

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

NOVEMBER 13, 2018

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on November 13, 2018, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, David Martin, and Chris Nelson. *Ex officio* Member Allie Hoskins was also present.

PROCLAMATION FOR SMALL BUSINESS SATURDAY: Mayor Haila proclaimed November 24, 2018, as “Small Business Saturday.” Accepting the Proclamation was Cindy Hicks, Executive Director of Ames Downtown. Ms. Hicks noted there are 201 small businesses in the downtown district and these business employ 2,436 full, and part-time employees.

PROCLAMATION FOR HUNGER AND HOMELESSNESS AWARENESS WEEK: Mayor Haila proclaimed the week of November 10-18, 2018, as “National Hunger and Homelessness Awareness Week.” Accepting the Proclamation were City Housing Coordinator Vanessa Baker-Latimer, United Way representative Jean Kresse, ACCESS representative Cassandra Kramer, Emergency Residence Project representative Troy Jansen, and Salvation Army representative, Cari McPartland. Ms. Baker-Latimer stated they have started working on a collaboration called the Homeless Prevention Team, which consists of the Emergency Residence Project, Good Neighbor, The Salvation Army, Story County Community Services, and the City of Ames. They have noticed that their customers are having to go from place to place looking for assistance and are working on trying to find a way to have customers be able to stop at one place for all the information they need. She noted that the agencies have provided more than \$700,000 toward rent and utilities in FY 2017/18, which assisted more than 2,400 households.

CONSENT AGENDA: Moved by Gartin, seconded by Betcher, to approve the following items on the Consent agenda:

3. Motion approving payment of claims
4. Motion approving Minutes of Regular Meeting of October 23, 2018, and Special Meetings held October 16, October 26, October 29, and November 1, 2018
5. Motion approving certification of Civil Service applicants
6. Motion approving Report of Contract Change Orders for October 15 - 31, 2018
7. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class B Native Wine - Kitchen, Bath & Home, 201 Main Street
 - b. Class E Liquor - A.J.’s Liquor III, 2401 Chamberlain, Suite A
8. Motion approving new Class E Liquor License for goPuff, 615 S. Dayton Avenue, pending final inspection
9. RESOLUTION NO. 18-605 approving appointment of Council Member Amber Corrieri to Ames Economic Development Commission Board of Directors
10. Miracle League Park:

- c. Project update on fund-raising and construction time line
 - d. RESOLUTION NO. 18-606 allocating funding to develop plans and specifications for the Donor/Sensory Plaza
11. RESOLUTION NO. 18-607 authorizing the Mayor to sign Agreement approving the relocation of Automed to the City of Huxley and the use of its intended incentive
 12. RESOLUTION NO. 18-608 approving preliminary plans and specifications for 2018/19 Traffic Signal Program (Lincoln Way/Hyland Avenue); setting December 5, 2018, as bid due date and December 11, 2018, as date of public hearing
 13. RESOLUTION NO. 18-609 approving Change Order No. 2 with Dewild Grant Reckert & Associates Company, Rock Rapids, Iowa, for Engineering Services for Ames Substation Improvements in a not-to-exceed amount of \$65,000
 14. RESOLUTION NO. 18-610 approving Change Order No. 1 for 2018/19 Concrete Crushing Program in the amount of \$18,262
 15. 2018/19 Pavement Restoration Program (Slurry Seal):
 - e. RESOLUTION NO. 18-611 approving balancing Change Order
 - f. RESOLUTION NO. 18-612 accepting final completion
 16. RESOLUTION NO. 18-613 approving Final Plat for Sunset Ridge Subdivision, 8th Addition
 17. RESOLUTION NO. 18-614 accepting partial completion of public improvements and reducing security for Village Park Subdivision, 1st Addition
 18. RESOLUTION NO. 18-615 accepting partial completion of public improvements and reducing security for Quarry Estates Subdivision, 1st Addition
- Roll Call Vote: 6-0. Resolutions/Motions declared adopted/carried unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

PUBLIC FORUM: Mayor Haila opened Public Forum.

Gary Youngberg, 220 Main Street, Ames, noted that 42 years ago he opened his business, Ames Silversmithing. Mr. Youngberg explained he has seen several items that have impacted the Downtown area, both positively and negatively, with the most negative being the rate increase of the parking meters. He mentioned that with the increase to the meter rates, customers are not encouraged to take their time shopping, but want to rush in and rush out of a business to avoid getting a parking ticket. Mr. Youngberg believes that staff, in their efforts to generate more funds, simply did not anticipate the outcry from the public. He stated that the City Council made the wrong decision in approving the meter rate increase and asked that they do something to make it right. He noted that he sent an email to all the Council members with the link to the poll conducted by WOI TV, which asked the public if they felt the meter rates should be reduced, of which 76% said yes.

