

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

**AMES, IOWA**

**MAY 26, 2020**

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

Mayor Haila announced that it is impractical to hold an in-person Council meeting due to the Governor of Iowa declaring a public health emergency because of the COVID-19 pandemic. Therefore, limits have been placed on public gatherings, and this meeting is being held as an electronic meeting as allowed by Section 21.8 of the *Iowa Code*. The Mayor then provided how the public could participate in the meeting via internet or by phone.

**CALL TO ORDER:** The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee meeting, which was being held electronically, was called to order by Ames Mayor and voting member John Haila at 6:05 p.m. on the 26th day of May, 2020. Other voting members brought into the meeting were: Bronwyn Beatty-Hansen, City of Ames; Gloria Betcher, City of Ames; Amber Corrieri, City of Ames; Tim Gartin, City of Ames; Rachel Junck, City of Ames; David Martin, City of Ames; Lauris Olson, Story County Supervisor. Bill Zinnel, Boone County Supervisor and Jon Popp, Mayor of Gilbert were absent. Student Government Representative is to be determined.

**DRAFT FFY 2021-2024 TIP:** Public Works Director John Joiner stated this was an annual document required by the Metropolitan Planning Organization (MPO). Director Joiner mentioned that it was the draft of the 2021-2024 Transportation Improvement Program. This is the Capital Project Funding program. The draft was reviewed by the Transportation Technical Committee and recommended unanimously for the Policy Committees approval. A public comment period will happen over the next month and then will be reported back to the Policy Committee for final document approval on July 14, 2020.

Council Member Beatty-Hansen questioned the Fiscal Constraint table on page 24 of the staff report and wanted to know if it had been updated with any new numbers that would change due to COVID-19. Mr. Joiner explained that staff had received some antidotal information from the Iowa Department of Transportation (Iowa DOT) that the effect of COVID-19 will have on the Road Use Tax Fund. He noted this would mainly affect the swap (where they swap federal funds for state funds), but they haven't received any firm numbers from the Iowa DOT regarding target adjustments.

Moved by Beatty-Hansen, seconded by Olson, to approve the Draft FFY 2021-2024 TIP and setting the date of public hearing for July 14, 2020.

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

**AMENDMENTS TO 2020-2023 TRANSPORTATION IMPROVEMENT PROGRAM (TIP):**  
Director Joiner commented this item is the same as the Policy Committee saw back in March 2020.

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

Moved by Betcher, seconded by Olson, to approve the Amendments to the 2020-2023 Transportation Improvement Program (TIP).

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

**FISCAL YEAR 2021 DRAFT TRANSPORTATION PLANNING WORK PROGRAM (TPWP):** Public Works Director John Joiner stated that this item was submitted to their State and Federal funding partners for their review. He noted it is the same document that was shown before in March 2020 and meets all state and federal requirements.

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

Moved by Junck, seconded by Olson, to approve the Fiscal Year 2021 Draft Transportation Planning Work Program (TPWP).

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

**POLICY COMMITTEE COMMENTS:** Ms. Olson mentioned that she had let the Board of Supervisors know that the AAMPO would be meeting tonight and they are questioning what is going on with the 2045 Plan. She stated she left a message with Traffic Engineer Damion Pregitzer to let him know that they had questions. It was noted that the County wants to be actively involved in the 2045 Plan. Ms. Olson commented that not only a technical discussion needs to be had, but want to make sure their voice is heard from a Policy standpoint. She explained that it would be helpful if Mr. Pregitzer could give her a call and would like to talk with him to find out where they are at in the process as opposed to what is shown online. Ms. Olson noted that one of their concerns is the northwest portion of Ames. Director Joiner explained that staff had received some comments from Mayor Popp and from a few Supervisors, but will have Mr. Pregitzer reach out to her. He noted that staff will be bringing the project level input back to the Policy Committee on July 14, 2020. This would be to review the public input received and through the Technical Committee review. After this they will receive formal feedback from the Policy Committee and then will apply the fiscal constraints to all the projects to make sure they meet the funding availability that is project. This will happen in August 2020, and then from there the information will be used to prepare the final draft that will be provided in late September 2020. Ms. Olson commented that she appreciated the update and looked forward to hearing from Mr. Pregitzer.

**ADJOURNMENT:** Moved by Olson, seconded by Junck, to adjourn the AAMPO Transportation Policy Committee meeting at 6:16 p.m.

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

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

Mayor Haila announced that it is impractical to hold an in-person Council meeting due to the

Governor of Iowa declaring a public health emergency because of the COVID-19 pandemic. Therefore, limits have been placed on public gatherings, and this meeting is being held as an electronic meeting as allowed by Section 21.8 of the *Iowa Code*. The Mayor then provided how the public could participate in the meeting via internet or by phone.

**CALL TO ORDER:** Mayor John Haila called the Regular Meeting of the Ames City Council, which was being held electronically, to order at 6:16 p.m. with the following Council members participating: Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Rachel Junck, and David Martin. *Ex officio* Member Nicole Whitlock was also present.

**CONSENT AGENDA:** Council Member Betcher requested to pull Item No. 13, Downtown Facade Grants, for separate discussion.

Moved by Gartin, seconded by Beatty-Hansen, to approve the following items on the Consent Agenda.

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting held May 12, 2020,
3. Motion approving Report of Change Orders for period from May 1 to 15, 2020
4. Motion directing City Attorney to prepare an ordinance establishing parking regulations on Duff Avenue (20<sup>th</sup> Street to Grand Avenue)
5. Motion approving a new 12-month Class E Liquor License with Sunday Sales - Casey's General Store #2298, 428 Lincoln Way - **pending final inspection**
6. Motion approving a new 12-month Class C Liquor License with Outdoor Service, and Sunday Sales - Shuyu LLC, dba Wasabi Ames, 926 S. 16<sup>th</sup> Street **pending DRAM**
7. Motion approving new 12-month Class C Liquor License with Outdoor Service and Sunday Sales - Levy, Fisher Theater, 1805 Center Drive
8. Motion approving new 12-month Class C Liquor License with Outdoor Service and Sunday Sales - Scheman Building, 1805 Center Drive
9. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Class C Liquor License with Catering Privilege, Class B Wine, Outdoor Service, and Sunday Sales - Della Viti, 323 Main Street, #102
  - b. Class C Liquor License with Outdoor Service and Sunday Sales - Old Chicago Pizza and Taproom, 1610 S. Kellogg Avenue
  - c. Class E Liquor License with Class B Wine Permit, Class C Beer Permit, and Sunday Sales - Casey's General Store #2560, 3020 S. Duff Avenue
  - d. Class A Liquor License with Outdoor Service and Sunday Sales - Green Hills Residents' Association, 2200 Hamilton Drive, Suite 100
  - e. Class E Liquor License with Sunday Sales - MMDG Spirits, 126A Welch Avenue
  - f. Class E Liquor License with Class B Wine, Class C Beer and Sunday Sales - Kum

- & Go # 214, 111 Duff Ave
- g. Class E Liquor License with Class B Wine, Class C Beer and Sunday Sales - Kum & Go #200, 4510 Mortensen Road
- h. Class E Liquor License with Class B Wine, Class C Beer and Sunday Sales - Kum & Go #216, 203 Welch Ave
- I. Special Class C Liquor License with Class B Wine, Outdoor Service and Sunday Sales - Wheatsfield Cooperative, 413 Northwestern
- 10. RESOLUTION NO. 20-251 authorizing Mayor to sign the Letter of Support for a Regional Conservation Partnership Program Alternative Funding Arrangement grant application
- 11. RESOLUTION NO. 20-252 approving FY 2020/21 Outside Funding Contracts
- 12. RESOLUTION NO. 20-253 approving FY 2020/21 Commission On The Arts (COTA) Annual Grant Contracts
- 13. RESOLUTION NO. 20-255 approving contract renewal with Wellmark for administrative services, specific and aggregate excess insurance, and access fees for health insurance benefits effective July 1, 2020, through June 30, 2021
- 14. RESOLUTION NO. 20-256 approving contract renewal with Delta Dental of Iowa to provide administrative services for dental benefits effective July 1, 2020
- 15. RESOLUTION NO. 20-257 approving contract renewal with National Insurance Services for continuing the current Group Life and Accidental Death and Dismemberment for a one-year term ending July 1, 2021 and Long-Term Disability policies for a three-year period from July 1, 2020 through July 1, 2023
- 16. RESOLUTION NO. 20-258 accepting quote and approving renewal of City's membership in the Iowa Communities Assurance Pool (ICAP) for certain casualty and liability coverages at a net cost of \$502,921
- 17. RESOLUTION NO. 20-259 approving Safety Services Contract with IAMU in an amount not to exceed \$66,000 for period July 1 through December 31, 2020, and optional renewal in an amount not to exceed \$66,000 for period January 1 through June 30, 2021
- 18. RESOLUTION NO. 20-260 approving the Iowa DOT Agreement for U-STEP, TSIP, and 3R funding for the 2020/21 US Highway 69 Improvements (South Duff Avenue and US Highway 30 Eastbound off-ramp) project in the amount of \$800,000
- 19. RESOLUTION NO. 20-261 approving Iowa DOT ICAAP Grant Funding Agreement for FY 2020/21 Intelligent Transportation System (ITS) Program (Phase 1 - Traffic Network) for \$1,176,518
- 20. RESOLUTION NO. 20-262 approving Professional Services Agreement with Strand Associates Inc., of Madison, Wisconsin, for design of Old Water Treatment Plant Demolition Project in the amount not to exceed \$168,300
- 21. RESOLUTION NO. 20-263 approving Amendment No. 5 to Design Contract regarding South Grand Extension (South 16<sup>th</sup> Street and South Duff Avenue) with Shive-Hattery, Inc., of West Des Moines, Iowa, in an amount not to exceed \$125,350
- 22. RESOLUTION NO. 20-264 approving temporary street closure for new fire line at 307 Lynn

