied by five or fewer people to have sprinklers. Ms. Perkins noted that the requirement would not be retroactive; it would relate to new construction. Council Member Corrieri asked for clarification if it would be for only new construction or would it also require that when ownership of the residence changes. Plans Examiner Scott Ripperger clarified that if the use of a single-family home was changed to a group house, that would change the occupancy and the requirement would then kick in. If the residence is already used as a group home and only the ownership changes, sprinklers would not be required.

Council Member Nelson asked for more detail regarding the calculation of the required number of plumbing fixtures. Building Official Perkins reported that the Inspections Division had been operating under a policy which allowed customers to utilize the Uniform Plumbing Code or Chapter 29 in the International Building Code for fixture counts. The change proposed is to actually add that policy to the International Building Code (allowing the use of Chapter 29).

Mayor Campbell opened the public hearing.

Scott Jarmon, 2816 York Drive, Ames, identified himself as a fire professional by trade. He expressed concerns about the time line for rental property compliance with the International Fire Code, pointing out that the retroactive requirements for fire alarm systems had been in the International Fire Code since 2003. Mr. Jarmon added that it is not a new Code or new information, and business owners and property owners are responsible for understanding the Codes pertaining to their own properties. The Code would affect properties with 16 or more sleeping units with interior hallways and/or properties that are three or more stories. He emphasized the value of automatic fire alarm systems. Mr. Jarmon wanted to make sure that the City Council members were aware of the ramifications of what they would be voting on. He noted that it had already been identified that there are 34 of those types of properties in the Ames community. The history of the City's adoption of the applicable Code was given by Mr. Jarmon. He reported that when the City added the requirement to its Rental Code, it increased the requirement to include automatic and manual alarms. The Council was told that the average cost of a 16-unit sprinkler system would be approximately \$27,000 to \$30,000, and the average cost for an alarm system to be installed in a similar property would be \$12,000. Mr. Jarmon attempted to make the Council aware of the value of an automatic fire alarm system. He told the Council that it was voting on whether or not it was alright to maintain apartments that do not meet current building standards to protect residents and emergency workers. The fire alarm systems give the residents early warning and response from the Fire Department. Mr. Jarmon recommended that the City not change the time line for implementation of fire alarm systems. It was pointed out by Mr. Jarmon that, formerly, the City gave owners five years to comply; however, an extension was requested. Mr. Jarmon cautioned that if the City is aware of a problem and chooses not to do anything about it, it becomes liable if someone gets injured. The inspector has a responsibility to bring the issue to the attention of the community leadership to

ensure that it is remedied. Mr. Jarmon noted that the problem had become evident, and the City had already placed a deadline for compliance.

There being no one else who wished to speak, the hearing was closed.

Moved by Orazem, seconded by Nelson, to pass on first reading an ordinance to adopt, by reference, the 2012 Editions of the International Building, Residential, Fire, Existing Building, Mechanical, Plumbing, and Fuel Gas Codes, with local edits.

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

HEARING ON MOTOR REPAIR FOR POWER PLANT: Electric Services Director Donald Kom explained the bidding process. He told the Council that one bid was received. Staff reviewed the bid submitted by Electrical Engineering and Equipment Co., of Windsor Heights, Iowa, and determined that it was non-responsive because the bidder did not include a proposed price increase percentage for renewal periods within its bid.

The public hearing was opened by the Mayor. The hearing was closed after no one came forward to speak.

Moved by Orazem, seconded by Corrieri, to reject the bid and direct staff to rebid the project. Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Orazem, seconded by Corrieri, to adopt RESOLUTION NO. 14-032 approving preliminary plans and specifications for Motor Repair for the Power Plant; setting February 12, 2014, as bid due date and February 25, 2014, as the date of public hearing, Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON 2013/14 CYRIDE ROUTE PAVEMENT IMPROVEMENTS PROGRAM #1 (JEWEL DRIVE, EMERALD DRIVE, KEN MARIL ROAD, DULUTH STREET): The public hearing was opened by Mayor Campbell and closed after no one requested to speak.

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 14-033 approving final plans and specifications and awarding a contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$970,614.68.

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

2014 VEISHEA PANCAKE FEED: Moved by Orazem, seconded by Goodman, to adopt RESOLUTION NO. 14-034 approving a contract with VEISHEA, Inc., in the amount of \$8,000 for the 2014 VEISHEA Pancake Feed, with the condition that patrons not be charged more than \$2.00 per person for participation in the event.

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

REALLOCATION OF FUNDING FROM FACES TO AMES HUMAN RELATIONS COMMISSION SESQUICENTENNIAL DISPLAY: Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 14-035 authorizing the transfer of funds in the City Council's

Special Allocations program from FACES to the Human Relations Commission's sesquicentennial display in an amount not to exceed \$1,500.

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

PUBLIC LIBRARY LEASE FOR PROPERTIES HOUSING TEMPORARY LIBRARY FACILITIES AT 620 LINCOLN WAY:

Library Director Lynne Carey reminded the City Council that, on September 25, 2012, it had held a public hearing and approved an agreement to lease premises owned by Midwest Centers, LP, for occupancy by the Ames Public Library during completion of the Library Renovation and Expansion Project. The premises, located at 620 Lincoln Way, were leased for a 21-month period from November 1, 2012, to July 31, 2014. The Library collection, public service areas, and most staff workspaces are currently housed at that location. At the time the lease was executed, it was hoped that the permanent Library facility could be re-opened as early as July 2014, but it was contemplated that the time line could be subject to change. The terms of the Lincoln Center lease state that the premises could be leased on a month-to-month basis for up to 12 additional months with the same base rent and under the same terms and conditions as the original term.

