

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JULY 12, 2019

The Special Meeting of the Ames City Council was called to order by Mayor John Haila at 1:04 p.m. on the 12th day of July, 2019, in Conference Room 235 in City Hall, 515 Clark Avenue. As it was impractical for the Council members to attend in person, Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, and Chris Nelson were present. Council Member Martin and *Ex officio* Member Devyn Leeson were absent.

LOCAL MATCH FOR COMMUNITY ATTRACTION AND TOURISM GRANT: Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 19-356 approving the Inis Grove Restroom Project (funded as part of the City's Capital Improvement Plan) to be used as the City's local match in the Ames Foundation Community Attraction and Tourism (CAT) Grant application pertaining to the Inis Grove Accessibility Improvement Project (Miracle League Field/Inclusive Playground and Inis Grove Park Restroom Project).

Mayor Haila acknowledged the contribution of \$25,000 made to the Ames Foundation by the Story County Board of Supervisors towards the local match for the Grant. He publicly noted the City's appreciation of the County's monetary assistance and for its letter of support for this project.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

DISPOSITION OF COMMUNICATIONS TO COUNCIL: None.

COUNCIL COMMENTS: None.

ADJOURNMENT: The meeting adjourned at 1:10 p.m.

Diane R. Voss, City Clerk

John A. Haila, Mayor

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

AMES, IOWA

JULY 09, 2019

AMES AREA METROPOLITAN PLANNING ORGANIZATION (AAMPO) TRANSPORTATION POLICY COMMITTEE MEETING

The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee meeting was called to order by Ames Mayor and voting member John Haila at 6:00 p.m. on the 9th day of July, 2019, 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, and Juan Bibiloni, Transit. AAMPO Administrator and Ames Public Works Director John Joiner, was also present. Voting members David Martin; City of Ames, Jonathan Popp, Gilbert Mayor, and Bill Zinnel, Boone County Supervisor were absent.

HEARING ON SECOND AMENDMENT TO FFY 2019-2022 TRANSPORTATION IMPROVEMENT PROGRAM (TIP): Public Works Director John Joiner stated that both drafts were approved in May 2019 by the Policy Committee. The drafts were presented for public comment and they did not receive any recommendations for changes.

Mayor Haila opened the public hearing. Since no one came forward to speak, he closed the public hearing.

Moved by Beatty-Hansen, seconded by Olson, to approve the Second Amendment to FFY 2019-2022 Transportation Improvement Program (TIP).

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

HEARING ON FFY 2020-2023 TIP: Mayor Haila opened the public hearing and closed it after no one came forward to speak.

Moved by Nelson, seconded by Olson, to approve RESOLUTION NO. 19-329 approving the final FFY 2020-2023 Transportation Improvement Program (TIP) for submission to the Iowa Department of Transportation.

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

ADJOURNMENT: Moved by Bibiloni to adjourn the AAMPO Transportation Policy Committee meeting at 6:03 p.m.

REGULAR CITY COUNCIL MEETING

The Regular Meeting of the Ames City Council was called to order by Mayor Haila at 6:03 p.m. on July 9, 2019, 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, and Chris Nelson. *Ex officio* Member Devyn Leeson was also present. Council Member David Martin was absent.

PROCLAMATION FOR “PARKS AND RECREATION MONTH:” Mayor Haila proclaimed July 2019 as “Parks and Recreation Month.” Accepting the Proclamation on behalf of the City of Ames Parks and Recreation Department were Parks and Recreation Director Keith Abraham and Recreation Superintendent Kellee Omlid. Ms. Omlid highlighted a few events that will be happening during the month of July.

PROCLAMATION FOR “SUMMER LEARNING WEEK:” The week of July 8-13, 2019, was proclaimed as “Summer Learning Week.” Those accepting the Proclamation were Story County Reads Director Malai Amfahr, Ames Public Library Youth Services Manager Jerri Heid, and United Way President and CEO Jean Kresse. Ms. Amfahr mentioned a few programs that are happening during the summer.

Mayor Haila announced that the Council would be working from an Amended Agenda. Item 26b has changed from a Resolution establishing parking regulations to a Motion directing City Attorney to prepare an ordinance establishing parking regulations.