Avenue

23. RESOLUTION NO. 20-265 approving temporary relocation of vending operations from 100 block of Welch Avenue to Chamberlain Lot Y for duration of Campustown Improvements Project
24. RESOLUTION NO. 20-266 waiving Purchasing Policies and Procedures competitive bid requirement and awarding a single-source purchase to Moultrie Manufacturing Company of Moultrie, Georgia, in the amount of \$63,510.58 plus freight charges for handrails to be installed by City staff
25. RESOLUTION NO. 20-267 waiving Purchasing Policies and Procedures and awarding a single-source contract to Komptech USA of Westminster, Colorado, for the purchase and replacement of a door for the shredder at Resource Recovery in the amount of \$52,346.01
26. RESOLUTION NO. 20-268 waiving Purchasing Policies and Procedures and awarding a 3-year Contract to Emerson Process Management Power & Water Solutions, Inc., of Tinley Park, Illinois, for Emerson SureService Contract for Software Support for the Power Plant in the amount of \$139,500
27. RESOLUTION NO. 20-269 approving preliminary plans and specifications for CyRide 2020 Interior Improvements Project; setting June 17, 2020, as bid due date, and June 23, 2020, as date of public hearing
28. RESOLUTION NO. 20-270 approving preliminary plans and specifications for 2019/20 Arterial Street Pavement Improvements Project - 13<sup>th</sup> Street (Wilson Avenue - Duff Avenue); setting June 17, 2020, as bid due date, and June 23, 2020, as date of public hearing
29. RESOLUTION NO. 20-271 approving preliminary plans and specifications for 2019/20 Shared Use Path System Expansion - Vet Med Trail (S. 16<sup>th</sup> Street to ISU Research Park; setting June 17, 2020, as bid due date, and June 23, 2020, as date of public hearing
30. RESOLUTION NO. 20-272 awarding contract to Keck Energy of Des Moines, Iowa, for CyRide Fuel Purchase, from July 1, 2020 to June 30, 2021, in an amount not to exceed \$1,100,000
31. RESOLUTION NO. 20-273 approving contract and bond for 2019/20 Asphalt Street Pavement Improvements (14<sup>th</sup> and 15<sup>th</sup> Street)
32. RESOLUTION NO. 20-274 approving contract and bond for 2019/20 Multi-Modal Roadway Improvements (30<sup>th</sup> Street & Duff Avenue Restriping)
33. RESOLUTION NO. 20-275 approving Change Order No. 4 in an amount not to exceed \$119,950 for the 2017/18 Water System Improvements - Water Service Transfers (10<sup>th</sup> Street and 12<sup>th</sup> Street)
34. RESOLUTION NO. 20-276 approving renewal of contract to MPW Industrial Water Services, Inc., of Hebron, Ohio, for the Bottle Exchange Program, Two-Bed Demineralizer and Related Services Contract, for unit bids, in an amount not to exceed \$52,000
35. RESOLUTION NO. 20-277 approving renewal of contract to Electrical Engineering and Equipment Co., of Windsor Heights, Iowa, for the Motor Repair Contract, for hourly rates and unit prices bid, in an amount not to exceed \$23,000

36. RESOLUTION NO. 20-278 approving renewal of contract to Diamond Oil Company, of Des Moines, Iowa, for the Low-Sulfur Diesel Fuel Supply Contract in the amount of (-\$0.0062) deduct off the Magellan “rack” fuel price, and in the amount of \$0.0163 increase off the Buckeye “rack” fuel price for an amount not to exceed \$300,000
37. RESOLUTION NO. 20-279 approving renewal of Electrical Maintenance Services Contract (regular professional maintenance, repair to circuit breakers, relays, and electrical circuits) with Tri-City Electric Company of Iowa, Davenport, Iowa from July 1, 2020, through June 30, 2021 for hourly rates and unit prices bid, in an amount not to exceed \$140,000
38. RESOLUTION NO. 20-280 approving renewal of a contract to Baldwin Pole & Piling, Inc., of Des Moines, Iowa, for the purchase of electric distribution utility poles in accordance with unit prices bid
39. RESOLUTION NO. 20-281 approving partial completion of public improvements for Aspen Business Park, 3<sup>rd</sup> Addition (aka The Quarters)
40. RESOLUTION NO. 20-282 accepting completion of public improvements and releasing security regarding Northridge Heights, 18<sup>th</sup> Addition
41. RESOLUTION NO. 20-283 accepting completion of CyRide Bus Wash Renovation project
42. Well Rehabilitation Contracts:
  - a. RESOLUTION NO. 20-284 accepting completion of Year Three (FY 2019/20)
  - b. RESOLUTION NO. 20-285 awarding contract for Year Four (FY 2020/21) to Northway Well and Pump Company of Waukee, Iowa, in the amount of \$82,987.56

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

**DOWNTOWN FACADE GRANTS:** Council Member Betcher stated she pulled this item as the Council Action Form asked for the Council to decide between Alternatives on one of the facade grants.

Moved by Betcher, seconded by Beatty-Hansen, to approve Alternative 1, to adopt RESOLUTION NO. 20- 254 approving the Downtown Facade Grants totaling up to \$61,000 for:

- a. 330 5<sup>th</sup> Street & 412 Burnett Avenue in the amount of the estimated eligible costs up to \$46,000 for three eligible facades, without the additional limestone cladding. Note that prior to issuing a notice to proceed the applicant would need to secure an Encroachment Permit.
- b. 404 & 406 Main Street in the amount of estimated eligible costs up to \$15,000 for window replacement.

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

**PUBLIC FORUM:** Mayor Haila opened Public Forum. No one requested to speak, so he closed Public Forum.

**CAMPUS AND COMMUNITY COMMISSION:** Assistant City Manager Deb Schildroth stated that the following Commission Members had joined the meeting electronically: Eric Abrams, Sandeep Stanley, Pete Englin, Martha Broadnax, Evelyn Beavers, and Warren Madden.

Ms. Schildroth mentioned that the Council has the Commission's report regarding the work they had been doing over the past year on addressing landlord/tenant relations. The tenant discussion was related to student tenants, and ISU had been included in the discussions. There had been a variety of ways that the Commission had addressed the issues. The Commission had roundtable discussions with the landlords, participated in the student housing fair, and sent out a survey. During these discussions, some of the tenant and landlord issues that came up were:

Tenants

1. Getting timely repairs done to tenant units or timely response to an issue the tenant may have had
2. Having clear language in Lease Agreements
3. Lease Gap - the time during the end of July to August when leases turn over and some tenant are "homeless" for a day or two until they can get into their new unit

Landlords

1. Tenant needing to understand that the Lease Agreement is a legal and binding contract, what that means, and what is expected
2. Care and proper cleanliness of the apartment the tenant is renting
3. Paying rent on time
4. Noise complaints

Sandeep Stanley, Chair of the Campus and Community Commission, summarized what the Commission had in their report. He noted that the Commission received input from previous *ex-officio* Devyn Leeson, Community Outreach Officer Kurt Kruger, numerous people within the City infrastructure, and Iowa State University. Mr. Stanley highlighted two of the solutions that the Commission wanted to propose. The first would be to increase information that tenants get regarding the process. A common theme the Commission found was that tenants were not very well informed about the process and what renting a property entailed. Mr. Stanley listed a few ways this concern could be addressed:

1. Have the landlords hand out packets
2. Student Legal Service expressed interest in holding an annual seminar, maybe in conjunction with the Student Housing Fair
3. Revamping and promoting the Rent Ames website

He also highlighted the Commission's suggestion for a mediation process. One of the other common sources of disagreements was when landlords try to take away tenant's security deposits. This process can sour the landlord/tenant relationship when it gets dragged into small claims court. The

Center for Creative Justice (CCJ) had a mediation process previously in Ames that worked well. In talking with Student Legal Service, the Commission thought it would be a great addition. Mr. Stanley stated that the impact of COVID-19 had changed the market greatly, as plans are still up in the air for the fall and enrollment is declining. The Commission thought this would be a good time for landlords to take a more active stance in improving the landlord/tenant relationship. The Commission will continue to see how things develop as fall approaches, but doesn't believe it will have much impact on the Commission's recommendations.

