

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

**AMES, IOWA**

**SEPTEMBER 26, 2017**

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

The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee meeting was called to order by Ames Mayor and voting member Ann Campbell at 6:03 p.m. on the 26<sup>th</sup> day of September, 2017, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Other voting members present were: Bronwyn Beatty-Hansen, City of Ames; Gloria Betcher, City of Ames; Amber Corrieri, City of Ames; Tim Gartin, City of Ames; Chris Nelson, City of Ames; Lauris Olson, Story County Supervisor; and Peter Orazem, City of Ames.

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

**APPOINTMENT TO STATEWIDE URBAN DESIGN SPECIFICATIONS (SUDAS) BOARD OF DIRECTORS:** Moved by Corrieri, seconded by Olson, to approve the appointment of Public Works Director John Joiner to the Statewide Urban Design Specifications (SUDAS) Board of Directors.

Vote on Motion: 8-0. Motion declared carried unanimously.

**CERTIFICATION OF CONFORMANCE OF PROJECTS IN IOWA CLEAN AIR ATTAINMENT PROGRAM (ICAAP) GRANT APPLICATIONS:** Transportation Planner Tony Filippini explained that the ICAAP helps fund transportation projects and programs that result in attaining or maintaining the national ambient air quality standards. The AAMPO is required to review all potential ICAAP applications within the area for the following three items: (1) completeness, (2) financial feasibility, and (3) conformity with the AAMPO transportation planning processes and plan. The grant application is due to the Iowa Department of Transportation by October 1, 2017.

Moved by Nelson, seconded by Olson, to adopt RESOLUTION NO. 17-576 certifying that the South Grand Avenue Extension project in the Iowa Clean Air Attainment Program grant application conforms to AAMPO's regional transportation planning process.

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

Moved by Nelson, seconded by Olson, to adopt RESOLUTION NO. 17-577 certifying that the CyRide #9 Plum Weekday Route Expansion project in the Iowa Clean Air Attainment Program grant application conforms to AAMPO's regional transportation planning process

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

**ADJOURNMENT:** Moved by Corrieri, seconded by Gartin, to adjourn the AAMPO Policy Committee meeting at 6:05 p.m.

## REGULAR MEETING OF THE AMES CITY COUNCIL

The Regular Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 6:08 p.m. on September 26, 2017, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem. *Ex officio* Member Rob Bingham was also present.

**CONSENT AGENDA:** Item No. 10, requests from ISU Homecoming Central Committee pertaining to Homecoming events, and Item No. 13, the Edward Byrne Memorial Justice Assistance Grant, were pulled from the Consent Agenda for separate discussion.

Moved by Corrieri, 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 September 12, 2017, and Special Meeting of September 19, 2017
3. Motion approving Report of Contract Change Orders for September 1-15, 2017
4. Motion approving nomination of Ames Main Street Historic District to National Register of Historic Places
5. Motion directing staff to work with Main Street Cultural District for submittal of Iowa Great Places Grant application for improvements to Bandshell Park
6. Motion approving new Class C Liquor License & Outdoor Service for Grandpa Noodle Gallery, 926 S. 16<sup>th</sup> Street (pending dram)
7. Motion approving 5-day (October 9 - October 13) Class C Liquor License for Gateway Hotel & Conference Center at ISU Alumni Center, 420 Beach Avenue
8. Motion approving 5-day (October 19 - October 23) Special Class C Liquor License & Outdoor Service for Gateway Market MLK at ISU Alumni Center, 420 Beach Avenue
9. Motion approving ownership change for Class B Beer Permit for Mongolian Buffet, 1620 S. Kellogg Avenue, Ste. 103
10. RESOLUTION NO. 17-581 approving 2017 Street Finance Report
11. RESOLUTION NO. 17-582 approving 28E Agreement with Story County for Snow and Ice Control
12. RESOLUTION NO. 17-584 releasing property locally known as 300 S. Bell Avenue from Development Agreement dated 6/01/1992
13. RESOLUTION NO. 17-585 committing to 20-year maintenance of Grand Avenue Extension/Vet Med Trail as a condition of grant application for Iowa Federal Recreation Trails Program
14. RESOLUTION NO. 17-586 awarding contract to OneNeck IT Solutions of Urbandale, Iowa, for purchase of Hewlett Packard Servers for Information Technology Division in the amount of \$51,287.93
15. RESOLUTION NO. 17-587 approving renewal of contract with LawnPro, LLC, of Colo, Iowa, in an amount not to exceed \$74,543 for Right-of-Way Street Tree Removal for FY 2017/18
16. RESOLUTION NO. 17-588 approving Change Order No. 24 for New Water Plant Contract No. 2
17. RESOLUTION NO. 17-589 approving Change Order No. 2 for purchase of Electric Services LED Luminaires
18. RESOLUTION NO. 17-590 accepting final completion of City Maintenance Facility Roof Replacement, Phases 2 & 3
19. RESOLUTION NO. 17-591 approving Plat of Survey for 725 and 729 East Lincoln Way

20. RESOLUTION NO. 17-592 approving Plat of Survey for 2408 and 2410 Chamberlain Street
21. RESOLUTION NO. 17-593 approving completion of public improvements and releasing security for Crane Farm Subdivision
- Roll Call Vote: 6-0. Motions/Resolutions declared carried/adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**REQUESTS FROM ISU HOMECOMING CENTRAL COMMITTEE FOR ISU HOMECOMING EVENTS ON OCTOBER 27, 2017:** Council Member Nelson pointed out that there were representatives of the ISU Homecoming Central Committee present to talk about the events that will be occurring on October 27, 2017. Iowa State University Homecoming 2017 Co-Chairs Kate Fjelstad, 211 Lynn Avenue, Ames, and Emily Costa, 425 Welch Avenue, Ames, were present to address the Council.