Pat Green, 547 Main Street, Ames, owner of Aunt Maude's commented that he completely agrees with Mr. Youngberg. The increases in the parking meter rates are affecting their businesses. He asked for the rates to be decreased to \$0.50 per hour.

Sara Spohnheimer, 210 Main Street, Ames, said she works at the Frame Shop on Main Street. She explained that they are still getting a lot of complaints from customers in regards to the meter rates.

She quoted part of the City of Ames Vision Statement and asked what it meant. Ms. Spohnheimer noted that there were fewer complaints before January and the only changes made were that the City stepped up its enforcement, they are ticketing a lot more frequently, and the meter rates increased, which does not keep with the Vision Statement. She noted that she sent an email to Council Member Betcher that contained ideas that they have come up with. They are recommending changing the parking meter rates to \$0.50, lowering the enforcement and administrative costs, and changing the four-hour limited parking areas to ten hours. Ms. Spohnheimer stated no data has been provided showing why the changes were done. She also noted that Susan Owens sent a document to City Council Members with a collection of customer comments.

Daniel Forrester, 225 Main Street, Ames, advised that he owns the Inkblot Studio. He doesn't think that \$1.00 an hour is that big of a deal but perceptions are what drive people to do things. Mr. Forrester stated that he has lived in a few cities where they have removed parking meters. He noted that he has spoken with his employees about the rate increase and he has about three to four different days where his staff needs to park at a meter because the four-hour free parking lots have been completely full.

Cindy Hicks, 304 Main Street, wanted to speak with Council about the Main Street Program and wanted to share a few updates. She noted the following accomplishments in 2018:

- Listed on the National Register of Historic Places, which opened up state and tax credits to property owners
- A market analysis was done with Main Street Iowa
- Volunteers performed Downtown beautification, including spring planting, districts clean up days, and bench maintenance
- Received National media coverage by harvesting 200 lbs. of sweet potatoes from Downtown planters
- Donated 300 lbs. of vegetables to Food at First
- Received a \$75,000 Challenge Grant
- Recognized by the State for achieving the \$10 million mark in private investment
- Achieved National Accreditation for the 9th straight year
- Worked with Main Street Iowa to rebrand the district program
- Purchased new light pole banners throughout the district
- Hosted the Smithsonian Institute Traveling Exhibit "Hometown Teams"
- Coordinated 2,000 volunteer hours
- Main Street has organized events that attracted an estimated 30,000 people to Ames

Mayor Haila closed Public Forum at 6:28 p.m.

RESOLUTION APPROVING RENTAL REGISTRATION FOR 611 LYNN ALLOWING THE PROPERTY TO BE ELIGIBLE AS A RENTAL PROPERTY UNDER THE PROPERTY CAP EXCEPTION: Moved by Corrieri, seconded by Gartin, to adopt RESOLUTION NO. 18-616 approving the rental registration for 611 Lynn Avenue, allowing the property to be eligible as a rental property under the Property Cap Exception.

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

STAFF REPORT/UPDATE ON DOWNTOWN PARKING ITEMS: Public Works Director John Joiner stated this report is a follow up to the report and discussion that was had last month. He pointed out that the Staff Report presents a broad scope of work that could be performed by a parking consultant, and seven tasks were outlined. Mr. Joiner explained that in order to accomplish the scope of the parking study, staff recommends Tasks 1, 2, 5, and 7 be included in any contract with the parking consultant. A conservative budget estimate for a moderate scope parking study would be \$70,000. Traffic Engineer Damion Pregitzer mentioned that the rest of the tasks not being initially recommended could be done and added to the parking consultant's contract at a later time.

Council Member Martin inquired if the tasks that were recommended included the impact of Ride Shares, scooters, and bikes. Mr. Pregitzer stated that would be something they could ask the parking consultant to do and include in their report.

Mayor Haila asked what the tangible item could be used going forward. Mr. Pregitzer stated that the consultant would provide a data summary, the data analysis, a professional opinion, how the City of Ames compares to other cities, and ideas and project ideas that would need to be done. Mayor Haila asked if the parking study would be able to be tied into the Lincoln Way Corridor Plan. Mr. Pregitzer stated they have spoken with the Planning Department, and they would be involved throughout the entire process.