Council Member Betcher inquired if the Commission got a sense from the discussions with the landlords if they would be open to being more involved in the process to help renters better understand the lease and all the responsibilities. Mr. Stanley stated that most landlords seemed to want to help students and were interested in mitigating as many difficulties as possible. Commission Member Eric Abrams commented that a lot of the local landlords have packets that are given to the tenants, but got the feeling that the tenants were not reading through the material. The landlords won't always have 30 minutes or more to spend with each tenant to help them understand the rental process.

*Ex officio* Nicole Whitlock asked if the mediation services would be free to the students. Mr. Stanley explained that from the CCJ model there was a nominal cost to keep the program running of \$20-\$30 per case. Ms. Schildroth explained that when the mediation process was available before through CCJ, the Center for Creative Justice had trained mediators available to work on a host of issues, and CCJ had a sliding fee scale for people based on what their income level was. The mediation services were previously funded through the ASSET process. Student Government, the City of Ames, Story County, and United Way all helped contribute funding to the program that was available community-wide.

Mayor Haila stated he wanted to go back to Mr. Abrams' comments about the landlords having packets available, and if this is being done how could the City encourage the renters to avail themselves to the information. Council Member Junck asked about promoting the Rent Smart Ames website and if there was a standardization of the materials that could be posted on the website. Mr. Stanley stated he would be unsure about standardization as each property is different and each landlord has different situations. He noted that in regard to promotion of the Rent Smart Ames website, the Student Government would be happy to help promote the website and would even make it a joint effort between the City and the Student Government. Ms. Junck inquired if the materials for Rent Smart Ames are needing to be revamped or need to be promoted. Mr. Abrams commented that the materials need to be revamped and the website needs an overhaul.

*Ex officio* Council Member Whitlock wanted to know if there was a plan to have this information be more engaging for students rather than handing out a piece of paper. She noted that if the students are given just a sheet of paper, a lot of the students will throw it away without reading it. Mr. Stanley



mentioned that makes a lot of sense, but this had not been discussed in great detail yet.

Council Member Betcher would like to go back to what Ms. Schildroth had mentioned about CCJ and wanted to know if there were alternatives available besides Student Legal Services. Ms. Schildroth explained that during their information gathering process there were one or two trained mediators in the Ames area, but she was not sure how available they would be. Ms. Betcher commented that she wanted to be conscious of the fact that not all renters in Ames are students. She noted that if something could be worked out with Student Legal Services, that is great, but that doesn't help the other renters in the City. Ms. Schildroth stated that some of the landlord/tenant issues that happen outside of the student area are worked through Legal Aid depending on the severity of the issue, but mediation could be more cost-effective.

Council Member Beatty-Hansen stated there are larger-scale rental associations and a network of landlords that are smaller scale. She noted that marketing does need to be done differently than just handing out a piece of paper. She questioned if it was the Campus and Community Commission or who would see if the two groups of landlord associations could better collaborate on their marketing. She wanted to know if it was the role of the Council of CCC to pass on the message that the landlords messaging could use an update. Mr. Abrams mentioned that the CCC mission is to provide recommendations and the Commission was going to start that process, but needed to come back to the Council for recommendations before moving forward. Mayor Haila stated that CCC is more of a "think tank" and it would be up to the Council to move forward with their suggestions and who would move forward with the initiatives. Ms. Schildroth mentioned that revamping the Rent Smart Ames website is something that the CCC could work on and then push this information out to landlords.

Mayor Haila asked Ms. Schildroth to comment on why CCJ stopped providing services. Ms. Schildroth mentioned that it had been closed for about 12-15 years now, and during that time, there was a change in leadership. There were a couple of programs (mediation being one of them) that eventually faded away. The leadership wanted to focus more on the probation supervision piece and that is what CCJ does now. Commission Member Warren Madden commented that he believed it was a resource issue. At one time CCJ had a more active group of people to raise funds, and that environment has changed. Mr. Madden stated that one question is where the resources would come from in order to have the mediation services available. The Center for Creative Justice is willing to take on this concern, but it will need the staffing and resources to put it together. Mayor Haila asked for clarification whether the resources needed for CCJ would be monetary only or staffing. Mr. Warren believed CCJ would need both. A core group of people would be needed and the staff at CCJ has shrunk due to turnover. Mr. Madden mentioned that the market has changed: When the program was started, the occupancy rates were a lot higher and it was a different environment, but today renters have more options and more flexibility. Mr. Abrams added that Student Legal Services thought the mediation program was very useful and was sad to see it go. Mayor Haila inquired if

CCC knew if there was any idea on how much the investment would be financially to start the mediation program again. Mr. Madden stated CCJ would need to have at least the equivalent of a lawyer on staff along with an office, supplies, etc. City Attorney Mark Lambert stated that earlier he had wanted to refresh his memory on how the forcible entry and detainer process worked. He had called a friend from Story County Legal Aid and was told that Story County Legal Aid will be starting a pilot project on alternative dispute resolution for forcible entry and detainer (FED). Mr. Lambert explained that the Clerk of Court had been organizing it. He noted that the meetings regarding the pilot project have stalled due to COVID-19, but the pilot project for the Story County Court System is for an online dispute system. It was his understanding that landlords would have to go through this process before filing an eviction proceeding. Mr. Lambert wanted to make the CCC aware of the pilot program and it might be an option in the future.

Mayor Haila explained that what was before the Council now was the recommendation for mediation and information. He noted that the Council Members had made it clear that they do not want to get involved in disputes with leases. Mr. Stanley noted that the CCC had used Officer Kruger's email list of landlords that meet semi-regularly at Pizza Ranch; as far as students, there is not any centralization, but they could discuss the issues with the Ames Tenant Union. He noted that they may be able to reach out to the Director of Residency at ISU to get a more comprehensive student list. Commission Member Pete Englin mentioned that Mr. Stanley was correct about trying to get a group together. He noted that, in his role of Director of Residence, the group of landlords that meet at Pizza Ranch is a good cross-section of both the small, big, and national locals. He is not sure if they would be going to be able to get out to the edges, but they would need to get to 80%. Part of the mediation process is having an impartial party that does not have an invested interest in the discussion. Landlords and tenants will hear the message differently when speaking with someone who didn't have a stake in the outcome. If CCJ is interested in moving forward, it could work on getting training materials and would have more information to put a budget together. Mr. Englin mentioned that, regarding students, they need to be more socially active with Instagram or Twitter.

Council Member Junck inquired if it would make sense to direct the CCC to move forward with contacting groups of tenants and landlords to revamp the material or to whom should a motion be directed. Mayor Haila asked for Ms. Schildroth's opinion in moving forward. Ms. Schildroth stated the CCC could put together a small committee to engage other individuals in the community to assist with revamping the materials and looking at new and different ways to use social media. Mayor Haila mentioned, from his discussion with City Manager Steve Schainker and Council Member Betcher, that from a marketing standpoint this project may be a good case study for a Journalism Mass Communication to take on as a project. Mr. Englin noted that the original website was developed by an intern who was a Student Government member and then did an internship with the City of Ames. The intern pulled the information from the Department of Residence website and then worked with Student Legal. He felt that having one person from Student Government overseeing the website would be beneficial.

Council Member Gartin asked City Attorney Lambert if the City still had a mediation process for small claim money judgment actions. Mr. Lambert stated there is for the money action, but for a landlord suing a tenant for past due rent there is a mandatory mediation before it will go to court. This does not apply to the forcible entry and detainer process. Mr. Gartin stated that it would be helpful when thinking of landlord/tenant matters to divide them between the eviction process and the money judgment actions. If the amount of the dispute is less than \$5,000, that would go to small claims court. He noted that there are mediation services already in Ames and is intrigued about having conversations about mediation. If the goal is having a mediation in place for the eviction process, that would be a harder sell. There is more room for negotiations in money judgment situations. Mr. Gartin stated that the courts are very even in their approach to these circumstances. He believed that students get a fair deal when dealing with the judicial system.