Council Member Betcher explained that she continues to have concerns about the fireworks being displayed at Midnight. Her concerns relate to the effects the large booms have on veterans, small children, and pets. She wondered if they had consulted with Veterans' Services on Campus. Ms. Betcher said that she would like to see the fireworks moved to 10:30 p.m. Ms. Fjelstad stated that the Committee had distributed flyers to surrounding neighborhood residents and would be using door-hangers as well. She noted that it was tradition for the fireworks to be displayed at Midnight, and with the schedule that had been set, it wasn't possible to change that. It was also tradition for the fireworks to be displayed at Midnight. She stated that they would note Ms. Betcher's concerns for the Committee planning the schedule of events for next year. Council Member Betcher commented that she has raised the same concern for the past three years and had been told that it would be noted and brought up to next year's committee, but nothing has changed.

Moved by Betcher, seconded by Gartin, to approve the following requests from ISU Homecoming Central Committee for ISU Homecoming Events on Friday, October 27, 2017:

1. ExCYtement in the Streets:
  - a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License for closed area
  - b. RESOLUTION NO. 17-578 approving closure of portions of Sunset Drive, Ash Avenue, Gray Avenue, and Pearson Avenue from 7:30 p.m. to 11:00 p.m.
  - c. RESOLUTION NO. 17-579 approving suspension of parking regulations for closed areas from 7:00 p.m. Thursday, October 26, until 11:00 p.m. Friday, October 27
  - d. RESOLUTION NO. 17-580 approving waiver of fee for blanket Vending License

Moved by Corrieri, seconded by Gartin, to approve the request for Fireworks Permit for display from ISU Central Campus at midnight on Friday, October 27, for Mass Campaniling.

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

**2017 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT:** Council Member Betcher asked for clarification about the City meeting Section 13.73 requirements. It was pointed out that Interim City Attorney Mark Lambert had certified that the City does not have any concerns about the requirements. She asked if that meant that Story County was also meeting that requirement as Story County was on the list of Sanctuary Counties. Police Chief Chuck Cychosz advised that with the nature of the Grant award coming to the City and with this amount of Grant money to be received, the City will not be making any sub-award or contracting with the County.

Because none of the money is going to pass through to the County, the City is exempt from any sort of certification.

Moved by Betcher, seconded by Beatty-Hansen, to approve RESOLUTION NO. 17-583 approving the 2017 Edward Byrne Memorial Justice Assistance Grant.

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

**PUBLIC FORUM:** Kody Olson, 2132 Sunset Drive, Ames, stated that he was a Senior at Iowa State University. Mr. Olson said that, like many other students on ISU Campus, he is a first generation Cyclone who grew up below the poverty line. He was the product of two hard-working parents, and although it was not easy, he paid his way to become a Cyclone. Mr. Olson urged the Council to ensure that other ISU students have access to the same opportunities that he has been afforded. He believes that without the ISU Campus, Ames would be a very different community. Students make up over half of the population of Ames; those students live here, work here, shop here, and pay taxes here. Mr. Olson believes that the City should make it as easy as possible for students to live here. At a time “when tuition is skyrocketing,” Mr. Olson asked the City to help students to have an affordable place to live. According to Mr. Olson, many students are living in Ames at their economic threshold. He and many of his peers believe that if the house is up to Code and the students have the resources, the property should be allowed to be used to its full utility. Limiting property renters “arbitrarily” hurts students. As the Council is considering housing reform, Mr. Kody commented that, in the interest of landlords and renters to limit occupants either by the number of bedrooms in the home or by the square footage of the home.

**SIX-MONTH MORATORIUM ON NEW RENTAL OCCUPANCY PERMITS FOR SINGLE- AND TWO-FAMILY HOMES:** Interim City Attorney Mark Lambert explained that the City Council had directed the City Attorney’s office to draft an ordinance placing a six-month moratorium on the issuance of new Letters of Compliance for single-family and two-family residences. Mr. Lambert noted that there are four subsections to the Draft Ordinance: Section 1 states the purpose of the Ordinance. Section 2 creates a moratorium on the issuance of new Letters of Compliance during the moratorium period. Section 3 addresses issues that staff believes may arise during the moratorium period. Section 4 addresses current Letters of Compliance. According to Mr. Lambert, Section 4 was added because staff felt it was important to have the Ordinance clearly state that renewals of Letters of Compliance would be allowed during the moratorium, and property owners who sell their property to another person during the moratorium may transfer the Letter of Compliance to the new owner.

Mr. Lambert stated that Council will need to address property owners who have already completed and filed a rental registration application (which is the application to receive a Letter of Compliance) and potential property owners who have started the process by filing a pre-sale inspection form (this is the process where the potential buyer of property starts the process to make certain the property can be turned into a rental property.) Those applicants are not yet owners of the property in question.

It was clarified by Mr. Lambert that, under the language in Section 4 as drafted, a Letter of Compliance still could be issued during the moratorium period in situations where an applicant has already begun the registration process to receive a Letter of Compliance. Property owners who have filed a rental registration application or a pre-sale inspection form prior to the effective date of the moratorium could still potentially receive a Letter of Compliance.