Mr. Joiner explained the next concern was over employee parking options in the Downtown area. He noted that the two options that staff had come up with include a hang-tag system. Option 1 was to implement an employee hang-tag system for \$20.00 a month. The hang tags would be distributed by the City of Ames using the same hang-tag design used for reserved parking stalls; they would just be a different color. These hang tags would be valid for any four-hour free stall in the CBD lots only, and under this option, four-hour stalls will remain on the south of the median and two-hour stalls on the north side of the median in the CBD lot as currently designated. Option 2 was to implement unlimited parking in the four-hour (free) time limited parking stalls in the CBD lots only, which is the same as Option 1, except that the City would not collect a monthly fee, and each employee would be charged a one-time fee of \$5.00 to recoup the cost of the hang tag.

Council Member Betcher wanted to know if there was a way to determine who has a tag and who doesn't, and if a person is still an employee or not. Mr. Pregitzer stated the process would be similar to the Reserved Parking hang-tag system, where the employee would have to come into City Hall to sign a document with the Public Works Department in order to get issued the hang tag and each hang tag has a number on it that would be assigned to that person. Mr. Joiner stated that about two-thirds of the reserved parking is used by employees who work in Downtown and if the hang tags were free, there would be a loss of revenue. At this time, staff is unsure of what the impact would be. Ms. Betcher wanted to know how the City would track if an employee still works Downtown. Mr. Joiner stated that the \$5.00 charge would be on a month-per-month basis. Mr. Pregitzer

commented that this is just a temporary solution until the parking study could be done.

Further discussion ensued about the use of hang tags.

Mayor Haila asked to verify the option to change the hours of the free parking from four-hour parking to ten-hour. Mr. Joiner stated that the ten-hour parking option would be all-day unlimited parking as the Police Department would not be able to enforce a ten-hour parking window. Ms. Corrieri noted they had talked about this option previously at a workshop and Council decided against it.

Council Member Martin wondered, instead of asking for staff direction, they come up with a proposal and direct it to the parking task force that was initiated to get some feedback on the proposal before moving forward. Mayor Haila noted that one of the goals is to increase communication and maybe this suggestion would help. Mr. Martin stated that this option may slow things down, but could be a useful step along the way.

Mr. Joiner explained that the third direction given to staff was to explore the use of parking meters that take credit cards. Mr. Pregitzer stated that he reached out to the City's current parking vender, POM Incorporated. POM Incorporated offers a solar-powered smart meter product that accepts coins, credit and debit cards, prepaid (and refunding) smart cards, and supports pay-by-phone application. He stated that these smart meters cost \$600 each and would cost around \$200,000 to retrofit all the meters in Downtown. Mr. Pregitzer mentioned that with this type of smart meter, there is a recurring fee for the credit card-capable meters of \$5.00 per month, which covers the wireless plan and back office hosting data. There is also a \$0.10 per transaction credit card fee that covers the PCI secure gateway provider. He pointed out that the "convenience" fees charged by POM for the capability of using credit cards would be handled in the same manner as the Parkmobile where they are passed along to the end user.

Council Member Beatty-Hansen asked if POM had a kiosk option that would dispense a new smart card. Mr. Pregitzer stated they do; the kiosk would provide power and specific internet connectivity. These kiosks cost about \$25,000.

Gary Youngberg, 220 Main Street, Ames, stated that he wanted to read the letter he received from Terry Stark who owns Chocolaterie Stam, as Mr. Stark was unable to attend the meeting. Council Members stated that they received a copy of the letter from Mr. Stark.

Cindy Hicks, 304 Main Street, Ames, stated that in August, she sent a letter to City Council with a recommendation from Ames Main Street. She stated that they communicated with more than 100 Downtown business owners and more than 95% of them agreed to wanting a ten-hour free parking option in Downtown. Ms. Hicks recommended to City Council that they consider the option of offering the ten-hour parking.

Kristin Roach, 136 Main Street, Ames, owner of Little Woods Herbs & Teas, stated that she feels

having the option of credit card payment at the meter would be a wonderful idea but asked the City Council to defer on making any large investments until the parking study is complete. She asked that City Council address the parking concerns sooner, rather than later, as many employees are part-time or students and getting paid less than \$10.00 an hour and can't afford parking tickets. Ms. Roach let City Council know that Main Street Ames has stepped back from the task force. They support their work, but have some of their own internal workloads that need to be addressed.