Mayor Haila mentioned that a good question to ask is if the issues regarding mediation are typically financial or non-financial in grievances. Mr. Stanley stated that regarding mediation, the situations that the CCC found it would be helpful for is the dispute of landlords retaining the security deposit. He noted that in all things, money is a driving factor, but not the only factor. Mr. Englin commented that it was also the responsiveness to repairs and the lack thereof. Ms. Schildroth noted there were also roommate disputes. Mayor Haila asked Attorney Lambert if the pilot program he had referred to earlier would be something that the CCC could investigate. Mr. Lambert stated he can give the contact information to the CCC. He also stated that the Clerk of Court's Office, landlords, and Story County Legal Aid are involved in the committee, and he felt that ISU Student Services should be a part of the discussion as well.

Moved by Junck, seconded by Betcher, to direct the Campus and Community Commission to recommend ways to revamp and promote the Rent Smart Ames website as well as utilize other forms of informational material with the input of tenants and landlords.

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

Moved by Betcher, seconded by Junck, to ask the City Attorney to look into the potential for what might be done to expand the Story County mediation of forcible entry and detainer to include things that are of interest to ISU and the students.

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

Mayor Haila stated that he didn't hear anything about the lease gap. Mr. Abrams stated that was not a big issue as ISU offers students temporary housing. Mr. Madden agreed, stating that most people are able to find housing and landlords will try to help if possible. Ms. Schildroth commented that if they are leasing from the landlord and moving from one property to another, there is more flexibility with the landlord.

Council Member Betcher explained that, as a member of the International Town and Gown

Association, she had been following the list serve questions about what communities are doing to help students with social distancing in off-campus housing in the fall. Some people pointed out that the school is working with some off-campus landlords and wondered if the City of Ames should expand the discussion to landlords to assist with messaging about positive social behaviors during COVID-19. She explained that this is related to landlord/tenant relations because it is an off-campus housing issue, but she doesn't know if it is related to the question of what sort of messaging landlords put out when people rent from them.

**DISCUSSION REGARDING RE-OPENING EVENTS ON CITY PROPERTY:** City Manager Steve Schainker explained that the world keeps changing so quickly, and there may be a few more items to discuss besides what is laid out in the report.

Sidewalk Cafes: Mr. Schainker stated that as the Governor approves certain uses to re-open in the State, the City Council still has control over uses on City property and whether to re-open them to the public or not. He noted there are three categories of sidewalk cafes: (1) Restaurants (Food Only), (2) Restaurants (Food with Incidental Alcohol Service), and (3) Bars (Alcohol with Incidental or no Food Service). City Manager Schainker explained that now that the Governor has opened the opportunity for restaurants to re-open, sidewalk cafes could be considered in the same category. Sidewalk Cafes will have the same restrictions for social distancing, occupancy, and other safeguards in place. Mr. Schainker commented that the requests for sidewalk cafes that serve alcohol (defined as bars) have to come before the Council for approval.

Council Member Betcher questioned if the Council voted on allowing sidewalk cafes to open per the Governor's capacity of 50%, and the Governor increases the capacity level to 100% is the Council voting to match the Governor or is the Council voting on what is listed in the Staff Report. Mr. Schainker commented the Council had two alternatives. He would suggest if the Council didn't want sidewalk cafes to come back, they would move to make the approval subject to the Governor's requirements at that time. City Attorney Mark Lambert mentioned that bars and restaurants as of May 28, 2020, will be allowed to be open with the 50% capacity restriction and if the Governor lifts those, the City has no control over that. He noted that if the Council is comfortable with allowing the sidewalk cafes to open the same way as the Governor, they should vote that way.

Moved by Corrieri, seconded by Beatty-Hansen, to approve Option 1A and 1B that states:

1A. Authorize staff to begin issuing Sidewalk Café Permits for restaurants and establishments that serve alcohol incidental to food service. All permit holders would be expected to abide by any state regulations as a condition of approval (limitations on patron numbers, etc.)

1B. Direct staff to accept applications for sidewalk cafes at bars

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

City Manager Schainker explained that the Council has seen the requests for Sidewalk Cafes before for Della Viti and Mother's Pub. He noted that staff is recommending approval contingent upon bars being permitted to re-open by Order of the Governor and compliance with social distancing.

Mayor Haila opened public input and closed it when no one requested to speak.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 20-286 approving an exception to Section 22.32(c)(2)(v) to allow alcohol service in Sidewalk Café at Della Viti, 323 Main Street, Ste. 102, contingent on the Council lifting suspension of Sidewalk Café Permits and contingent upon bars being permitted to re-open by Order of the Governor.

Roll Call Vote: 6-0. Resolution 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. 20-287 approving an exception to Section 22.32(c)(2)(v) to allow alcohol service at Sidewalk Café at Mother's Pub, 2900 West Street, contingent on the Council lifting suspension of Sidewalk Café Permits and contingent upon bars being permitted to re-open by Order of the Governor.

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

City Swimming Pools (Furman Aquatic Center/Municipal Pool): City Manager Schainker mentioned that the discussion of the City pools is probably going to be one of the hardest decisions that the Council will have to make. There are strong differences in opinion within the community and throughout the country if outdoor swimming pools should be opened for the summer. Throughout the State there have already been some small and large cities that have decided to close its pools for the summer, others have decided to open, and some are still waiting to make a decision. Currently the Governor has allowed the opening of pools for lap swimming and swimming lessons. Mr. Schainker stated the City is trying to get ahead of the curve as it will take three weeks to be ready to open if given the approval from the Governor. Mr. Schainker explained that currently the Governor will not be making a decision about opening pools to the general public until June 17, 2020. The Council was reminded that the City of Ames has an indoor and an outdoor pool and will be making a decision tonight for both of those.

Mayor Haila stated the Council had gotten a lot of emails during the past week advocating to have the Furman Aquatic Center open, and it would be important for the Council and the public to understand completely what the Governor has approved along with the deadlines. Mayor Haila also asked for Parks and Recreation Director Keith Abraham to talk about all the items that will need to be completed in order to open the Ames Municipal Pool and the Furman Aquatic Center along with a timeline. City Attorney Lambert stated the Governor has had pools closed for several weeks now and continues to close pools for general swimming, but had opened the pools a couple of weeks ago

to allow for lap swimming and swimming lessons through June 17, 2020. The pools will be closed until at least June 18, 2020, at the earliest, assuming the Governor does not extend the order. He noted that the Governor had extended various parts of the orders many times so this could very well be extended again. Mr. Lambert stated if the order keeps getting extended, there will be a point that the City will have to decide to close for the summer as it will make zero sense to open the pool for a very short season.

Parks and Recreation Director Keith Abraham stated that in regard to pools opening back up he would have two categories. One would be facility preparation, and right now, due to not knowing what the Governor will do, they have not done anything with the Furman Aquatic Center. Normally by now staff would have gone in and power washed, touched up painting, started filling the pools, checking chemical levels, and make sure no repairs are needed. He noted that if the concession stand were to be opened as well, they would need to get everything ready in there as well, and the biggest problem would be having the products ready. The second category would be staffing, and right now, they have commitments from returning staff who are interested in coming back. They have had about 7-10 people that have said they would not be coming back. They do have 29 new lifeguards, seven of them are already certified and 22 are not. Only eight people at a time can go through the certification process, which would be three separate classes and 30-35 hours of training. He noted that on top of the lifeguards, there is training needed for all staff, and it is now more important than ever to have the training done especially with the new COVID-19 protocols. Smaller groups of training for the concession stands will need to be had in person. Mr. Abraham mentioned that some protections will need to be put in place. At the front gate, it is wide open and will need to do something to provide protection for the staff, and there will be number of other things that will need to be done. Policy-wise, they will need to limit the number of people entering the pool, and how to keep people in and out of the pool to keep the numbers at 50% along with social distancing, enforcement, and monitoring will be challenging. He commented that the Department will need at least three to four weeks to get ready.

Mayor Haila reiterated that, in regard to training staff, there were 22 lifeguards who still need the training. He wanted to know if those lifeguards were already hired, and if so, how would they be utilized if the Furman Aquatic Center does not open. Director Abraham explained that the 22 lifeguards have received contingent offers. They will be hired as lifeguards contingent on passing the certification test. He mentioned that his numbers may be off a little bit, but believed he had about 80 lifeguards who are returning. That number was higher, but a few of them declined to return this year due to COVID-19, but if all 29 new lifeguards are certified, they will have about 110 lifeguards. This number will be needed and doesn't take into consideration if any of the lifeguards decide to quit after getting started. All the guards would be put into rotation as some of the lifeguards only want to work five to ten hours a week while others want more hours.

Mayor Haila inquired if the lifeguards were already being paid. Mr. Abraham confirmed that they

were not. Mayor Haila questioned if the Council wanted to wait a couple more weeks to make a decision, the lifeguards would still not get paid, if the Council would still be hoping the pool would open, and could lose the opportunity to find another summer job. Mr. Abraham stated that would be correct, and that is a concern they have as more businesses re-open; their college students will seek other employment. Director Abraham mentioned that if they start losing staff, they may have to start closing amenities, delay openings, etc.