CONSENT AGENDA: Moved by Gartin, seconded by Corrieri, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of Special Meeting held June 18, 2019, and Regular Meeting held June 25, 2019
3. Motion approving Report of Change Orders for June 16 - 30, 2019
4. Motion approving new 5-day Special Class C Liquor License (July 9-13) - Ames Main Street, 2520 Airport Drive
5. Motion approving Class B Beer Liquor License ownership change - Pancharo’s Mexican Grill - 1310 S Duff Avenue
6. Motion approving new 5-day Class B Beer Liquor License (July 25-29) - The Whimsical Wine Trailer, 1407 S University Blvd
7. Motion approving new 5-day Class C Liquor License (July 19-23) - Whatcha Smokin BBQ, 1407 S University Blvd
8. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor License with Sunday Sales - Red Lobster #0747, 1100 Buckeye Avenue
 - b. Class C Liquor License with Sunday Sales - Welch Ave Station, 207 Welch Avenue - PENDING DRAM SHOP
 - c. Class C Beer Permit with Class B Native Wine and Sunday Sales - Hampton Inn & Suites Ames, 2100 SE 16th Street
 - d. Class C Liquor License with Catering, Outdoor Service and Sunday Sales - Iowa State Center - Scheman, Scheman Building, Iowa State University
 - e. Class C Liquor License with Outdoor Service and Sunday Sales - NorthCyde Kitchen

- & Keg, 823 Wheeler Street, Ste. 1
 - f. Class B Beer with Sunday Sales - Panchero's Mexican Grill, 1310 S. Duff Avenue, Ste. 103
 - g. Class C Liquor License with Sunday Sales - Applebee's Neighborhood Grill & Bar, 105 Chestnut
 - h. Class C Liquor License with Living Quarters and Sunday Sales - Sportsman's Lounge, 123 Main Street
9. Motion approving request from Iowa Sports Foundation, Inc. for Fireworks Permit for display at Jack Trice Stadium on July 19, 2019, for Iowa Games, pending approval of City Fire Inspector
 10. RESOLUTION NO. 19-330 approving Encroachment Permit for a sign at 212 Hayward Avenue
 11. RESOLUTION NO. 19-331 on approving Professional Services Agreement with KFI Engineers, Inc., of St. Paul, Minnesota, for design of the Water Plant Dehumidification Project in an amount not to exceed \$66,500
 12. RESOLUTION NO. 19-332 approving Memorandum of Agreement and Agency Access Agreements with the Huxley Police Department allowing access to the public safety network
 13. RESOLUTION NO. 19-333 waiving Purchasing Policies' bidding requirements and extending an engagement with Ahlers and Cooney, P.C., of Des Moines, Iowa, in an amount not to exceed \$15,000 for legal services related to application of *Iowa Code* Chapter 20
 14. RESOLUTION NO. 19-334 waiving Purchasing Policies' bidding requirements and authorizing purchase of software maintenance from Superior, LLC (a CentralSquare company)
 15. RESOLUTION NO. 19-335 waiving Purchasing Policies' bidding requirements and authorizing purchase of MAPSG software maintenance from Superior, LLC (a CentralSquare company)
 16. RESOLUTION NO. 19-336 approving preliminary plans and specifications for 2017/18 Water System Improvements - Water Service Transfer (10th Street and 12th Street); setting August 7, 2019, as bid due date and August 13, 2019, as date of public hearing
 17. RESOLUTION NO. 19-337 approving preliminary plans and specifications for 2018/19 Water System Improvements (Burnett Avenue, Murray Drive); setting August 7, 2019, as bid due date and August 13, 2019, as date of public hearing
 18. RESOLUTION NO. 19-338 approving preliminary plans and specifications for 2014/15 Storm Water Facility Rehab Program (Somerset); setting August 7, 2019, as bid due date and August 13, 2019, as date of public hearing
 19. RESOLUTION NO. 19-339 approving preliminary plans and specifications for 2017/18 Shared Use Path System Expansion (W. Lincoln Way); setting August 7, 2019, as bid due date and August 13, 2019, as date of public hearing
 20. RESOLUTION NO. 19-340 awarding contract to C.E.M Solutions, Inc., of Hernando, Florida, for Emissions Testing Services Contract for Power Plant for FY 2019/20 in an amount not to exceed \$40,000
 21. RESOLUTION NO. 19-341 approving contract renewal for FY 2019/20 with Itron, Inc., of Liberty Lake, Washington, to furnish water meters, radio units, and related parts in an aggregate amount not to exceed \$450,000