According to Ms. Carey, the General Contractor now expects substantial completion of the Library Renovation and Expansion Project toward the end of July. Delivery and installation of furniture and equipment is being scheduled during the month of July. Systems testing and the move back to Douglas Avenue are now anticipated to take place in the month of August. Library staff has determined that, even if the collection and other items can be relocated in August, additional time will be needed to sell or dispose of leftover furniture and shelving and to fully vacate the leased space.

Moved by Nelson, seconded by Orazem, to adopt RESOLUTION NO. 14-036 extending the lease with Midwest Centers, LP, for the premises at 620 Lincoln Way for the months of August and September 2014 at the rate of \$14,300 per month.

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

INTEGRATED LIBRARY SYSTEM (ILS): Director Carey introduced Alissa Dornink, who is in charge of Resource Support Services and is the Integrated Library Administrator. Ms. Dornink explained to the Council that existing search options in the Library's online catalog were outdated and not meeting patron's or staff's needs. Staff had researched more user-friendly integrated library systems (online catalog). The Library Board had given staff direction to move forward with a Request for Proposals (RFP) from vendors for a new ILS that would provide a better customer experience and improve staff efficiency. Ms. Dornink provided details as to the evaluation of the five proposals received. The proposal submitted by Polaris Library Systems received the highest rating from each independent evaluator and received the highest cumulative score, both with and without pricing.

According to Director Carey, funding for the project is available from private donations for the renovation project. Ms. Dornink explained that the Library originally had requested funding through the City's Capital 2 Improvement Program process for 2015/16. However, private donations (from the "Friends of the Ames Public Library" group) for the renovation project are now being utilized and that has made the dollars originally designated in the CIP available for other important public improvements.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 14-037 awarding the contract to Polaris Library Systems of Liverpool, New York, for the purchase of the Polaris Integrated Library System in the amount of \$131,431.

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

COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR YEAR ENDING JUNE 30, 2013:

Tina Stanley, Assistant Director of Finance, summarized the Comprehensive Annual Financial Report (CAFR) for year ending June 30, 2013. She explained the purpose of the financial statements making up the CAFR. Ms. Stanley requested that the City Council accept the audited financial statements so that they could be submitted to the state and other users of the CAFR.

Moved by Goodman, seconded by Betcher, to adopt RESOLUTION NO. 14-038 approving the CAFR for the fiscal year ending June 30, 2013.

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

ORDINANCE TO ADD DEFINITION OF *FLASHING YELLOW ARROW* TO MUNICIPAL CODE SECTION 26.18(2)(K):

Moved by Orazem, seconded by Goodman, to pass on second reading an ordinance adding the definition of *flashing yellow arrow* to *Municipal Code* Section 26.18(2)(k).

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

COUNCIL COMMENTS: Council Member Betcher referenced the Minutes of the Library Board, which stated that the previous Council had received a letter from the Library Director regarding Historic Preservation Tax Credits. Two sets of Library Board Minutes had indicated that the Library had not received a response from the City Council. Ms. Betcher would like the Council to respond to the Library Board. Mayor Campbell noted that the letter had not asked for a response and the Library Board is the body to make the decision about the Tax Credits. Mayor Campbell volunteered to respond to the Library Board stating basically that the Council had received its correspondence concerning Tax Credits.

Moved by Orazem, seconded by Goodman, to refer to staff the January 9, 2014, request of Kingland Campus Properties for a camera on a stoplight pole at the corner of Welch and Lincoln Way as part of its security plan.

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

Moved by Orazem, seconded by Goodman, to direct that staff prepare a memo back to the City Council related to the request of VKB Management in its letter dated January 4, 2014, to change an ordinance as it pertains to the Maximum FAR requirement.

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

Moved by Goodman, seconded by Orazem, to direct that staff prepare a memo back to the City Council pertaining to the request of CPM Development dated January 9, 2014, for a LUPP Amendment for property at 516 S. 17th Street.

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

Council Member Goodman asked for an update on the issue of exempting Greek Houses from the Rental Code. City Manager Schainker recalled that the City Council had directed staff to

bring back an ordinance that would exempt fraternities/sororities from the Rental Housing Code. He advised that representatives for the fraternities/sororities had contacted him and asked that this item not be brought back to the Council until after semester break. Mr. Schainker also recalled that there was an issue with parking relative to the Zoning Ordinance; that group wants to suggest changes. Those changes have not yet been received. City Manager Schainker asked for Council direction on when it wished to have the issues brought back.

Moved by Goodman, seconded by Betcher, to direct staff to place, on the next Regular Meeting Agenda, the exemption of Greek houses from the provisions of the Rental Housing Code.

City Manager Schainker asked if Mr. Goodman meant an exemption all the time and it would not depend on whether they rent out rooms or not. Mr. Goodman stated that was correct.

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

CLOSED SESSION: Moved by Orazem, seconded by Corrieri, to hold a Closed Session, as provided by Section 21.5c, *Code of Iowa*, to discuss matters in litigation.

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

The Council reconvened in Regular Session at 10:40 p.m.

ADJOURNMENT: Moved by Goodman, seconded by Corrieri, to adjourn the Regular Meeting at 10:41 p.m.

Diane Voss, City Clerk

Ann H. Campbell, Mayor