Council Member Betcher asked how many lifeguards it would take to run the Ames Municipal Pool. Mr. Abraham explained that if it is for open swim, there may be three to four lifeguards on duty at a time. The Furman Aquatic Center would have around 25 lifeguards on staff. Ames Municipal will not have any admissions or concession staff, but may have one person doing the admissions; this is normally done by the shift leader. The Furman Aquatics Center will have two to six staff members along with a shift leader to work the admissions and concession stand.

Mr. Abraham wanted to point out that due to COVID-19 they did not hire seasonal staff to work maintenance at the Furman Aquatic Center anyone for those positions this year. They have had some of the Recreation Managers out mowing the grounds and some will start working on flower gardens.

Mayor Haila pointed out that the Furman Aquatic Center is not yet filled with water. He asked if the City of Ames filled the pool to get everything running and the Governor decided to extend the Order what would the City incur to get the pool up and ready. Mr. Abraham stated he doesn't have that information as they may use full-time staff or salaried staff for some of the tasks. He would guess around \$20,000 to get things up and running. He noted for repairs, it would be a guess, as some years, they didn't need to repair anything, while other times, there have been major repairs done that have cost several thousands of dollars.

Council Member Martin explained that one thing mentioned in the Staff Report was the idea of possibly limiting the use of the Furman Aquatic Center or the Ames Municipal Pool to people in the local geographical area. He wanted to know if this would be workable to communicate to citizens that the pool would be open to only citizens who live nearby. Mr. Abraham stated that is one of the CDC recommendations: to limit the aquatic venue to only staff, patrons, and swimmers who live in the local area, if feasible. Director Abraham noted he had a long conversation with Nick Lenox, Parks and Recreation Director for Ankeny, and they are considering the same thing. They may require citizens to bring IDs, but that will be hard for kids to prove this. Mr. Abraham stated that if they do open and need to limit the number of people coming in, it will be a problem. He noted that Boone and Story City have already elected to close for the summer. The more pools that close will mean that those people will be going to other communities that do open their pools.

Council Member Martin asked if the Council moves to try to open the pool, would Mr. Abraham want to advocate for some kind of residency check. Mr. Abraham stated that first and foremost their

mission is to be here for the residents of Ames, and if City Council wants to open, that is something the Council should consider. Council Member Betcher asked if that was done would this be putting the burden on staff at the gate to act as the enforcers to keep out people who are not Ames citizens. Director Abraham confirmed that it would and is a big concern as a lot of the staff who would work the gate are between the ages of 14-17 years old. There are already times when they have closed the pool due to cooler temperatures and sometimes the staff gets berated. He noted that it could be done, but will not be easy. A number of people will be okay with waiting their turn or being turned away, but there will be some people who will get upset and be unruly.

Council Member Gartin stated that the Council has two decisions to make tonight. The Governor gave pools some leeway in respect to lap swimming and swimming lessons, and then the Council needs to make a decision to open the pools for general swimming. He wanted to know if Mr. Abraham knew the number of people who would do lap swimming and swimming lessons. Mr. Abraham stated, at the Furman Aquatic Center there would be around 30 lap swimmers a day from 11:00 a.m. to 1:00 p.m. The Ames Municipal Pool gets around 14-15 people who swim from 11:00 a.m. to 12:00 p.m., and then another 12-14 who will swim from 12:00 to 1:00 p.m. He noted for the swimming lessons, there are about 1800 lessons done throughout the course of the year, and a good number of those do happen during the summertime. Mr. Abraham guessed at around 800 swimming lessons are done during the summer between the two facilities.

Mayor Haila asked from a programming standpoint; does the City have the ability to use the Ames Municipal Pool all week or are there other activities happening. Director Abraham stated the Ames Cyclone Aquatics Club (ACAC) in the summertime move their practices down to the Furman Aquatics Center. Mr. Abraham stated they may have to balance with ACAC to work out a schedule.

Council Member Gartin asked for the number of kids who do open swim. Mr. Abraham stated for open swim at the Ames Municipal Pool, it would mainly be the Ames Community Preschool Center (ACPC) due to it being less crowded. At the Furman Aquatic Center, most of open swim are kids and families. They could have 1,000 to 1,200 people come through the gates, but on cold days, it could be a lot fewer. The pools are open around 100 days a year and the last couple of years the totals have been around 75,000 a year, which averages about 750 people a day, and this does include people who lap swim or do water walking.

Council Member Junck asked Mr. Abraham to speak about the CDC guidelines on cleaning, enforcement, and monitoring, as there are a lot of high-touch points at the Furman Aquatic Center, and how reasonably social distancing and cleaning could be done at the Furman Aquatic Center versus the Ames Municipal Pool. Mr. Abraham noted that at the Ames Municipal Pool, they don't have nearly as much equipment, fewer people, and would be easier to clean. At the Furman Aquatic Center, they would not be recommending the tubes to be used this year as the CDC is stating that any shared equipment should be cleaned after every use, and staff does not want to do this. The same



would be for chairs and lounge chairs, which would not be utilized this summer. In the Staff Report, it was mentioned about the possibility of putting sanitizer bottles out, but one of the concerns is there would be a lot of kids, and they wouldn't want the little kids to get into the chemical. Matt Cory who performs pool inspections in Story County, has recommended removing or blocking all deck chairs. Mr. Cory would be the one who would be doing the enforcement. The high-touch points, railings, etc., may only be done once a day. When lifeguards are changing shifts, the slides could be cleaned. Restrooms and locker rooms should be cleaned three to four times a day. Council Member Martin mentioned that the Staff Report stated that the CDC gives considerations. Mr. Abraham stated that would be correct as the CDC does give recommendations, but are not requirements.

Mayor Haila opened public comment.

Doug McCorkle, 1018 Vermont Court, Ames, stated he is a city taxpayer and has been a customer of the Parks and Recreation facilities for the past several years. He mentioned that the Council may have already seen his letter, but he wanted to continue to encourage the Council to re-open the Ames Municipal Pool for programmed use, especially as the Governor has already recommended. It would be a great benefit to the City for the participants who have used it in the past. Mr. McCorkle felt there was a great core group of citizens who enjoy the use of the facility and have really missed the use. He noted that he understood the Ames Municipal Pool could open fairly quickly and understands the numerous challenges with the Furman Aquatic Center. As the Governor has outlined. The Ames Municipal Pool offers a near-term solution to at least taking a small step forward to bringing back some normal operations to the City aquatic facilities. Mr. McCorkle explained that, per his understanding, the Governor's Proclamation today would allow ACAC or club practices to be started in an orderly fashion as of June 1, 2020.

Frank Feilmeyer, 2510 Somerset Drive, Ames, echoed Mr. McCorkle's comments. He is a lap swimmer, master swimmer, and a Board Member of the ACAC. Mr. Feilmeyer wanted to emphasize that no one underestimates the difficulty of opening the Furman Aquatic Center, and if a decision is to be made about opening one or the other, and the Ames Municipal Pool is able to open at a lesser cost, then he would prefer that the City does that. He understands it is a difficult decision for the Council to make regarding opening the pools, but the CDC guidelines are a little bit less stringent than what the Staff Report mentioned. The CDC guidelines have regular touch surfaces being recommended to have cleansed once a day. ACAC coaching staff is ready to work with City staff to work on pool times in an orderly fashion. The Governor's proclamation today did allow recreation activities and swimming. Most master swimmers and lap swimmers are able to maintain social distancing. Mr. Feilmeyer stated that the pool helps with a lot of people's health concerns.

Marcus Johnson, 1415 Duff Avenue, Ames, said he appreciated the difficulty of the decision that the Council has to make regarding the swimming pools. He stated that one of the problems is the lack of information and the changing guidelines on cleansing surfaces. A report from the CDC stated

that surfaces are not a major factor in transmitting COVID-19 now, and now may not be as big of a deal as the beginning. There are a lot of families that this is a really big deal for and he would recommend holding off on making a decision a bit longer. Things are changing from day to day as he is not sure what to do with his pub, Mucky Duck, at this time as well. Mr. Johnson recommended waiting a few more weeks to see what happens. He noted that he does not envy the Council with making this decision as there are a lot of people who would be very sad about closing the pools, but if it is the right thing to do, then so be it.

Mayor Haila closed public input when no one else requested to speak.