21. RESOLUTION NO. 19-342 approving contract and bond for Underground Trenching Services for Electric Services - Primary Contract
22. RESOLUTION NO. 19-343 approving contract and bond for Underground Trenching Services for Electric Services - Secondary Contract
23. RESOLUTION NO. 19-344 approving contract and bond for Scaffolding & Related Services & Supply Contract
24. RESOLUTION NO. 19-345 accepting completion of 2016/17 Traffic Signal Program (6th Street/Hazel Avenue)
25. 397 Wilder Avenue:
 - a. RESOLUTION NO. 19-346 setting July 23, 2019, as date of public hearing regarding vacating public utility, surface water flowage, and storm sewer easements
 - b. RESOLUTION NO. 19-347 approving Plat of Survey
26. Scenic Valley Subdivision, 4th Addition:
 - a. RESOLUTION NO. 19-348 approving Final Plat
 - b. ~~Resolution establishing parking regulations~~ *Motion directing City Attorney to prepare ordinance establishing parking regulations
27. RESOLUTION NO. 19-349 approving Final Plat for Deery Subdivision, Plat 2 (1810 SE 16th Street)

Roll Call Vote: 5-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

PUBLIC FORUM: Mayor Haila opened Public Forum. No one came forward to speak, and Public Forum was closed.

SOUTHWOOD SUBDIVISION, 4TH ADDITION: Planning and Housing Director Kelly Diekmann stated that tonight the Council is reviewing a Final Plat, and this Final Plat is unique as it is the first Integrated Site Plan to go through the approval process. The Integrated Site Plan allows for review of an entire site for compliance with development standards rather than each lot to meet the standards. Mr. Diekmann explained an important piece of the process is a signed Development Agreement to address the phasing of the improvements. He noted that the developer has agreed that in Phase One, as defined in the Development Agreement, includes Lots 1, 2, and 3 that divide the existing building and include other site improvements. All improvements are required with the initial phase to these lots, as well as, the front yard landscaping along South 16th Street. Director Diekmann stated that work will be done on the other lots in time and will come in as individual permits. City staff is recommending approval with the Development Agreement as proposed. He noted that the Agreement is set up that the Agreement is not effective unless the property owner does sell the property to the applicant that the staff has been working with. If the transaction does not happen then the project will not go through.

Mayor Haila stated that Council Member Martin had emailed a question with concerns about pedestrian access. Mr. Diekmann stated that when the Site Development Plan was approved in November, it shows that South 16th Street was approved with two different accesses. Access was created to South 16th Street and there are two sidewalks that extend at the Southeast corner to

Buckeye, but at this time there is not a sidewalk that connects along the driveway that is in between the Staples parking lot and the proposed parking lot. He also noted that the two lots on Duff, do not have a sidewalk that goes to Duff Avenue. Director Diekmann stated that the Council is not able to modify the Site Development Plan, but as the applicant is finalizing some of the details on the building footprints, if there are minor changes where a sidewalk might be able to get to Buckeye that would benefit the applicant then staff will allow those minor modifications.

Moved by Betcher, seconded by Corrieri, to approve RESOLUTION NO. 19-355 approving the Development Agreement for Southwood Subdivision, 4th Addition.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes

Moved by Beatty-Hansen, seconded by Corrieri, to approve RESOLUTION NO. 19-350 approving the Final Plat for Southwood Subdivision, 4th Addition.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes

HEARING ON VOLUNTARY ANNEXATION OF 18 PARCELS GENERALLY LOCATED SOUTH OF THE CURRENT CITY LIMITS BETWEEN UNIVERSITY BOULEVARD/530TH AVENUE AND CEDAR LANE: Planning and Housing Director Kelly Diekmann stated that the proposed annexation is for multiple properties with a 100% voluntary annexation. The annexation will close up all the identified growth area that is currently in the Land Use Policy Plan (LUPP) for the area. The Pre-Annexation Agreement allows for some benefits to encourage the voluntary annexation in relation to water and sewer charges. Director Diekmann stated that with the Council's approval tonight, this item will go to the City Development Board for its consideration since this is within two miles of the City of Kelly.

Council Member Gartin asked from a strategic perspective, if there were any properties that would make it challenging to bring in other properties later. Mr. Diekmann stated that he can confidently say no, as there are no issues with this Annexation and this is the last area that is identified for annexation in this part of the City and will make a uniform boundary.

Mayor Haila inquired as to how the area is served in regards to water and sewer. Mr. Diekmann stated that with the Annexation Agreement, it comes with the standard covenant that the area will be covered by the City of Ames water and sewer in the future. Currently, the bulk of the territory is likely Xenia territory, but there is a slight discrepancy in the records whether a small portion if the territory is served by Xenia or the City of Ames. Director Diekmann stated that City water and sewer will be provided with the Subdivision and development of the Burgason larger piece. Mayor Haila asked about the Xenia buyout and what the Agreement states. Mr. Diekmann explained that the Agreement states that if Xenia requires any payment to transfer the service territory from them to the City of Ames the property owner will be responsible to pay Xenia.