Council Member Nelson asked if someone besides the owner could apply for a Letter of Compliance. Building Official Sara VanMeeteren answered that the property owner, not a manager, agent, or potential buyer, has to apply for the Letter of Compliance.

Council Member Betcher noted an email that the Council had received from an owner of a duplex who lived in one side of the duplex, but had been planning to move and wanted to convert the owner-occupied side to also be a rental. She asked if that would be allowed under the proposed moratorium. Ms. VanMeeteren advised that there shouldn't be any new duplexes, and most duplexes have both sides registered as rentals. Duplexes would be affected by the proposed moratorium, and to separate one of the units would be very difficult. The owner would have to apply for a Letter of Compliance for that side before the moratorium goes into effect.

Council Member Betcher asked why duplexes were included in the proposed ordinance. Ms. VanMeeteren believed that staff wanted to ensure that when the moratorium went into effect, it mainly was for the RL zone, and since duplexes are a part of that zone, they were to be included. Planning and Housing Director Kelly Diekmann noted that the moratorium being discussed was to be based on building type, and that would be the most preventive way of having more rentals coming into the neighborhoods where there was already the highest concentration of rentals. He pointed out that duplexes, even though one property, would be considered two units.

Council Member Orazem asked about the effective date of the Ordinance. Interim City Attorney Lambert advised that the Ordinance would take effect when it is published or at a date that is specified in the Ordinance. It could not be made effective on a date prior to its adoption.

Council Member Betcher noted that Iowa City ordinance is more restrictive and does not allow the registrations that were already in the works.

The Mayor asked the Building Official to know if applications had increased to Inspections for Rental Letters of Compliance. Ms. VanMeeteren answered that Inspections had added approximately 12 new Rental Letters of Compliance and half of those had been in the four neighborhoods that were previously noted as the most vulnerable.

Mayor Campbell noted that the Council would only be dealing with the moratorium at this meeting, not what happens after the moratorium. She spoke to the process of adopting the Ordinance at this meeting. It would take a suspension of the rules, necessitating a super majority (five out of six Council members) voting in favor of passing the Ordinance, for the Ordinance to be adopted at this meeting.

Brenda Petersen, 2152 Ashmore Drive, Ames, advised that she is a licensed real estate agent and a landlord of one house. As a real estate agent, Ms. Peterson said that she is contractually obligated to act in the best interest for her clients. Currently, she is representing four different clients who are selling their homes to investors, which is possible and legal. One of those clients has moved out of state, has a higher-priced home that might not sell in the current market, and may want to rent the home. Her clients would be greatly impacted. Ms. Petersen realizes that Campus-impacted neighborhoods need to be protected. She believes that there is a need for affordable housing in Ames. Ms. Petersen asked the Council to consider strict enforcement of the Ordinances and Codes and stiffer penalties for violations.

Council Member Orazem asked about renting a home that has been vacated. It was his

understanding that a home could be rented for up to one year without having to register it as a rental. Building Official VanMeeteren advised that the City currently has a provision for a Transitional Letter of Compliance; that is for one year. The Transitional would be exempted from the proposed moratorium.

Sarah Samms, business owner of 2010 Philadelphia Street, Ames, said that she had spoken with the Iowa City Area Association of Rentals to ask what impacts the moratorium has had there since it went into effect in June 2017. Ms. Samms shared the statistics; sales had increased, but then decreased, but the results were inclusive as to the reason. She believes that more time is needed in order to study the statistics in order to ascertain the impacts. Ms. Samms said that she had also contacted the Iowa City Policy Department to find out the number of loud party calls to the Department since their moratorium had gone into effect. She noted that it was difficult to ascertain a correlation, and again more time is needed to analyze the data. According to Ms. Samms, the Disturbing the Peace and Quiet calls reported by the Iowa City Police Department have been decreasing since 2013. She suggested that if the City wants to lower the incidents of those calls in Ames, it should emulate what the City of Iowa City had done. Ms. Samms also received statistics on loud party calls to the Ames Police Department, but she has not had time to analyze those thoroughly. Since some of the loud party calls reported since January 2017, several had been for single-family homes. Ms. Samms stated that placing a moratorium on new Rental Letters of Compliance would impact home sales, and in some respects, can be financially devastating to home owners. She is not sure that a moratorium is the answer to the issues or that it will have the effect that the Council is intending. Ms. Samms asked that the City Council take the time needed to ensure that the correct measures are put in place and think about what effect those would have on the community before placing a moratorium on Rental Letters of Compliance. Mayor Campbell noted that that is the purpose of the six-month moratorium: to give the City time to determine what is the best solution. Council Member Gartin asked Ms. Samms to forward the data that she had received to the Mayor and City Council.

Jon Wolseth, 241 Village Drive, Ames, spoke on behalf of the moratorium. He is in favor of waiving the second and third readings of the proposed Ordinance and adopting it at this meeting. Mr. Wolseth noted that his neighborhood is already 60% rental and 40% owner-occupied. He believes that this could protect the character of neighborhoods until such a time as it becomes more of a 50/50.