Council Member Gartin commented that closing facilities was the easy part, but when trying to decide if they should re-open facilities, it is hard. A lot of information was given by staff, but noted that it is important to do a cost analysis, as they do in many situations, and look holistically at the analysis; that had not been done yet. He pointed out that the Council has not looked at the cost of keeping the facilities closed. Mr. Gartin mentioned that it would be difficult to quantify the costs, but he believed it will be a cost to the children and families if the Council doesn't open the pools. He explained that about 90% of the emails the Council received were in favor of the pools opening. That the community is telling the Council something, and they should listen to them. Secondly, the benefits need to be looked at. The schools have closed, and kids have lost a lot. Mr. Gartin explained the cost of \$20,000 in a \$250 million budget is really a negligible cost. He understands the City is trying to keep budgets down due to constraints, but \$20,000 is not an issue for the City. He was more concerned about the challenges for staff as he wants to be sensitive to that, but he believes the staff can be creative and get it done.

Mayor Haila stated that he wanted to add that the feedback received was to open up the Furman Aquatic Center, but the point is, does that mean to open the slide and everything as it was last summer or to open the pool for swim lessons and lap swimming only. He noted that is part of the issue and that is why he asked the City Attorney to weigh in. The City does not have any option to open until at least June 18 at this time. If the City is going to bank on the hope that the pool could open up by June 18, the pool will still need to be filled, people will need to be hired, and if the Governor extends the Order, then what. Mayor Haila stated he wants the public to understand that the Council has a lot of moving parts, but their hands are tied right now for recreational swimming. Council Member Gartin stated what the Council would be doing is putting into place a process in anticipation that the Governor will open pools for general swimming. Mr. Gartin mentioned that when looking at the Iowa COVID-19 data there is not one person under the age of 18 that has contracted COVID-19 in the State of Iowa.

Council Member Junck stated what she tends to think about with this decision is "what is the worst that could happen?" If the Council closes the pool for the summer, it is definitely a cost to the residents and the City revenue, but if the Council decides to open the pool and people come from

neighboring communities, that may lead to an outbreak and students won't feel safe coming back to Ames in the fall. It is the health and safety of the residents of Ames and for future residents, and that is what the Council has been trying to prevent this entire time. Ms. Junck mentioned that the Council wants to make sure that Iowa State University is able to open in the fall and to help others feel safe. She noted that her main concern is safety.

Council Member Corrieri stated she would agree with Ms. Junck as she sympathizes with the kids and the families across the community, as she has two of her own at home who are aching to get out and be with their friends, but she has a number of concerns. She is concerned about the staff regarding the burden that will be placed on them and also the health risk by giving them the impossible task of keeping people socially distanced in this type of environment. Ms. Corrieri commented that she is more comfortable with the possibility of opening the Ames Municipal Pool because it is a much more controlled environment. If anyone has ever been to the Furman Aquatic Center on a good day, it is impossible to walk anywhere without rubbing against someone. This is a risk and a burden that will be placed on staff and the citizens. While the risk to children is low, they need to protect the most vulnerable and that is protecting not only the healthcare workers, but all the essential workers.

Council Member Martin stated that he likes to think of this as an optimistic trajectory. He understands there is a worst-case scenario and needs to be aware of this, but it is also appropriate to consider what the probability of the worst-case scenario is. Mr. Martin explained that there are a lot of sources of information given to the Council, but what they do have is the State Public Health Department advising the Governor, and based on that advice, the Governor is starting to re-open the state. He commented that the Council should at least open the Ames Municipal Pool. Logistically re-opening the Furman Aquatic Center would be a lot to ask staff, and he felt it is something that a lot of citizens would want. Based on what information they are getting from the Department of Public Health, it doesn't seem that re-opening the Furman Aquatic Center would cause a spread of COVID-19.

Council Member Corrieri believes that because there is so much unknown, there are so many other communities deciding to close their pools for the summer. A piece of that is due to all the information that is being provided and the leaders are not wanting to take the risk.

Council Member Beatty-Hansen mentioned that this is a tough decision, but she would like to see at least the Ames Municipal Pool to be opened. The Furman Aquatic Center would be a lot more challenging to open and more of a risk to staff. She noted that being outdoors is attractive for the Furman Aquatic Center, and the risk is somewhat limited in outdoor circumstances.

Council Member Betcher stated she agrees with Council Members Corrieri and Junck. She is in favor of opening the Ames Municipal Pool. Ms. Betcher commented that what she would add is that,

a couple of weeks ago, the Council voted to close many of the Special Events through the rest of the summer, and at that time the Council was told by Director Abraham that the Furman Aquatic Center should be the last thing to open. Ms. Betcher commented that, at that time, the Council voted unanimously to trust staff's recommendation and to apply the criteria. What she sees in the Staff Report is the application of the criteria that the Council previously voted on. She doesn't believe that she should be making the decision to open the pools when there are people who are studying this in much greater detail, looking at the staff consequences, and the consequences for the citizens in light of the CDC and various other association recommendations. Staff is much more informed about what is advisable at this stage and what is not. Ms. Betcher stated she completely stands behind the staff's assessment about how difficult opening the Furman Aquatic Center would be, but also knows that the Ames Municipal Pool is not flagged the same way. She would support opening the Ames Municipal Pool, but would not support opening the Furman Aquatic Center at this time.

Mayor Haila mentioned there are three bodies of water for the Council to think about: the Ames Municipal Pool, Brookside wading pool, and the Furman Aquatic Center.

Moved by Betcher, seconded by Corrieri, to open the Ames Municipal Pool as soon as the City is able to safely to so.

Mayor Haila inquired if the motion included allowing staff to determine the guidelines. Council Member Betcher confirmed that it did.

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

Mayor Haila noted that the Brookside Park wading pool hasn't been discussed at all, but it also is a body of water. Mr. Abraham stated that splash pads and wading pools are still closed per the Governor's Order. City Manager Schainker asked about the logistics of opening the wading pool. Mr. Abraham explained that they could open it back up as it is a very small body of water. With the recommended social distancing, they may be able to get about 30 people into the area, but a lot of times parents come in with the kids. Generally, the kids bring their own toys. Mayor Haila inquired if staff is stationed at Brookside Park. Director Abraham explained that they do as staff has to fill the pool every day and check on the chemicals. There is an admission charge to the wading pool. Council Member Betcher inquired if the staff who would be filling and draining the pool everyday was part of the maintenance staff who haven't been hired yet. Mr. Abraham stated that it is generally one of their admissions staff who would go over and open the pool etc. Council Member Martin asked Mr. Abraham what staff's recommendation would be for re-opening the Brookside Park wading pool. Mr. Abraham stated the staff recommendation would be to keep it closed, although this is an option for the youth who are in the range of 1-7 years old. Mayor Haila inquired if there would be any concerns about social distancing and keeping the capacity below 50%. Mr. Abraham stated it is very difficult to tell the kids they can't do something, and with this age group, it is hard to keep

the kids social distancing. He noted that the Parks and Recreations department is looking at not having some of their preschool programs because social distancing is very difficult.

Moved Gartin, seconded by Martin, to open the wading pools contingent upon the Governor's decision to open wading pools.

Council Member Betcher stated she was torn on this one as well as it would be hard to maintain the social distancing.

Council Member Gartin commented that there is chlorine in the pool and it is outdoors, which seemed to be a pretty safe arrangement to him.

Vote on Motion: 3-3. Voting aye: Beatty-Hansen, Gartin, Martin. Voting nay: Betcher, Corrieri, Junck. Motion failed.

Moved by Gartin, seconded by Martin, to open the Furman Aquatic Center upon the Governor opening pools in Iowa.

Council Member Gartin stated that the Council talks a lot about the importance of receiving public input. He noted that the public has given input, and the question is if the Council is going to listen to it or not. Mr. Gartin mentioned that if the City of Ames has the courage to open the Furman Aquatic Center and give the children an opportunity to enjoy their summer, he believed that it will cause communities all over Central Iowa to revisit their decisions. He felt that communities will look to the City of Ames as an example and consider their own situations differently. Mr. Gartin mentioned that this is an opportunity for the City of Ames to take a leadership position.

Moved by Gartin, seconded by Martin, to amend the motion to include the opening of the Furman Aquatic Center upon the Governor opening pools in Iowa, and to defer to staff in terms of implementing appropriate hygiene and other best standards for the opening.

Mayor Haila asked for a point of clarification and that it would defer to staff to determine whether the slide is open, the inner tubes are used, and whether to utilize the lawn chairs or not. Council Member Gartin stated that he believes it is the Council's responsibility to make broad policies and it is up to staff to implement and think through those details. Mr. Gartin wanted to point out that if everyone's mindset was to think of the worst that could happen, they might as well go home as that will shackle and paralyze them.

Vote on Motion: 3-3. Voting aye: Beatty-Hansen, Gartin, Martin. Voting nay: Betcher, Corrieri, Junck. Motion failed.

Moved Junck, seconded by Betcher, to direct staff to close the Furman Aquatic Center for the 2020 season.