The public hearing was opened by the Mayor. He closed the hearing after no one asked to speak.

Moved by Nelson, seconded by Betcher, to adopt RESOLUTION NO. 19-351 approving the Pre-Annexation Agreement for 18 parcels generally located south of the current City limits between University Boulevard/530th Avenue and Cedar Lane.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Beatty-Hansen, seconded by Betcher, to adopt RESOLUTION NO. 19-352 approving the Annexation of 18 parcels generally located south of the current City limits between University Boulevard/530th Avenue and Cedar Lane.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON LANDSCAPE PLAN FOR THE MAJOR SITE DEVELOPMENT PLAN FOR 2105 AND 2205 E. LINCOLN WAY: Planning and Housing Director Kelly Diekmann stated that a Minor Site Development Plan was approved in 2017 for a small addition to the building at 2205 East Lincoln Way and a new building at 2105 East Lincoln Way. He noted that, as the property owners completed the project, they decided they would prefer a different landscape when looking at the topography of the site. The property owner believes the shrubs and grass plantings proposed on the original Plan will be difficult to maintain on the steep terrain in front of both buildings and that the visual appeal of the shrubs and grasses is reduced or blocked due to the difficulty of seeing the shrubs and grasses from Lincoln Way due to the terrain and distance from the road. The alternative proposal includes replacing 199 grasses and shrubs with one over-story tree and six ornamental trees in addition to the other front yard trees.

The Mayor opened the public hearing and closed it after there was no one wishing to speak.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 19-353 approving the Major Site Development Plan for 2105 and 2205 E. Lincoln Way and accepting alternatives to the Landscape Plan.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON CONVEYANCE OF RIGHT-OF-WAY ADJACENT TO 635 AGG AVENUE TO STEVEN AND SARAH WALTER: Mayor Haila declared the public hearing opened. He declared it closed after there wasn't anyone wishing to speak.

Moved by Beatty-Hansen, seconded by Corrieri, to adopt ORDINANCE NO. 4388 vacating the right-of-way adjacent to 635 Agg Avenue.

Roll Call Vote: 5-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 19-354 approving conveyance of the vacated right-of-way to Steven and Sarah Walter in the amount of \$3,165.75.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON ZONING TEXT AMENDMENT TO CHAPTER 29.401(5) TO ALLOW MULTIPLE BUILDINGS ON SINGLE LOTS IN CERTAIN ZONING DISTRICTS: Planning and Housing Director Kelly Diekmann stated this item was requested by an applicant to consider allowing group living to have multiple buildings on a site. Staff supports the change and they have added a number of elements to clarify different situations across the City that are broader. He noted that staff currently regulates by use and not Zoning District, and they are now broadening it for Commercial, Industrial, Government, and Special Purpose Districts; regardless of use, they are allowed to take advantage of having multiple buildings on a site. Residential sites with apartments require assumed setbacks around all buildings whereas other uses apply setbacks based upon perimeter property lines. For those uses not listed, such as a single-family homes and group living uses, a property is not permitted to have multiple buildings on a site. Mr. Diekmann explained that if there are already non-conforming uses on a lot the property owner will not be able to add more uses. He noted that after reviewing the Ordinance he did find one typo in Section (b) (iii) as the word “and” needs to be inserted between “area setback.”

Council Member Betcher mentioned that during the short-term rental housing discussions, it was brought up that Mary Greeley had a couple of houses on its lot that are used as rentals. She wanted to know if this clarifies the acceptability of those houses. Mr. Diekmann stated that there was a question if those properties were an accessory to the hospital or its own thing at that time. He stated that the Hospital/Medical District is a Special Purpose District, which, by the first section of the Ordinance, it would be able to have multiple structures in the zone regardless of use, but he would not be able to answer the question if it is truly accessory or truly principal use and if the base zone would allow that use.

Ms. Betcher stated that there are other properties in the Medical/Hospital District that are residential, but she is not sure if Section (b) residential zoning district of the Ordinance trumps Section (a) Hospital/Medical Special Use District. If someone could meet the setbacks and area requirements, they could have accessory dwelling unit. Mr. Diekmann stated it would have to be a principle use and there are very few lots that are Hospital/Medical zone that are not used for a commercial purpose. However, if that is the case, they could have another structure that would be permitted in that zone. Director Diekmann stated that outside of the hospital control there are three properties toward the Carroll Avenue side that are homes and not used for a commercial purpose. Ms. Betcher stated that this is something that neighbors should be able to have input on. Mr. Diekmann stated that if that is the case, instead of delaying the Ordinance, he would recommend to not allow it or remove it as an option from the Ordinance so the applicant can move ahead. Ms. Betcher recommended in Section (a)(i), instead of just listing agricultural zone, it could say Agricultural and Hospital/Medical zone. Council Member Gartin asked if procedurally they could pass the first reading and then approve the change on the second reading. City Attorney Mark Lambert commented that it be passed on first reading and an amendment be worked on to pass on second reading.

Further discussion ensued regarding if the Council should pass on first reading and have an amendment for the second reading that would include the Hospital/Medical District.

Moved by Gartin, seconded by Beatty-Hansen, to pass on first reading the proposed Ordinance, which is a text amendment to Section 29.401.(5), Multiple Principal Buildings on single lots of the Zoning Ordinance with the scribes' error with the word "and" that was noted earlier.

Motion withdrawn.

Moved by Betcher, seconded Gartin, to amend Section 29.401(5) (a)(ii) of the Ordinance so that the exception includes the Hospital/Medical zone along with the South Lincoln Mixed-Use District.
Vote on Motion: 5-0. Motion declared carried unanimously.

Moved by Gartin, seconded by Beatty-Hansen, to pass on first reading an ordinance to allow multiple buildings on single lots in certain zoning districts with the approved amendment.
Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON CAMPUSTOWN PUBLIC IMPROVEMENTS - WATER SERVICE REPLACEMENT (LINCOLN WAY FROM HAYWARD AVENUE TO WELCH AVENUE):
The Mayor opened the public hearing and closed it after there was no one wishing to speak.

Moved by Nelson, seconded by Betcher, to approve RESOLUTION NO. 19-341 approving the final plans and specifications and awarding the contract to Jet Drain Services LLC of Ames, Iowa, in the amount of \$172,002.06.
Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

ORDINANCE REZONING 3315 S. RIVERSIDE DRIVE FROM AGRICULTURAL TO RESEARCH PARK INNOVATION DISTRICT: Moved by Beatty-Hansen, seconded by Nelson, to pass on second reading the ordinance rezoning 3315 S. Riverside Drive from Agricultural to Research Park Innovation District.
Roll Call Vote: 5-0. Motion declared carried unanimously.

Mayor Haila explained that he forgot to pull Item No. 23, Resolution approving contract renewal for FY 219/20 with Itron, Inc., of Liberty Lake, Washington, to furnish water meters, radio units, and related parts in an aggregate amount not to exceed \$450,400, due to not having a signed contract on file.

Moved by Nelson, seconded by Beatty-Hansen, to reconsider Consent Agenda Item No. 23.
Vote on Motion: 5-0. Motion declared carried unanimously.

Moved by Gartin, seconded by Corrieri, to table Consent Agenda Item No. 23 until the contract can

be signed.

Vote on Motion: 5-0. Motion declared carried unanimously.

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Mayor Haila stated that the Council received an email from Matthew Stogsdill regarding concerns due to uncontrolled intersections in the Sunset Ridge subdivision.

Moved by Beatty-Hansen, seconded by Betcher, to direct staff to prepare a memo regarding the uncontrolled intersections in the Sunset Ridge Subdivision.

Vote on Motion: 5-0. Motion declared carried unanimously.

COUNCIL COMMENTS: Council Member Betcher commented that it was a good idea by the Council to not surprise the residents of the Hospital/Medical zone, but also thinks that this is something that needs to be thought of, if looking for in-fill opportunities in the future, and with the 2040 Comprehensive plan coming up, that will allow citizens to provide feedback.

Council Member Gartin stated that the Council had received a memo from the Ames Bicycle Coalition about way-finding signs in Ames. He doesn't believe anything was ever done about the memo. Mr. Gartin stated that the Ames Bicycle Coalition sent a proposal to place signs in key locations along bike paths.

Moved by Gartin, seconded Betcher, to direct staff to provide a memo in regards to the Ames Bicycle Coalition's memo regarding way-finding signs.

Vote on Motion: 5-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Gartin to adjourn the meeting at 7:04 p.m.

Amy L. Colwell, Deputy City Clerk

John A. Haila, Mayor