Sara Spohnheimer, 210 Main Street, Ames, stated she liked Council Member Martin's suggestion of getting a proposal together and getting feedback from the constituent's first before making any decisions. She noted that what they are hearing is Downtown would like something that is simple and inexpensive like there was before.

Moved by Beatty-Hansen, seconded by Corrieri, to direct that staff pursue the parking study and fund the study by using \$45,731 from the General Fund and \$24,269 from the unobligated Road Use Tax Fund.

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

Council Member Betcher questioned how the hang-tag system would help with employee parking, as the hang tag will give the employee the ability to park longer than four hours; however, if the parking lot is already full, there is the possibility that the employee will still get a parking ticket. Ms. Beatty-Hansen stated that right now the majority is staff moving around their vehicle every four hours. She added that it may not be perfect, but they don't need to leave work and move their cars around all the time. Ms. Betcher asked if a limit could be set on the number of hang tags that are given out. Ms. Corrieri noted that there are other lots on Main Street that are not used.

Further discussion was had regarding the need for hang tags.

Mayor Haila stated that the workforce is a challenge in all businesses and doesn't want to make it more difficult for the customers, temporary, or part-time employees. He understands that there is a revenue aspect, but doesn't want to hurt the workforce, and is afraid they are forcing more people to park in neighborhoods. Ms. Corrieri asked why with the increased enforcement, the overflow into the neighborhoods isn't already happening. She stated that the hang-tag system seems to be a decent temporary option to get a balance.

Council Member Gartin asked if Public Works knew what the revenue would be with the increase in parking meter rates. Mr. Schainker explained that it is to cover the fees to operate the system. The first year is \$400,000 to transfer to the Capital Improvements Fund, but even with doing this they will have to dip into the available balance. It is projected at the end of the fiscal year, it would be \$116,000, which is below the 10% balance, and if revenue comes in less they would not be able to move as much into the Capital Improvements Fund. Mr. Gartin inquired what the short-fall would be if going to \$0.50. Mr. Schainker stated the City would be collecting less than they wanted to pave the parking lots, but it is still more than what funds are currently available. Mr. Gartin asked if Mr. Pregitzer could send City Council what the actual figure would be if they changed the meter rates

to \$0.50. Mr. Joiner stated they will get City Council the figures for changing all the meters to \$0.50 and also just the \$1.00 rate to \$0.50.

Moved by Beatty-Hansen, seconded by Corrieri, to approve an employee hang tag system at \$10/month in any four-hour free stall spot.

Mr. Gartin asked what the fiscal impact would be if they only charged \$10/month for hang-tags. Mr. Joiner mentioned that it would be tough to project as it depends on how many people turn in their \$50.00 reserved parking tags. Further discussion ensued regarding the potential loss of revenue.

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

Moved by Martin, seconded by Beatty-Hansen, to recommend having 1.25 times the number of four-hour spots in the lot that would benefit from the hang tag.

Mr. Pregitzer explained that he could reach out to Iowa State as they have a lot of experience in how to manage overselling stalls. Iowa State has had its own system in place for years. Mr. Gartin stated he is concerned with them settling on the number of hang tags to get.

Motion withdrawn.

Moved by Martin, seconded by Gartin, to let staff decide on the initial number of hang tags to be issued.

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

Ms. Betcher stated she is concerned about losing revenue by pushing people into the free-parking areas and neighborhoods, but doesn't have the data to prove that at this time. Mr. Martin stated that the parking rate change has only been active for four months. Ms. Betcher doesn't feel that now is a good time to have the meters retrofitted with new meter tops until they are sure of what the prices should be. Ms. Corrieri recommended having more signage available in Downtown, if the current system was a little more user-friendly, it might help. Mr. Martin mentioned that one of the suggestions that was made during the parking workshop, which he liked, was to take the first over-time parking offense in the Downtown lots, associated with the license number, and issue a warning that would include a map that shows where the free-parking lots are located. He noted that it doesn't make it easier to pay but does make it more user-friendly. Ms. Corrieri explained that this was an option in a previous report, but there was a cost for some software that was needed. Mr. Pregitzer stated that would be something they would need to ask the Police Department.

Council Member Martin stated another concern is that, in order to buy a smart card, you have to write a check or bring cash, and not very user-friendly, as City Hall does not accept credit cards. Ms. Beatty-Hansen noted she liked the idea of accepting credit cards to pay for the smart cards.

Moved by Beatty-Hansen, seconded by Gartin, to get a report from staff on what it would entail to accept credit cards for the purchase of smart cards at City Hall.