Vote on Motion 3-3. Voting Aye: Betcher, Corrieri, Junck. Voting Nay: Beatty-Hansen, Gartin, Martin.

Council Member Beatty-Hansen explained that the Mayor can break a motion if he is inclined to do so.

Mayor Haila elected to vote aye. Motion passed.

Moved by Betcher, seconded by Junck, to close the Brookside wading pool for the year.

Council Member Gartin stated the wading pool is basically just adding water and why would the Council want to take this away from the children. Mayor Haila inquired as to what would be required to open the wading pool. Mr. Abraham stated they would need to install a pump and make sure everything is up and running, which would take a day or two and then staff would need to be trained on how to fill the pool and check the chlorine levels.

Council Member Corrieri asked why the Council couldn't put the wading pool along with the Ice Rink and make it staff's decision.

Vote on Motion: 1-5. Voting Aye: Betcher. Voting Nay: Beatty-Hansen, Corrieri, Gartin, Junck, Martin  
Motion failed.

Moved by Corrieri, seconded by Betcher, to allow staff to determine whether or not the Brookside wading pool opens for the summer based on the guidelines that were approved at the prior City Council meeting.

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

Fireworks: City Manager Schainker stated that the Council had asked staff to have further discussions with Iowa State University (ISU) and the Ames Convention and Visitor's Bureau (ACVB) about their plans regarding this event. The City does not have control of this event, but does control the display of the fireworks. The event is typically on ISU grounds and the bulk of the crowd parks over by Hilton Coliseum. Mr. Schainker explained that, as part of the City's contract with ACVB, a part of the money that is given to ACVB from the hotel/motel tax is with the understanding that ACVB will pay for and administer the 4<sup>th</sup> of July fireworks each year. He stated that staff had further discussions, and it was recommended to not have the 4<sup>th</sup> of July fireworks this year. If the Council decided to cancel the 4<sup>th</sup> of July fireworks, there was a suggestion that the ACVB be given the money they would have spent on fireworks to help with its budget. Mr. Schainker commented

that there were some discussions about having a fireworks show for the community later in the year, maybe in conjunction with an ISU game or some other event.

Council Member Betcher stated this was discussed at the ACVB meeting last week, and it was mentioned to have some fireworks at a later time this year in some other context. She mentioned that, in regard to the funding if the ACVB received the funding without doing the 4<sup>th</sup> of July fireworks, she knows that the budget could certainly use the money, but there is still a question if ACVB would pay for later fireworks as no determination was made.

Mr. Schainker stated the Council needs to apply the criteria that were presented on May 12, 2020. It is not just a time to shoot off fireworks, but also a time where a lot of people gather for a few hours to socialize.

Council Member Gartin stated that his family goes to see the fireworks every year. People generally sit with their family in lawn chairs, and he doesn't see a risk in that. He explained that if the City doesn't have the fireworks, there are going to be different kinds of fireworks going off in the City. Mr. Gartin felt there would be fireworks all over town on personal property.

City Manager Schainker explained that the direction needed from the Council would be to let ACVB know if the City wanted to continue to have the fireworks on the 4<sup>th</sup> of July or not. If the City wants to continue to have fireworks, they will need to find another location.

Council Member Beatty-Hansen stated there is something to be said for supporting ISU's preference. If the City knows that ISU is not interested, and the City says "no" as well, the City would be supporting ISU's preference. She is supportive of being a good partner with ISU, and also due to the extreme lack of funding that ACVB is already going to see, conserving the money would be a good decision at this time.

Council Member Betcher stated that ACVB is in agreement with the discussions between ISU and the City and wanted to ensure that the City does everything possible to bring students back in the fall and not risk people's health by having a giant gathering, which ISU does not want to police.

Council Member Gartin commented that people don't sit together, and people are already social distancing as they come in their cars, have food, and then leave after the fireworks. He stated he didn't understand why this event would be such a great risk. Council Member Betcher explained that the ISU Police Officers have to interact with multiple individual groups that may be acting unruly.

Mayor Haila stated he wants to support what Council Member Beatty-Hansen stated earlier. Every Thursday night the Story County Emergency Management hosts a Zoom conference meeting where most of the Mayors from Story County attend along with Story County Supervisors, and ISU Police.

He stated that if ISU's preference is to not have the event to protect its staff, it would be what is best for the community and it would be an affirmation to work together as a community.

Mayor Haila asked if any member of the public wished to comment.

City Manager Schainker asked Mr. Phillips how much was budgeted for the fireworks. Assistant City Manager Brian Phillips stated that, under the terms of the agreement, ACVB receives five of every seven sent of the Hotel/Motel Tax revenues from the City. In exchange, the agreement provides that ACVB is to finance "activities and programs that encourage conventions or events, enhance visitors' experience, and improve the quality of life for residents, including the annual 4<sup>th</sup> of July fireworks display.

Moved by Junck, seconded by Corrieri, to go with Option 1: to not proceed with a 4<sup>th</sup> of July fireworks display for 2020, and to adopt RESOLUTION NO. 288 waiving the requirement in Ames Convention and Visitor's Bureau (ACVB) Contract to spend a portion of its funding allocation on fireworks.

Council Member Martin commented that it is important to note that the three large entities have all agreed that the fireworks shouldn't happen on the 4<sup>th</sup> of July.

Roll Call Vote: 5-1. Voting aye: Junck, Corrieri, Martin, Beatty-Hansen, Betcher. Voting nay: Gartin. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes. Motion declared carried.

Iowa Games: City Manager Schainker stated that to date the Iowa Games plans on coming to Ames, but on a scaled-back effort. The only facility that is being asked to be used is the Carroll Marty Disc Golf Course in Gateway Hills Park. He noted that in a couple of weeks organizers should know if the Iowa Games is going to be canceled in full.

Moved by Betcher, seconded by Junck, to allow Iowa Games to host its disc golf event (July 18) at Carroll Marty Disc Golf Course.

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

Resource Recovery Plant: Mr. Schainker stated that they opened the Resource Recovery Plant administratively to accept self-drop offs from individual cars and trucks. Starting in early June, they will reinstitute the Household Hazardous Waste collection service based on scheduled appointments.

Dog Park: City Manager Steve Schainker stated that the dog park was not closed by the Governor, but closed by staff. Citizens would like to have the dog park re-open.



Moved by Martin, seconded by Junck, to re-open the dog park.

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

Skate Park: Parks and Recreations Director Keith Abraham commented that, per the Governor's order the Skate Park is not allowed to be open. The Skate Park will be allowed to be open as of June 1, 2020, per the Governor. Mr. Schainker stated that the Council could elect to keep the skate park closed or they can allow it to re-open.

Mayor Haila stated, from a policy standpoint, there is playground equipment that can be opened in a few days, Skate Park, and the ice arena. He inquired if Administration wanted direction from the Council. As the Governor starts re-opening recreational facilities, the Council can give direction tonight to avoid coming back to the Council for further direction. Mr. Schainker noted the Council could do all four at once or individually. He mentioned that the Skate Park, dog park, and playgrounds could be re-opened immediately. The Ice Arena could open, but will need a little time to get it staffed and ready to open. Director Abraham mentioned that, at the May 12, 2020, meeting the Council did give the authority to staff to open the Ice Arena. He noted he has been working with user groups and is hoping to have the Ice Arena open as of June 1, 2020, per the Governor's Orders, and hopefully, the following weekend to start hosting some rentals. Regarding playgrounds, prior to the Governor's Orders, the City of Ames and the School District jointly closed the playgrounds. He felt that if the City of Ames is going to open their playgrounds, a conversation should be had with the School District advising them of this.

Moved by Betcher, seconded by Beatty-Hansen, to open the Skate Park as soon as possible per the Governor's Order.

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

Playground Equipment:

Moved by Martin, seconded by Beatty-Hansen, to open the playground equipment as soon as possible per the Governor's Order.

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

Mayor Haila recessed the meeting at 8:57 p.m., and reconvened it at 9:05 p.m.

**FINAL PLAT FOR 321 STATE AVENUE:** Planning and Housing Director Kelly Diekmann stated they are presenting the Final Plat, which is consistent with the Preliminary Plat, and staff is available for questions.

Mayor Haila inquired if the Council will see a phased plan for improvements in the future. Mr. Diekmann confirmed that when they get to the public improvements plans and start the alternates and the bid packages, they will have a better understanding of the phasing.

No public input was received.

Moved by Junck, seconded by Beatty-Hansen, adopting RESOLUTION NO. 20-289 approving the Final Plat for 321 State Avenue.