Austin Downey, 1107 Lincoln Way, Ames, said that he purchased his home in 2008. He noted that there is not another owner-occupied house on both sides of Lincoln Way. The moratorium would be economically devastating to him as he might need to rent his house, if it does not sell, upon graduation from Iowa State University. He will soon be graduating with two doctorate degrees and has started his job search. Mr. Downey stated that he had lived in his home for nearly a decade, and he does not want it to fall into foreclosure if it does not sell and he is unable to rent it. Mr. Downey commented that affordable housing is very problematic in Ames. Many of his neighbors are students, even though they are renting homes. According to Mr. Downey, he is not in favor of waiving the rules to pass the Ordinance at this meeting, and he is not in favor of the moratorium. Council Member Gartin asked if a Transitional Letter of Compliance could be issued in Mr. Downey's case. Building Official VanMeeteren replied that he would. She stated that Mr. Downey could register his house as a rental now. Mr. Downey commented that his house was a rental on the rental roles for over 20 years when he bought it and made it into a owner-occupied home.

Kelly Junge, 401 E. 14th Street, Ames, advised that he is an owner of a duplex on Maxwell. Half of the duplex is rented with a Letter of Compliance. He and his family are planning to move within six months because it is now too small for his growing family. Because he and his family live on the other side of the duplex, he does not currently have a Rental Letter of Compliance for that side. In order to get that Rental Letter of Compliance, he has to make certain changes to bring it up to Code, which he was not planning on doing at this time. He would have very little time, perhaps six weeks, to make the changes and get the Letter of Compliance. Mr. Junge noted that duplexes are meant to be rental. He said that it would be very difficult to sell his property because one side would have to be owner-occupied.

Lad Grove, 30196 Hwy. 69, Huxley, Iowa, advised that he is an attorney with an office at 621 Main Street, Ames. Mr. Grove said that he is representing a woman who is in a care facility. He filed an application with Inspections for a Letter of Compliance in August, and the property has been in the process of inspection and reinspection since August. Initially, there were five small things that needed to get corrected. As of yesterday, additional items were noted. One of those items is to repair part of the fence that had to be moved to get a shed on the property. The tenants are waiting for the people who will be repairing the fence. The tenants, man and wife, moved in on August 1, 2017, while the Letter of Compliance was still pending. Mr. Grove does not want to have the moratorium go into effect before the fence has been repaired and for the tenants have to move. Interim City Attorney Lambert noted that the Ordinance allows for situations like that and is based on the application date.

Leslie Kawaler, 2121 Hughes Street, Ames, noted that she had previously stated her neighborhood's concerns to the City Council at previous meetings and would not be reiterating those at this meeting. She shared that she had received a flyer advertising an owner-occupied home for sale that stated they were in the process of getting a Rental Letter of Compliance. Ms. Kawaler believes that time is of the essence for the moratorium to prevent more "studentification" of the vulnerable neighborhoods. Ms. Kawaler felt that it is crucial that the Council pass the moratorium either at this meeting or on its third reading.

JoAnne Pfeiffer, 3318 Morningside Street, Ames, commented that the proposed moratorium will give the City time to determine what kind of neighborhoods it wants to promote - a mixed community or a student community, and which one would promote quality of life in the neighborhood. She urged the Council to vote for the moratorium.

Fern Kupfer, 2100 Ashmore Drive, Ames, voiced her support for the moratorium. She read information that had been published in the *Iowa City Press Citizen* on June 13. It stated that House File 134 "had caused a rash of new rentals requests... in Iowa City." The City Manager of Iowa City had said that "the long-term process of limiting occupancy based on familial status had been the most critical regulatory tool to preserve neighborhood stability." The Iowa City moratorium passed on June 15 for six and one-half months. During that temporary hold, the City was going to study how to mitigate the impacts of increased rental occupancy. Ms. Kupfer gave a chronology of events that had occurred in Ames since that time to discuss how House File 134 would impact Ames. She stated that the moratorium is important to neighborhoods. She asked what would happen to Ames in ten years if all the rental rules are gone.

Laurel Scott, 1424 Summit Avenue, Ames, asked why the Council couldn't come up with a solution to limiting rental occupancy between now and January 1. Council Member Beatty-Hansen explained that the moratorium will allow time to come up with the best strategy. Council

Member Betcher commented that the purpose of the six-month moratorium would be to protect the balance of owner-occupied houses and rental housing in the neighborhoods that are already over 50% rentals. It will buy time while the City tries to figure out what the impact of the new law could mean for neighborhoods.

Rebecca Mills, 1015 Roosevelt, Ames, said that she works for a local property management company. She sees this as really two different issues: one is the number of rentals and the other one is problems that seem to be caused by renters. Ms. Mills believes that the nuisance situations could be addressed by enforcing the regulations already in place and limiting the number of new rentals may not be the solution. She doesn't see how enacting the moratorium is going to remedy the problems.

Barbara Pleasants, 516 Lynn Avenue, Ames, representing the South Campus Area Neighborhood, sees the moratorium as giving the City the time to come up with a strategy for protecting neighborhoods. She urged the Council to pass the Ordinance enacting the moratorium and to adopt it at this meeting.

Nathan Heaberlin, 539 O'Neil Drive, Ames, shared that he is a realtor in Ames. Mr. Heaberlin stated that the City Council needs to have three readings on the moratorium Ordinance. He believed that if more people in Ames knew that this item was being discussed, there would be a huge divide. Mr. Heaberlin believes that the moratorium is being discussed because of mistakes that have been made in the past and the City is trying to halt that right now. Mr. Heaberlin noted that the City needs to take a serious look at the number of large apartment complexes being built in Ames; they will soon outnumber the people in Ames. He noted that there are no first-time homebuyer houses available in Ames. Also, the builders are building large \$400,000 homes instead of \$100,000 homes.