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

Moved by Martin, seconded by Beatty-Hansen, to get a report from staff on a warning system for first-time overtime offenders.

It was noted that this report may already be available from the Police Department.

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

Council Member Betcher asked if pay stations were looked at for Downtown to pay and display, instead of smart card distribution. Mr. Pregitzer stated that this would be something that the parking consultant would do.

STAFF REPORT ON SHORT-TERM RENTALS: Council Member Martin let the audience know that this topic will be discussed tomorrow evening as well at the joint Student Government City Council Meeting if anyone is interested in attending.

Planning and Housing Director Kelly Diekmann stated that they are reporting back tonight on more information that had been requested by the City Council. He noted that the City Council wanted more information about multi-family apartments and condominiums. Mr. Diekmann stated for the purpose of zoning classifications, condominiums are not a residential dwelling type; they are an ownership mechanism for any type of property. Condominiums would then be a subset of another building type, such as an apartment building to a single-family dwelling. Staff believes that if short-term rentals are allowed in apartments, then requiring the same permitting process as a single-family dwelling is not needed due to fewer compatibility concerns with high-density neighborhoods, and that landlords can monitor the actions of the tenants and control subleasing through their own leases. Apartments located in lower-density areas, such as RM and UCRM, or sites adjacent to single-family should still be subject to the same process as one-and two-family dwellings due to the neighborhood conditions. If apartments were to become short-term rentals, any Zoning Ordinance changes would need to be reviewed by the Planning and Zoning Commission.

Mr. Diekmann noted that the second item that City Council wanted more information on was the Hospital-Medical Zoning District (S-HM). He explained that there are few privately owned homes in the District and Mary Greeley Medical Center owns four residential structures. He explained that the current zoning allows for an accessory use to a hospital of short-term stays for staff, but does not include any other allowances to lodging or residential uses. Due to these current restrictions, short-term rentals were not included as a use within the zoning district with the original draft. Mr. Diekmann explained that considering any changes to the allowed uses within the zone and for Hospital- related accessory uses would require a separate text amendment from the short-term rental proposal as it is unrelated to the city-wide issue of short-term rental permitting.

Mr. Martin stated he would like to see a licensing requirement; to ask people on a yearly basis to re-apply for their licensing, and to see proof that the hotel/motel tax has been paid. He wanted to know what they do with licensing hosted home shares with people who are on the sexual offender registry. City Attorney Mark Lambert stated that if people are going to do a short-term rental they would check into the background of the person before they go to live with them; the City is not responsible. Ms. Corrieri stated that Airbnb does do sexual offender registry checks as well as the terrorism list. City Planner Eloise Sahlstrom stated she has not seen anything on this topic in all the research she has done. City Attorney Lambert stated he also has not seen anything in any of the Ordinances that he has reviewed.

Council Member Martin recommended that City Council require registration be provided to the City along with proof of hotel/motel tax payment for renewal and require a record of guests who used the rentals and any penalties. He explained that he is concerned about the Home Share option as it provides spaces to people without the property having undergone a full inspection. Ms. Beatty-Hansen asked what the difference would be if the homeowner was in the house or not; either case the proper safety issues haven't been addressed. Mr. Martin also mentioned that with the Hosted Home Share option, by not requiring a LOC they can happen anywhere throughout the City despite the Rental Caps. Discussion continued among the Council Members regarding the different types of short-term rentals.

Mr. Diekmann stated that he wanted to remind everyone that the decision tonight is whether or not to proceed with drafting an Ordinance. Mr. Diekmann showed a summary of what the Ordinance would address.

The public hearing was opened and closed by Mayor Haila since there was no one wishing to speak.

Mayor Haila noted that he has spoken with people who say that the Vacation Rentals by Owner is a profitable endeavor, and he urged caution. He explained that he can see where some people will find Vacation Rentals by Owner to be a viable option to make a profit without any concern for the neighborhood

Moved by Corrieri, seconded by Beatty-Hansen, to have staff draft standards for one-and two-family short-term rentals with the annual licensing and proof of collection of hotel/motel tax.

Council Member Betcher stated that she will not be supporting this motion, as she does not support the non-owner occupied uses.

Mr. Gartin asked what would be required to show proof that the hotel/motel tax was paid. Mr. Diekmann stated that the taxes are submitted to the state so the owner would need to show a document that the state has received the taxes.