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

**MINOR AMENDMENT TO URBAN FRINGE PLAN LAND USE FRAMEWORK MAP FOR LAND ADDRESSED AS 831 E. RIVERSIDE ROAD (BISHOP FARMS):** Mr. Diekmann stated that there was nothing new on this request. He informed the Council that staff did speak with Story County, and it is possible the boundary could be reduced through the Board of Supervisors review, but would not be an enlargement of the request. Director Diekmann commented that he assured Story County that if any change was made of 15 acres or less based on the application, the City would proceed with approval.

The Mayor asked if there was any member of the public who wished to speak. No one requested to comment.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 20-290 approving a Minor Amendment to the Urban Fringe Plan Land Use Framework Map for the land addressed as 831 E. Riverside Road (Bishop Farms).

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

**MIDCONTINENT INDEPENDENT SYSTEM OPERATOR (MISO) MARKET PARTICIPANTS SERVICES SOFTWARE:** Electric Services Director Don Kom stated that Collin Dettmann and himself are available for any questions.

The Mayor asked, but no member of the public wished to speak.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 20-299 awarding a three-year contract to MCG Energy Solutions, LLC, of Minneapolis, Minnesota, for Midcontinent Independent System Operator (MISO) Market Participant Services Software in the amount of \$328,476.75.

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

**HEARING ON POWER PLANT BOILER MAINTENANCE SERVICES CONTRACT (UNITS 7 & 8):** Mayor Haila declared the public hearing opened. He declared it closed after there wasn't anyone wishing to speak.

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

**HEARING ON 2020/21 AIRPORT IMPROVEMENTS PROGRAM (ELECTRICAL VAULT & LIGHTING PROJECT):** The public hearing was opened by the Mayor. He closed the hearing after no one asked to speak.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 20-292 approving the final plans and specifications and awarding a contract to Kimrey Electric, of Urbandale, Iowa, in the amount of \$447,055.60, conditional upon receipt of an approved FAA grant for each portion of the project.

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

**HEARING ON ELECTRIC DISTRIBUTION PARKING LOT RECONSTRUCTION PROJECT:** The public hearing was opened by the Mayor. He closed the hearing after no one asked to speak.

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 20-293 approving the final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$218,003.80.

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

**HEARING ON FINAL AMENDMENTS TO FISCAL YEAR 2019/20 BUDGET:** Finance Director Duane Pitcher stated that he and Budget Manager Nancy Masteller were available for questions. He stated that the information was the same as what was presented in April. The report shows the final Budget Amendments to the FY 2019/20 budget. Director Pitcher commented that there was a fair amount of revenue deductions due to COVID-19 and noted that there were a few areas that were their best estimate. Staff made adjustments to expenses, which in most cases, will off-set the revenue reduction at least for the rest of the fiscal year.

Council Member Betcher questioned about the change the Council will be making to change the name of the GSB to Student Government. The budget books for FY 2019/20 and FY 2020/21 reflect the name of the GSB in multiple places. She wanted to know if the Council needed to make a motion to change this in the budget books or is it something that can be done administratively. Ms. Mastellar stated staff could edit the name.

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

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 20-294 amending the current budget for Fiscal Year ending June 30, 2020.

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

**ORDINANCE UPDATING NAME OF IOWA STATE UNIVERSITY STUDENT GOVERNMENT IN AMES *MUNICIPAL CODE* SECTION 26A:** Moved by Corrieri, seconded by Junck, to pass on first reading an ordinance updating the name of the Iowa State University Student Government in Ames *Municipal Code* Section 26A.

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

**ORDINANCE RELATING TO TRASH AND RECYCLING COLLECTION AREAS IN COMMERCIAL ZONES:** Moved by Corrieri, seconded by Betcher, to pass on second reading an ordinance relating to trash and recycling collection areas in commercial zones.

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

**ORDINANCE EXTENDING INDUSTRIAL TAX EXEMPTION ORDINANCE UNTIL 2030:** Moved by Gartin, seconded by Betcher, to pass on second reading an ordinance extending the Industrial Tax Exemption Ordinance until 2030.

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

**ORDINANCE RELATING TO INDUSTRIAL USE PARKING REQUIREMENT:** Moved by Gartin, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4412 relating to the industrial use parking requirement.

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

**DISPOSITION OF COMMUNICATIONS TO COUNCIL:** Mayor Haila mentioned that there were eight items listed. The first item was a memo from Damion Pregitzer, Traffic Engineer regarding a response to a citizen inquiry about safety concerns at the intersection of 6<sup>th</sup> Street and Northwestern Avenue.

City Manager Schainker commented that the first two items on the disposition memo were from Mr. Pregitzer outlining what his program of work would be to follow up on the requests. He noted that Mr. Pregitzer was prepared to move ahead with traffic studies for both areas.

Moved by Martin, seconded by Beatty-Hanson, to have staff initiate the study as outlined in the memo from Mr. Pregitzer.

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

The second item was another memo from Mr. Pregitzer in response to a citizen inquiry about having a traffic study done in Southwest Ames.

Moved by Martin, seconded by Beatty-Hansen, to have staff initiate the studies as described in the Staff Report.

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

Mayor Haila explained that the third request was a letter from Drew Kamp requesting to waive the parking meter fees and fines in Downtown and Campustown from May 28 to June 1, 2020.

Moved by Martin, seconded by Junck, to deny the request from Drew Kamp requesting to waive the parking meter fees and fines in Downtown and Campustown from May 20 to June 1, 2020.

Council Member Gartin asked Mr. Schainker to speak about this item in regard to the financial aspect of the request. City Manager Schainker stated if the Council looked at the prior information that was given by the Finance Department, it will show that the Parking Fund is down approximately a quarter of a million dollars. He commented if another week would make it any worse than it is now probably not, but it is pretty bad now. Mr. Schainker told the Council Members that they needed to decide if the waiving of the parking meters will be an incentive to come down to shop and generate for Local Option Sales Tax money or not. Council Member Gartin stated he was originally against this, but he doesn't know that the fiscal impacts are as pressing for the small amount of time that is being asked. He felt this could be an olive branch to some businesses to allow them the free parking. He noted that he would be in support of approving the request.

Council Member Martin explained that he felt it was unhealthy to use the parking system as an incentive and would rather be consistent.

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

The fourth request was a packet from Elizabeth Erbes, Chair of Ames Main Street Design Committee, regarding information about potential streetscape improvements. Mayor Haila suggested to the Council to take the information from Ms. Erbes into future consideration. Assistant City Manager Schildroth explained that the packet was for information purposes only and no action is required.

Council Member Gartin inquired if a thank you note could be sent to Ms. Erbes as a lot of information was gathered. Mayor Haila commented that he would be happy to send a letter of

appreciation.

City Manager Schainker mentioned that the Council already addressed Item 5, which was a letter from Doug McCorkle with input about considering re-opening the City's aquatics facilities. His request was addressed under Item No. 45b on the Agenda.

Mr. Schainker stated that Items 6 and 7 on the disposition memo deal with changes to the Ames Urban Fringe Plan and recommended referring the request to Kelly Diekmann, Planning and Housing Director, for a memo.

Moved by Betcher, seconded by Junck, to request a memo from staff regarding the requests from Scott Larson and Blake Jensen for a Ames Urban Fringe Plan Amendment.

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

The last item was a staff report regarding neighborhood geothermal pilot project at 321 State Avenue. City Manager Schainker explained that the next step is to hire an engineer to design it and get a cost estimate. A decision will then need to be made regarding the estimated payback to see if the Council is interested in moving forward with the public infrastructure for 321 State Avenue. If not going forward with the geothermal, staff will need to change the infrastructure a little bit. Staff is trying to develop a pilot project in a subdivision, and it may prove that the numbers don't justify having geothermal heating. The goal is to have the residents be able get some savings on their utility bills, but they are primarily doing this to reduce the City's carbon footprint.

**COUNCIL COMMENTS:** Council Member Junck wanted to thank everyone for the received input on all the decisions that the Council had to make. The Council had read through all the emails and it was not an easy decision to make, but she is thankful the community gave them a lot of input to consider.

Council Member Gartin commented that tonight's meeting was hard. There was a healthy discussion and . The Council took different positions, and those decisions are respected.

Council Member Betcher echoed what Council Member Junck had said about thanking everyone for their input. She hoped that people will be finding ways to enjoy the outdoors without the Furman Aquatic Center being open. Ms. Betcher informed the Council that the National League of Cities will be hosting an online summer leadership summit at no charge, and if any, of the Council Members are interested in participating, she will send them the information. The online summit will be from June 16-19, 2020.

Mayor Haila stated he agreed with Council Member Gartin as the conversations the Council had tonight were not easy. He commented that everyone knows that the Council wants everything to go back to normal. Mayor Haila said he trusts that the Ames community understands that the Council is passionate about doing the right thing for the community, staff, and partnerships.

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

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Amy L. Colwell, Deputy City Clerk

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John A. Haila, Mayor

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Diane R. Voss, City Clerk