At the request of Mayor Campbell, Interim City Attorney Lambert again summarized the proposed Ordinance.

Mayor Campbell reiterated that the Transitional Letter of Compliance would not be impacted by the proposed moratorium.

Council Member Nelson asked how many Letters of Compliance there are for single-family residences in Ames. Building Official VanMeeteren estimated that there are 14,000 units; 5,000 properties; and half of those are single-family residences.

Mr. Nelson believes there is a difference between a near-Campus neighborhood versus the entire town. His concern is that there is an unrealistic expectation that the City is stopping rentals in every neighborhood. Focusing the moratorium on the near-Campus neighborhoods where the rentals are 50% or more is his preference. Mr. Nelson cited his support for a moratorium being only for near-Campus neighborhoods: SCAN, Westside, Oak-Wood-Forest, Old Ames Middle School, Old Edwards, and Oak Riverside. Council Member Corrieri agreed; she does not want the moratorium to be City-wide. Council Member Nelson suggested basing the boundaries on the Neighborhood Association Map that was posted on the City's Web site on September 26, 2017.

Council Member Gartin reiterated his concern that if the City were to "squeeze the balloon" in one part of town, it will diffuse that pressure to other neighborhoods.

Council Member Betcher asked for the definition of a “pre-sale inspection form.” Ms. VanMeeteren answered that if the buyer decides that there are too many things that needs to be fixed, they pay the fee, but don’t have to follow through with the inspection. People use it almost as a home inspection to see how much it will cost to meet the Code requirements for rentals.

Council Member Orazem pointed out that the average length of time that properties are actually on the market is not that long; Ames is one of the “hottest real estate market in the state.”

Council Member Betcher commented that if the City enacts a moratorium, she wants to make sure that it will have the impact that the Council has intended it to have.

Moved by Nelson, seconded by Betcher, to establish a temporary moratorium on issuance of new Rental Letters of Compliance, but amend the proposed Ordinance by deleting the words “or a pre-sale inspection form” from Subsection (4) and making it only for the SCAN, Westside, Oak-Wood-Forest, College Creek/Old Ames Middle School, Old Edwards, and Oak Riverside neighborhoods.

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

Moved by Nelson, seconded by Betcher, to add a restriction on enlarging rental properties by adding bedrooms to existing rental properties for the same six months, directing that staff take the wording from the Iowa City ordinance.

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

Discussion ensued on Transitional Letters of Compliance, which would allow renting a property for up to one year. Council Member Orazem noted that the moratorium would only be for six months. He believes that that time period will give the City the time to come up with the solution. Mr. Orazem pointed out that there would be a lot of people applying “just in case.”

Moved by Nelson, seconded by Betcher, to pass on first reading an ordinance establishing six-month moratorium on new Rental Occupancy Permits for single- and two-family homes, as amended.

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

Interim City Attorney Lambert noted that since amendments had been made to the proposed ordinance, the Council needed to bring the amended Ordinance back for second and third readings.

The meeting recessed at 7:53 p.m. and reconvened at 8:03 p.m.

**PARKING ON KINGSBURY AVENUE:** Moved by Corrieri, seconded by Betcher, to pass on second reading an ordinance to allow parking along west side of Kingsbury Avenue.

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

**HEARING PERTAINING TO THE SALE OF A PORTION OF 1125 MAXWELL AVENUE:** Mayor Campbell 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. 17-594 approving the sale of a portion of City-owned property located at 1125 Maxwell Avenue to Dennis and Dawn Heaberlin.

Roll Call Vote: 5-0-1. Voting aye: Beatty-Hansen, Betcher, Corrieri, Nelson, Orazem. Voting nay: None. Abstaining due to a conflict of interest: Gartin. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON SALE OF CITY-OWNED PROPERTY LOCATED AT 1125 MAXWELL AVENUE TO HABITAT FOR HUMANITY OF CENTRAL IOWA:** The public hearing was opened by the Mayor. She closed same after there was no one wishing to speak.

Moved by Beatty-Hansen, seconded by Betcher, to adopt RESOLUTION NO. 17-595 rescinding Resolution No. 16-500 since the legal description of the property to be sold had changed.

Roll Call Vote: 5-0-1. Voting aye: Beatty-Hansen, Betcher, Corrieri, Nelson, Orazem. Voting nay: None. Abstaining due to a conflict of interest: Gartin. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Beatty-Hansen, seconded by Betcher, to adopt RESOLUTION NO. 17-596 approving the sale of 1125 Maxwell to Habitat for Humanity of Central Iowa.

Roll Call Vote: 5-0-1. Voting aye: Beatty-Hansen, Betcher, Corrieri, Nelson, Orazem. Voting nay: None. Abstaining due to a conflict of interest: Gartin. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON AMENDMENTS TO FISCAL YEAR 2017/18 BUDGET:** The Mayor opened the public hearing and closed same since no one asked to speak.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 17-597 amending current budget for carry-over amounts for Fiscal Year ending June 30, 2017.

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

**HEARING ON 2017/18 TRAFFIC SIGNAL PROGRAM (E. 13<sup>TH</sup> STREET/I-35 NORTHBOUND EXIT RAMP:** Mayor Campbell opened the public hearing. There was no one wishing to speak, and the public hearing was closed.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 17-598 approving final plans and specifications and awarding a contract to Voltmer, Inc., of Decorah, Iowa, in the amount of \$183,273.84.