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

Moved by Gartin, seconded by Corrieri, to allow for short-term rentals in all apartments in all zoning districts. ~~or differentiate between higher-density and lower-density areas.~~

Ex officio Allie Hoskins stated she spoke with the Director of Student Residency, and his initial concerns were the liability. She stated that she is in support of Mr. Gartin's motion. Ms. Betcher mentioned that one of the things that helps apartments is that they have landlords however; with a condo, they are owned by people and there are no leases. Mayor Haila asked City Attorney Lambert if a City Ordinance trumps a lease or is it the other way around. Mr. Lambert stated that it depends as just because it is allowed doesn't mean the landlord will allow it.

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

Council Member Betcher voiced her concern that they do not have compliance within the Hospital-Medical District; this needs to be discussed, but not at this time. Mr. Schainker asked for clarification on the three houses that are single-family homes in this area, but short-term rentals would not be allowed. Mr. Diekmann stated that is correct. Mr. Gartin doesn't want to treat one part of town differently from any other. Mr. Diekmann stated that has been done in different areas of town and the Hospital-Medical area is not being singled-out.

Moved by Martin to limit the occupancy based on the number of people, rather than just the adults, and exempt only children who are dependents of adult guests. Discussion was had as to how to enforce this motion. Motion died for lack of second.

Council recessed at 8:21 p.m. and reconvened at 8:30 p.m.

ALTERATIONS TO DEPOT BUILDING AT 500 MAIN STREET: Planning and Housing Director Kelly Diekmann stated this item is more an informational item and looking for concurrence from City Council from the property owner that their proposed actions are consistent with the Development Agreement. Mr. Diekmann stated the external western side of the building is being remodeled to be a restaurant. He noted that the most substantial changes are in the rear of the building as the property owner is looking to expand the cooler, add a smoker, and screen in about 50 feet of the building.

Council Member Betcher asked if this had been run by the Historic Preservation Commission, or if that was going to happen. Mr. Diekmann stated that they are not per the Development Agreement; it doesn't say who to defer to so it comes to City Council for approval. He then displayed the floor plans showing the mechanical equipment with platform, ramps, and screens. Mr. Diekmann noted that it does obstruct the structure but staff determined that the footprint of change is within the overhang, and no permanent change to the openings of the buildings. Mayor Haila asked if there were any elevations that would be on the south side. Mr. Diekmann stated he did not have the elevations available but did show a picture of the backside of the Depot showing the station masters windows and pointing out where the coolers would be added.

Ms. Betcher questioned why this was not run past the Historic Preservation Commission; the property has been brought up several times in the past for discussion. She explained that she is torn on this item as technically the front facade is the main facade, but because of the way the Depot was originally used, the back platform is just as important as the front.

Council Member Martin asked if there was a discussion regarding the impact to the site when the cooler was put in. Mr. Diekmann stated that he is not sure as to when the cooler was put in.

The public hearing was opened and closed by Mayor Haila since there was no one wishing to speak.

Moved by Gartin, seconded by Corrieri, to approve Alternative 1, which states that City Council can find the proposed changes to the Depot building site to have no negative impact on the historic qualities of the Depot building.

Roll Call Vote on Motion: 5-0-1. Voting aye: Martin, Beatty-Hansen, Gartin, Corrieri, Betcher. Voting nay: none. Abstaining: Nelson due to conflict of interest.

PRELIMINARY PLAT FOR REVISED SCENIC VALLEY SUBDIVISION: Mayor Haila noted that this item has been pulled per the request of the developer.

PROPOSED TEXT AMENDMENTS FOR UPDATING NONCONFORMING USE AND CONFORMING STRUCTURE STANDARDS: Council Member Gloria Betcher asked about Section 29.307 (2)(b) and (2)(c) Change of Use and Abandonment (vi) Calculation of Period of Abandonment. She asked what it means when it states “without any contributing cause by the owner of the nonconforming use,” Mr. Diekmann stated it would be a natural disaster, government action, or fire. Mr. Diekmann stated that it is a benefit to the property owner as the City will not start the 12-month clock if they are not at fault.

Moved by Nelson, seconded by Betcher, to approve Alternative 1, stating the City Council can direct staff to proceed with finalizing text amendments for nonconforming uses, discontinuance of a nonconforming use, and defining remodeling of a nonconforming structure and publish public hearing notice for consideration of an ordinance by City Council.

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

HEARING ON MAJOR SITE DEVELOPMENT PLAN FOR 1404, 1405, AND 1410 BUCKEYE AVENUE (FORMERLY K-MART): Planner Julie Gould stated the request tonight was an Integrated Site Plan, which includes concurrent approval of a Preliminary Plat and Major Site Development Plan. She noted that 1405 Buckeye Avenue is the old K-mart site and parking area. The properties at 1404 and 1410 Buckeye Avenue are existing lots between Duff Avenue and Buckeye Avenue. The Integrated Site Plan process gives some relief with some of the zoning requirements, for example the parking and landscaping will be shared across the site instead of an individual basis. She displayed the lot lines of the property and explained how the lines were divided up to meet the FAR requirements in HOC and signage. Ms. Gould noted that the only new utility

that will be added is a short line from Buckeye onto the site. A traffic study was done and no improvements were recommended. She said that the old K-Mart will be divided into four retail bays that face to the east. At this time no tenants have been confirmed. Ms. Gould stated that other conditions of approval are related to site and use, the fast food use would have to have a drive-thru window on the east side. Mr. Diekmann stated that this is the first time that this option of an Integrated Site Plan has been proposed and are working through the process with the applicant. He explained that the uses are a big part to justify the combination of everything, the uses are restricted as proposed and the conditions are meant to clarify what is being proposed and can't swap in other items.

Council Member Gartin explained that he loves the idea of this project, but there should be some kind of trigger for some kind of surface water issue. Mr. Diekmann stated that where they are doing new construction the developer is doing underground storm water systems.

Mayor Haila asked for them to put the lot line split picture back up on the screen and wanted to know with the subdivision of all nine lots, could each one be sold individually. Mr. Diekmann stated that the developer can carve up the lots, but when getting to the Final Plats, they will have to satisfy City staff, and the right agreements in place to maintain all the property through reciprocal easements and operating standards. Mayor Haila asked about if there was a phasing plan. Mr. Diekmann stated that as of right now there is not a phasing system in place; the only direction that is needed to proceed is that the mini storage cannot be built until Building "B" is completed with at least a shell building. Council Member Betcher asked what the logic was behind the dividing of the nine properties. Mr. Diekmann stated that division was done by the sign code. The sign code allows square footage by street frontage.

Mayor Haila also asked for the exterior elevations to be displayed. Mr. Diekmann displayed the elevations for each street. Further discussion was had about the Council's concerns about aesthetics for the buildings. Mr. Diekmann stated that it is hard for them to know about screening when they are not sure what is going to be in the building. Mayor Haila mentioned that they are excited about the prospect of something being done with the old K-mart building but wanted to know what else could be done to improve the visual aspects. Further discussion was had regarding the need for more aesthetics.

Chad Williams, 127 Cricket Creek Lane, Hendersonville, TN, with Net Lease Alliance who is affiliated with OnPoint Development, LLC. explained that they are finding the old K-marts as a big opportunity for them to rebuild. Mr. Williams mentioned that they are getting great interest from potential tenants for this development. He stated that, with the building architecture, they are willing to do something to help dress up the back of the buildings. Mr. Williams asked Council to approve the request tonight as they are on a deadline for closing on this property as of December 21, 2018, and he would be happy to continue to work with staff. He noted that the building will have roof top units and can definitely do parapets.

Mayor Haila asked Mr. Williams to address the question about phasing. Mr. Williams explained that

they plan on putting the parking lot in, the way it is shown on the site plan. He stated they need to do all the site improvements first and then can put down pads for certain buildings to get them ready to go, would like to do everything all at once but that isn't always possible.

The public hearing was opened and closed by Mayor Haila since there was no one wishing to speak.

Moved by Gartin, seconded by Beatty-Hansen, to approve alternative one but modify it to direct staff to work with the developer with the exterior improvements that were discussed.

Motion withdrawn.

Moved by Martin, seconded by Betcher, to approve Alternative 1A with an additional condition that the applicant work with staff to add architectural features to buildings along public streets that add variation and interest to the design.

Moved by Martin, seconded by Betcher, to include Alternative 1B.

Motion withdrawn.

Moved by Martin, seconded by Betcher, to adopt RESOLUTION NO.18-618 to approve the Major Site Development Plan, with the listed conditions and an additional condition that the applicant work with staff to add architectural features to building along public streets that add variation and interest to design.

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

Moved by Martin, seconded by Betcher, to adopt RESOLUTION NO. 18-619 approving the Preliminary Plat for Southwood Subdivision, 4th Addition, subject to certain conditions.

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

HEARING ON DEVELOPMENT AGREEMENT WITH BARILLA AMERICA, INC., WITH TAX INCREMENT REBATE INCENTIVES AND PROJECT DEVELOPMENT REQUIREMENTS: The public hearing was opened and closed by Mayor Haila since there was no one wishing to speak.

Moved by Beatty-Hansen, seconded by Betcher, to adopt RESOLUTION NO. 18-621 approving the Development Agreement.

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

Moved by Nelson , seconded by Beatty-Hansen, to adopt RESOLUTION NO. 18-622 approving the Minimum Assessment Agreement.

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

HEARING ON SCAFFOLDING AND RELATED SERVICES AND SUPPLY CONTRACT:

The public hearing was opened and closed by Mayor Haila since there was no one wishing to speak.

Moved by Gartin, seconded by Betcher, to accept the Report of Bids and delaying award of contract.
Vote on Motion: 6-0. Motion declared unanimously.

HEARING ON 2018/19 SANITARY SEWER REHABILITATION (WILSON & 15TH): The public hearing was opened and closed by Mayor Haila since there was no one wishing to speak.

Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 18-623 approving the plans and specifications and awarding contract to Synergy Contracting LLC, in the amount of \$2,663,751.50.

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

ORDINANCE RELATED TO DEVELOPMENT STANDARDS OF THE NEIGHBORHOOD COMMERCIAL ZONING DISTRICT: The public hearing was opened and closed by Mayor Haila since there was no one wishing to speak.

Moved by Beatty-Hansen, seconded by Betcher, to pass on second reading an ordinance related to Development Standards of the Neighborhood Commercial Zoning District.

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

ORDINANCE TO ALLOW ALTERNATIVE LANDSCAPE PLAN APPROVAL IN CONJUNCTION WITH A SPECIAL USE PERMIT: The public hearing was opened and closed by Mayor Haila since there was no one wishing to speak.

Moved by Beatty-Hansen, seconded by Gartin, to pass on second reading an ordinance to allow Alternative Landscape Plan approval in conjunction with a Special Use Permit.

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

ORDINANCE REGARDING EXCEPTIONS TO MINIMUM STORIES AND MINIMUM FLOOR AREA RATIO FOR THE DOWNTOWN SERVICE CENTER: The public hearing was opened and closed by Mayor Haila since there was no one wishing to speak.

Moved by Betcher, seconded by Gartin, to pass on third reading and adopt ORDINANCE NO. 4373 regarding exceptions to minimum stories and minimum floor area ratios for the Downtown Service Center.

Roll Call Vote: 5-1. Voting aye: Gartin, Corrieri, Betcher, Nelson, Beatty-Hansen. Voting nay: Martin. Ordinance declared adopted, signed by the Mayor and hereby made a part of these minutes.

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Moved by Beatty-Hansen, seconded by Gartin, to put Hunziker's request for a refund on the South Duff Avenue signal project on a future agenda for discussion.

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

Moved by Beatty-Hansen, seconded by Betcher, to direct staff to get more information on what other cities have for airport rental fees and reach out to the airport committee to get their feedback about the airport hangar proposal from Brian Aukes.

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

Moved by Beatty-Hansen, seconded by Betcher, to communicate to Mr. Friedrich that City Council is not interested at this time in expanding the Urban Revitalization and tax Abatement to include office use.

Vote on Motion: 3-3, Voting aye: Beatty-Hansen, Betcher, Martin. Voting nay: Gartin, Corrieri, Nelson. Mayor declined to vote. Motion failed.

COUNCIL COMMENTS: Council Martin stated he is the appointee to Ames Convention and Visitors Bureau. He has been working the Community Grants Committee. The committee is awarding about \$90,000 this year with more than 30 applications.

Moved by Gartin, seconded by Beatty-Hansen, to direct staff to come back with a report about the fiscal impacts of reducing the parking meter rates to \$0.50/hour and then to offer suggestions to the sources of the alternative funding for the needed Capital Improvements.

Vote on Motion: 4-2. Voting aye: Betcher, Nelson, Beatty-Hansen, Gartin. Voting nay: Corrieri, Martin.

Moved by Martin, seconded by Beatty-Hansen, to put memo from March, 2018 regarding tax incentives on the 11-27-18 meeting.

Motion withdrawn.

Moved by Martin, seconded by Beatty-Hansen, to put the memo from March 2018 on as an agenda item no later than the end of the year.

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

ADJOURNMENT: Moved by Beatty-Hansen to adjourn the meeting at 9:41 p.m.

Amy L. Colwell, Deputy City Clerk

John A. Haila, Mayor