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

**NORTH GROWTH GAP AREA FRINGE PLAN MAJOR AMENDMENT:** Planning and Housing Director Kelly Diekmann stated that Kurt Friedrich, representing Friedrich Land Development and R. Friedrich & Sons, had requested an amendment to the Ames Urban Fringe Plan for properties south of Cameron School Road and west of George Washington Carver Avenue. Also, the City is seeking changes to the Fringe Plan for properties on the east side of George Washington Carver Avenue that are identified as the North Growth Area within the Land use Policy Plan. Mr. Diekmann noted that, at its May 9, 2017, meeting, the City Council authorized an application for a Fringe Plan Amendment. The proposed changes are intended to

facilitate future annexation of the area. He asked the Council to confirm the scope of the Major Amendment prior to holding public hearings on the proposed project. According to Director Diekmann, in addition to an Urban Residential designation, Friedrich Land Development is seeking a Convenience Commercial Node at the intersection of Cameron School Road and George Washington Carver Avenue.

Kurt Friedrich, 100-6th Street, Ames, said that the developer is supportive of the Staff's recommendation pertaining to the proposed Urban Residential designation and Convenience Commercial Node.

Moved by Betcher, seconded by Gartin, to confirm the scope of the proposed Fringe Plan Amendments, which includes the proposed Urban Residential designation, Convenience Commercial Node, and area boundaries.

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

**LINCOLN WAY CORRIDOR PLAN IMPLEMENTATION:** Planning and Housing Director Diekmann summarized the direction provided by the City Council at its April 11, 2017, meeting. The Council had given direction on three issues at a prior meeting to proceed with finalizing the Plan with edits and corrections, including specifically removing alley improvements from the south side of Lincoln Way in the Oak Riverside area, directing staff to accept the final Plat as advisory, and directing staff to provide an implementation plan for priority areas in the Plan. Mr. Diekmann said that, at this meeting, he would not be reviewing the final Plat in detail since the concepts are consistent with the prior draft presented in April; however, he would be addressing the implementation priorities.

Mr. Diekmann noted that the objectives for the Lincoln Way Corridor Plan are to create identity along Lincoln Way as a place and not just as a thoroughfare, to support enhancements for multi-modal transportation, and to identify opportunities to revitalize properties with land uses that are contextual and support Corridor identity and placemaking. He reviewed the Framework Plan, which is intended to guide overall strategies that improve the Corridor and connect it together. The Focus Areas were also highlighted, as follows:

1. Downtown Gateway (Clark Avenue to Duff Avenue)
2. Lincoln Way and Grand Avenue (Oak Avenue to Grand Avenue)
3. Oak to Riverside Neighborhood
4. Campustown Transition (Sheldon Avenue to Campus Drive)
5. Westside Mixed-Use (West Hy-Vee area, Beedle Drive to Colorado Avenue)

Director Diekmann said that staff is recommending that the City Council prioritize Focus Area #1 and direct staff to create a streetscape plan for the entire Corridor. According to Mr. Diekmann, staff believes Focus Area #1 is the highest priority due to immediate interest and apparent support for redevelopment adjacent to Downtown. Staff is also recommending the streetscape plan as a means of addressing improvements through the entire Corridor related to gateways, landscaping, and other aesthetic elements. Mr. Diekmann noted that with the City Council's recent direction to restrict student rental occupancy in low-density areas and to restrict the total concentration of rental properties in certain neighborhoods, it appears that could substantially affect the single-family housing types in Focus Areas #3, #4, and #5. Those three focus areas include some proposed changes to low-density-zoned properties with redevelopment options that would likely become additional rental housing options. Staff would prefer that those three focus areas be

deferred until the City resolves the rental occupancy controls. After that time, staff could address redevelopment priorities for those areas, which would probably be in 2018. It was noted by Director Diekmann that Focus Area #2 is a unique area compared to the other focus areas in that it was envisioned to substantially change in both use and appearance. Focus Area #2 also relies on the Iowa Department of Transportation (IDOT) controlled property north of Lincoln Way as an anchor site for redevelopment within that area. According to Mr. Diekmann, staff is not proposing to proceed with implementation plans for Area #2 as a priority for implementation at this time because the IDOT property is not available for redevelopment and the general vision for flex space uses is a long-term option. If the IDOT property on the north side of Lincoln Way were to become available for redevelopment, the City Council could then consider it a priority area.

Mr. Diekmann advised that, because the City Council had previously directed that the Lincoln Way Corridor Plan serve as an advisory tool, staff is proposing to add a section to Chapter 2 of the Land Use Policy Plan (LUPP) to acknowledge the Lincoln Corridor Plan and the related objectives for the Corridor. The proposed new language would identify the Corridor Plan as advisory to future LUPP and zoning decisions. The description would also support use of the Minor Amendment process for changes initiated by the Council that correspond to the objectives of the Corridor Plan. Additionally, the Corridor Plan description would identify Focus Area #1 as a priority for zoning changes to implement the Corridor Plan and describe the use interests within the area. Use priorities includes maintaining a strong commercial presences in the Focus Area, creating allowances for mixed use, identifying Kellogg as a gateway to Downtown, incorporating entertainment and activity uses into developments, and supporting a boutique hotel. Design features for high-quality materials, varying architectural features, and supporting a walkable environment area also highlights for the Area. If Council agrees, staff will proceed with preparing a Minor LUPP Amendment for review in October by the Planning and Zoning Commission and for the City Council's adoption in November 2017.

Regarding zoning amendments, Director Diekmann stated that no zoning changes are proposed for areas outside of Focus Area #1. The most intense redevelopment options are planned for the north side of Lincoln Way. Current zoning is a mix of Highway-Oriented Commercial and Downtown Service Center; however, neither of those quite match the desired vision and flexibility of use outlined in the Corridor Plan. Mr. Diekmann advised that staff is proposing to create a new commercial zoning and overlay for Focus Area #1 to facilitate redevelopment options identified within the Plan. Due to the wide range of development choices in that Area, staff thinks that a Planned Commercial zoning overlay would be appropriate to allow for case-by-case review. That method would be more expedient in allowing for development plan application compared to creating a new zoning district with standards that can address multiple variations in sites. If Council agrees, staff would proceed with Zoning Map amendments and text amendments in October with Council review before the end of 2017.

Addressing the Streetscape Plan, Director Diekmann told the Council that it would be a coordinated effort among the Planning and Housing, Public Works, and Parks and Recreation Departments to develop streetscape treatments and gateway features that can be added to the Corridor. Mr. Diekmann said that staff is recommending hiring a landscape architectural firm with experience creating gateways and streetscape features. He noted that the Planning and Housing Department has funding included in its current budget to support the hiring of a consultant. Staff would then formulate options for streetscapes and gateways and present them to Council. The process would take approximately six months to create, review, and adopt the Streetscape Plan.

Council Member Gartin noted that there are some small improvements that perhaps could be made and asked if staff would recommend allocating some funding for those things at this time. City Manager Schainker replied that funding could be allocated at the time of discussion on the Capital Improvements Plan.

Council Member Betcher wanted to go on record stating that the Council has not discussed accessory dwelling units and those are part of the Plan for the Oak Riverside area.

Joe Leitz, 114 South Riverside Drive, Ames, asked the Council to move with caution on adopting the Plan and moving forward. He was concerned that the Plan, as revised, was not released to the public until after 4:30 p.m. last Friday. Also, there were still links to the old Plan on the City's Web site. Mr. Leitz did not feel that that was not an adequate amount of time for the public to become aware of the Plan. Director Diekmann noted that the Plan will not be officially adopted until after hearings have been held, probably in October. Mr. Leitz also asked that each Council member go on record (concerning the zoning changes that are being contemplated ) stating that they will not approve redevelopment funds or tax credits or tax breaks for any rental property owners seeking to redevelop properties in the Oak Riverside Neighborhood. He also asked Council members to look at the traffic pattern through Lincoln Way before considering any "road diet." Mr. Leitz felt that the survey was done when Iowa State was not in session, when there were no events occurring at Hilton Coliseum or Jack Trice Stadium, and when many of the people who work at Iowa State were not in town.

Moved by Betcher, seconded by Beatty-Hansen, to pursue the recommended Implementation Plan. Vote on Motion: 6-0. Motion declared carried unanimously.

**BEER PERMITS, WINE PERMITS, AND LIQUOR LICENSE RENEWALS:** Moved by Gartin, seconded by Corrieri, to approve the following Beer Permits, Wine Permits, and Liquor License Renewals:

- a. Class C Liquor, B Wine, Catering, & Outdoor Service – +39 Restaurant, Market, & Cantina, 2640 Stange Road
- b. Class C Liquor & Outdoor Service – Wallaby's Grille, 2733 Stange Road
- c. Class C Liquor – Hy-Vee #1 Clubroom, 3800 W. Lincoln Way
- d. Class C Beer & B Wine – Hy-Vee Gas #5018, 636 Lincoln Way

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

**RENEWAL OF CLASS C LIQUOR LICENSE AND OUTDOOR SERVICE AREA FOR BLUE OWL BAR, 223 WELCH AVENUE:** Police Chief Chuck Cychosz advised that in its review of the Blue Owl Bar's application for renewal of its liquor license, staff learned that the licensee has outstanding parking fines in excess of \$3,800. On September 21, 2017, the licensee paid approximately one-third of those outstanding fines. Chief Cychosz noted that Iowa license requirements allow local entities to consider financial standing and good reputation when evaluating liquor licenses. He recalled that, in the past, the Council has denied renewal or made renewal contingency on payment of outstanding City charges. In this case, the operation of the Bar is satisfactory, but because of the accumulation of unpaid fines, the Police Department is recommending against unconditional annual renewal of the Blue Owl Bar's liquor license. According to Chief Cychosz, further complicating the situation is the fact that two of the parking spaces closest to the Bar are designated as "loading zones." Citations are being issued to the licensee for parking there, and those are illegal parking fines.

Jason Crimmins, 4301 Crestwood Avenue, Ames, owner of the Bar, stated that the parking tickets date back to 2012. He has now learned that the City turns its unpaid parking violations over to a collection agency. Mr. Crimmins stated that he had paid \$1,320 in the past week, and he will pay the rest of the fines; he just needs some time. The Council was told by Mr. Crimmins that there is no avenue for him to set up a payment plan since this has been turned over to a collection agency. He had been told that perhaps the Council would be willing to issue a six-month liquor license; however, a six-month license complicates things for his insurance company. If the Council were willing to do that, however, he would do whatever he needed to do. Mr. Crimmins commented that he had also been told that, after that six months, he would have to apply for a new license, which would require additional building inspections. He said that, ideally, he would like to be granted a one-year license, with the condition that he had 30 days to pay the remaining fines. Mr. Crimmins pointed out that he did not know there was any correlation between outstanding parking tickets and his liquor license. According to Mr. Crimmins, the City had approved the annual liquor license every year; the outstanding parking tickets have been accruing since 2012 and have never caused an issue with his liquor license.

Interim City Attorney Lambert advised the Council that it either had to approve or deny the annual license; it could not place conditions on approval of the annual license

Moved by Orazem, seconded by Gartin, to deny the annual renewal of a Class C Liquor License & Outdoor Service for Blue Owl Bar, 223 Welch Avenue.

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

Moved by Gartin, seconded by Betcher, to direct staff to accept an application for a six-month Class C Liquor & Outdoor Service for Blue Owl Bar, 223 Welch Avenue.

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

**PLACEMENT OF CAMERAS IN CAMPUSTOWN:** Police Chief Cychosz recalled that security cameras for the Campustown area were originally discussed by the City Council in July 2011. At that time, the City Council directed staff to report on the feasibility of security cameras in that area. Staff from the Police Department met with the Student Affairs Commission and various stakeholder groups to gather input on the concept, and there was general support for the crime prevention benefits. Stakeholders suggested that there be limitations on the storage of images and that utilization generally be limited to the investigation of crimes. Also, the Police Department conducted a camera trial with a local vendor and reported back to the City Council in June 2012. The Council accepted the report at that time, but deferred any action on a camera system for the Campustown area. However, on May 27, 2014, the Council again requested a camera report. That report was to study available technologies, bring back a specific camera proposal, and include data on the deterrent effect of camera systems.

Ian Steenhoek, 2122 Greeley Street, Ames, spoke saying that he was a Senator of the Student Government and voiced support favor of adding cameras to the Welch Avenue area.

City Manager Schainker recommended that the Council approve the concept and then come back during budget time next February. He noted that no funding for the cameras or ongoing maintenance had been included in the 2017/18 Budget.

Moved by Betcher, seconded by Gartin, to approve the concept for the proposed installation and operation of security cameras and ongoing expense of maintenance and bring it back during the

budget discussion next February.

*Ex officio* Council Member Robert Bingham asked the Council to approve the cameras “sooner than later.”

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

**GRANT AVENUE PAVING ASSESSMENT:** Public Works Director John Joiner explained that the action being requested was to approve the revised Schedule of Assessments.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 17-599 rescinding Resolution No. 17-298.

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

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 17-600 approving the Final Assessment Plat and Schedule and confirming and levying assessments.

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

**PUBLIC IMPROVEMENTS AT AMES MUNICIPAL AIRPORT:** Finance Director Duane Pitcher explained several provisions of the prior Agreement, which was approved in 2015. The construction of the hangar and terminal took longer than initially planned. City Manager Schainker reported on the status of the revenues and debt since the Agreement went into effect on February 10, 2015. He noted that the new FBO just came on board in April 2017. Mr. Schainker stated that the City has received comments that Airport customers are very happy with the new service.

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 17-601 approving an Addendum to the Agreement with ISU for public improvements at Ames Municipal Airport.

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

**COUNCIL COMMENTS:** Referencing the two letters regarding Earl May Garden Center and storm water, Council Member Nelson asked staff to address the site redevelopment component of the request. Director Diekmann noted that the requests ultimately involve a Minor Site Development Plan, which is the responsibility of the Planning and Housing Department. Before that can be addressed, however, the storm water issue needs to be resolved. Public Works Director John Joiner distributed results of the staff’s survey of comparable cities to ascertain their thresholds for initiating storm water requirements.

Moved by Nelson, seconded by Corrieri, to direct staff to place the requests of Earl May Garden Center on a future agenda.

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

Moved by Nelson, seconded by Betcher, to direct staff to place on a future agenda the request of Luke Jensen regarding the redevelopment process for Old Crawford School.

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

Moved by Betcher, seconded by Beatty-Hansen, to direct staff to communicate to Kum & Go that the City is not interested in changing the Campustown Service Center zone uses.

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

Moved by Gartin, seconded by Corrieri, to refer to staff the letter from Chuck Winkleblack dated September 22, 2017, and authorize staff to work with the developer pertaining to projects on Lincoln Way from Clark to Kellogg.

Vote on Motion: 5-0-1. Voting aye: Beatty-Hansen, Betcher, Corrieri, Gartin, Orazem. Voting nay: Nelson. Abstaining due to a conflict of interest: Nelson. Motion declared carried.

Moved by Gartin, seconded by Corrieri, to direct staff to place on a future agenda the letter from Terry Lutz dated September 22, 2017, pertaining to incorporating an additional 36 acres into the current Rose Prairie Master Plan.

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

Council Member Gartin encouraged political parties to stay out of the non-partisan City election.

Moved by Orazem, seconded by Corrieri, to direct staff to come up with options for regulating rental properties by regulating the number of off-street parking based on occupancy and occupancy based on dwelling size.

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

Council Member Orazem clarified that he wanted staff to look at things that would be enforceable.

**ADJOURNMENT:** Moved by Corrieri to adjourn the meeting at 9:19 p.m. Motion declared carried unanimously.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor