

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

**AMES, IOWA**

**MARCH 28, 2023**

**CALL TO ORDER:** The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee meeting was called to order by Ames Mayor and voting member John Haila at 6:01 p.m. on the 28<sup>th</sup> day of March, 2023. 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; Rachel Junck, City of Ames; Anita Rollins, City of Ames; Bill Zinnel, Boone County Supervisors; Jonathan Popp, Mayor of Gilbert, Linda Murken, Story County Supervisors; and Jacob Ludwig, Transit Board.

Mayor Haila noted the change to the agenda format to move the Public Hearing out of consent and address it as a separate item.

**FISCAL YEAR 2024 TRANSPORTATION PLANNING WORK PROGRAM:** Public Works Director John Joiner noted that the draft Work Program was included in the Committee Action Form, welcoming any questions from the Committee Members and offering to provide a brief presentation if desired.

Mayor Haila asked when the Committee could expect to receive a report regarding the 190<sup>th</sup> Street traffic study. Transportation Planner Kyle Thompson replied that staff anticipates presenting the report at the May 23, 2023, Committee meeting, noting that the report would be comprehensive. Mayor Haila shared that the Committee would appreciate receiving the report well in advance of the meeting to review prior to the presentation with the Consultant.

Moved by Murken, seconded by Popp, to approve Draft Fiscal Year 2024 Transportation Planning Work Program and set May 23, 2023, as date of public hearing.

Vote on Motion: 11-0. Motion declared carried unanimously.

**HEARING ON AMENDMENT TO THE FFY 2023-2026 TRANSPORTATION IMPROVEMENT PROGRAM:** Mayor Haila opened and closed the Public Hearing when no one came forward to speak.

Moved by Ludwig, seconded by Betcher, to approve the amendment.

Vote on Motion: 11-0. Motion declared carried unanimously.

**POLICY COMMITTEE COMMENTS:** Mr. Ludwig noted that this would be his last meeting with the Committee as his term on the Ames Transit Board of Trustees was expiring and thanked City staff and his fellow Committee members for tolerating his many questions over the years. Thanks was given to Mr. Ludwig for his service by Mayor Haila and Council Member Betcher.

**ADJOURNMENT:** Moved by Ludwig, seconded by Zinnel, to adjourn at 6:05 p.m.

Vote on Motion: 11-0. Motion declared carried unanimously.

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

AMES, IOWA

MARCH 28, 2023

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:13 p.m. on the 28<sup>th</sup> day of March, 2023, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Gloria Betcher, Bronwyn Beatty-Hansen, Amber Corrieri, Tim Gartin, Rachel Junck, and Anita Rollins. *Ex officio* Tabitha Etten was also present.

**CONSENT AGENDA:** Mayor Haila noted that Item No. 5, motion approving new 5-Day (April 13-17, 2023,) Class C Retail Alcohol License – Mucky Duck Pub, L.L.C., 3100 South Duff, Pending Dram Shop Insurance, would not be considered on the agenda this evening per the request of the applicant. He also highlighted the amendment to Item No. 9, request from American Campus/Campustown Student Apartments for Spring Carnival on April 21, 2023.

Moved by Beatty-Hansen, seconded by Betcher, to approve the Consent Agenda less Item No. 5 and including the amendment to Item No. 9.

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting on March 14, 2023
3. Motion approving Report of Change Orders for period March 1 -15, 2023
4. Motion approving Civil Service Candidates
5. ~~Motion approving new 5-Day (April 13-17, 2023,) Class C Retail Alcohol License – Mucky Duck Pub, L.L.C., 3100 South Duff, Pending Dram Shop Insurance~~
6. Motion approving new 5-Day (March 28 – April 1, 2023,) Class C Retail Alcohol License – Thirsty Pigs Mobile Event Co. L.L.C., PO Box 1533, Pending Dram Shop Insurance
7. Motion approving new Class B Retail Alcohol License – Lalo’s Liquor Store, 809 Wheeler Street Suite 105
8. Motion approving the renewal of the following Beer Permits, Wine Permits, and Liquor Licenses
  - a. Class C Liquor License – Dangerous Curves, 111 5<sup>th</sup> Street
  - b. Class E Liquor License. Class C Beer Permit and Class B Wine Permit – Liquor Land, Mortensen Road Suite 109
  - c. Class C Liquor License – Cinemark Movies 12, 1317 Buckeye Avenue
  - d. Class C Liquor License with Outdoor Service – Cornbred BBQ, 526 Main Street Suite 106, Pending Dramshop Review
  - e. Class C Liquor License with Outdoor Service – Brick City Grill, 2640 Stange Road
  - f. Special Class C Alcohol License – Pizza Pit, 207 Welch Ave
9. Request from American Campus/Campustown Student Apartments for Spring Carnival on April 21, 2023
  - a. Motion approving blanket Vending License
  - b. RESOLUTION NO. 23-152 approving closure of Stanton Avenue from Chamberlain Street to a point 225 feet south of the intersection with Chamberlain Street from 11:00 a.m. to 4:00 p.m.
  - c. RESOLUTION NO. 23-153 approving suspension of 5 on-street metered parking

- spaces from 11:00 a.m. to 4:00 p.m.
10. Request from Ames Main Street for 515 Week on May 15-19, 2023
    - a. Motion approving Blanket Temporary Obstruction Permit for May 17 and May 18
    - b. Motion approving Blanket Vending License for May 17
    - c. RESOLUTION NO. 23-154 approving waiver of parking meter fees and enforcement for May 17
    - d. RESOLUTION NO. 23-155 approving waiver of Vending License fee for May 17
    - e. RESOLUTION NO. 23-156 approving usage of electricity and waiver of fees for electricity for May 16, and May 17
    - f. RESOLUTION NO. 23-157 approving waiver of enforcement of *Municipal Code* Section 17.17 related to alcohol consumption in City parks with respect only to Bandshell Park on May 19.
  11. Request from Ames Main Street for 4<sup>th</sup> of July activities on July 4, 2023:
    - a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License in Central Business District
    - b. RESOLUTION NO. 23-158 approving waiver of Vending License fee
    - c. RESOLUTION NO. 23-159 approving closure of portions of Main Street, Northwestern Avenue, Fifth Street, Douglas Avenue, Burnett Avenue, Kellogg Avenue, Clark Avenue, Allan Drive, and Pearle Avenue from 6:00 a.m. until end of parade
    - d. RESOLUTION NO. 23-160 approving closure of Parking Lot MM and south portion of Lot M from 6:00 a.m. to 2:00 p.m.
  12. Request from Ames Main Street for Snow Magic on December 1, 2023:
    - a. Motion approving Blanket Temporary Obstruction Permit
    - b. Motion approving Blanket Vending License
    - c. RESOLUTION NO. 23-161 approving waiver of Vending License fee
    - d. RESOLUTION NO. 23-162 approving closure of four metered parking spaces within the Downtown from 1:00 p.m. to 8:00 p.m. on December 1 to facilitate pick-up and drop-off of passengers on horse- drawn carriage rides through Downtown
    - e. RESOLUTION NO. 23-163 approving usage of electricity in Tom Evans Plaza and waiver of fees for electricity.
  13. RESOLUTION NO. 23-164 setting April 11, 2023, as date of public hearing to adopt a Maximum City Property Tax Levy for FY 2023/24
  14. RESOLUTION NO. 23-165 setting April 11, 2023, as the date of public hearings and additional action on proposals to enter into General Obligation Loan Agreements and to borrow money thereunder
  15. RESOLUTION NO. 23-166 approving the Police Department's application for participation in the Governor's Traffic Safety Bureau Enforcement Grant
  16. RESOLUTION NO. 23-167 approving appointment to the Public Art Commission
  17. RESOLUTION NO. 23-168 approving Resource Recovery System Annual Report for 2022
  18. RESOLUTION NO. 23-169 approving and adopting Supplement No. 2023-2 to the *Ames Municipal Code*
  19. RESOLUTION NO. 23-170 authorizing Parks & Recreation staff to submit an application for a State of Iowa Gambling License
  20. RESOLUTION NO. 23-171 setting April 11, 2023, as date of public hearing for the sale of Lots 2-7 in the Baker Subdivision to Habitat for Humanity of Central Iowa

21. RESOLUTION NO. 23-172 approving preliminary plans and specifications for Electrical Maintenance Services Contract, setting April 26, 2023, as the bid due date and May 9, 2023, as date of public hearing
  22. RESOLUTION NO. 23-173 approving preliminary plans and specifications for the 2022/23 Airport Improvements Program (South Apron Rehab), setting April 19, 2023, as bid due date and April 25, 2023, as date of public hearing
  23. Unit 8 Upper Electrostatic Precipitator Maintenance
    - a. RESOLUTION NO. 23-174 waiving the purchasing policies and procedure requirements for competitive bidding to award a single source procurement
    - b. RESOLUTION NO. 23-175 awarding contract to The Babcock & Wilcox Company, of Akron, OH in the amount of \$175,056.00
  24. RESOLUTION NO. 23-176 approving final plans and specifications and awarding contract to Shekar Engineering, P.L.C. of Ames, Iowa, in the amount of \$4,203,260.58 for 2022/23 Concrete Pavement Improvements (Brookridge Avenue, Ridgewood Avenue, Lee Street, 9<sup>th</sup> Street, Park Way and Alley)
  25. RESOLUTION NO. 23-177 approving Contract renewal for Emergency Utility Repair and Other Services to Ames Trenching and Excavating of Ames, Iowa, for Various City Departments
  26. RESOLUTION NO. 23-178 approving Contract and Bond for 2021/22 Accessibility Enhancement Program with Caliber Concrete, of Adair, Iowa
  27. RESOLUTION NO. 23-179 approving Contract and Bond for 2022/23 Ames Plan 2040 Water Utility Infrastructure with Thorpe Contracting, LLC, of Adel, IA
  28. RESOLUTION NO. 23-180 approving Contract and Bond for 2022/23 Asphalt Street Pavement Improvements (Oakwood Road) with Con-Struct Inc., of Ames, Iowa
  29. RESOLUTION NO. 23-181 approving Contract and Bond for 2022/23 Shared Use Path Maintenance with Mid-Iowa Enterprises, of Story City, Iowa
  30. RESOLUTION NO. 23-182 approving Contract for Electric Services Furnishing of 69kV and 161kV SF6 Circuit Breakers with GE Grid Solutions, of Charleroi, Pennsylvania
  31. RESOLUTION NO. 23-183 approving completion of sidewalk agreement for Scenic Valley 3<sup>rd</sup> Addition and releasing the financial security in full
- Roll Call Vote: 6-0. Motion/Resolutions declared carried/adopted, signed by the Mayor, and hereby made a portion of these Minutes.

**PUBLIC FORUM:** Mayor Haila opened the Public Forum.

Richard Deyo, 505-8<sup>th</sup> Street, #2, Ames, shared his opinions and concerns relating to the Conduct Policy for the Ames Public Library.

Mayor Haila closed the Public Forum when no one else came forward to speak.

**CITY COUNCIL VALUES, GOALS, AND TASKS FOR 2022-2023:** Assistant City Manager Brian Phillips presented the revised City Council Values, Goals, and Tasks for 2022-2023. He highlighted that the City Council met on January 28, 2023, in a retreat to review the progress made

towards completion of these values, goals, and tasks that were adopted on February 15, 2022. The City Council proposed four new tasks at the retreat as were outlined in the memo from staff. Mr. Phillips noted that direction was being sought from the City Council to approve how staff captured those four new tasks.

The second component of the item was whether the City Council had interest in reviewing the conservation subdivision ordinance. This component was discussed at the retreat; however, it was not captured in the minutes as no action was taken. Mr. Phillips explained that the Mayor raised the question subsequently about whether that component should be included in the tasks for staff.

Moved by Beatty-Hansen, seconded by Betcher, to approve the four new tasks that were proposed at the January 28, 2023, City Council retreat.

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

The City Council engaged in discussion relating to the conservation subdivision ordinance and no action was taken. Mayor Haila noted that he would communicate with stakeholders.

**STAFF REPORT ON THE FITCH FAMILY INDOOR AQUATIC CENTER:** Parks and Recreation Director Keith Abraham presented the update, noting that direction was requested by staff in three categories: 1) Building Design, 2) Project Budget, and 3) Project Priorities. He provided the informational update, detailing the purchase of the property, topographic and boundary survey, geothermal well potential, stormwater management plans, and other environmental services.

The City of Ames purchased the property at 122 N. Oak Avenue from the Iowa Department of Transportation (IDOT) on January 5, 2023, for \$2.9 million, Director Abraham elaborated. The IDOT recorded the State Land Patent and delivered it to the City in early March, with the City also being in possession of the property abstract. He also indicated that staff collaborated with Clapsaddle-Garber Associates, Inc. (CGA) to complete a survey of the property. CGA is expected to submit a report to staff the week of March 27, 2023, and that information will be used by the Design Team as plans are further developed and defined.

The Iowa Department of Natural Resources (IDNR) determined that vertical geothermal wells will not be permitted due to the potential risk of contaminating the aquifer below the property, explained Mr. Abraham. Installing a horizontal well field is a possibility; however, further testing of groundwater in nine locations specified by the IDNR will be needed. He furthered that horizontal wells are generally 300 feet in length, which may be problematic due to the size of the property, as well as the contamination in the northeast corner. In conversations with KCL Engineering, the sub-consultant for RDG Planning and Design, there appeared to be an energy efficiency benefit to pursue geothermal wells even if 300 feet in length cannot be achieved. Mr. Abraham assured the City Council that staff would continue to work with IDNR and KCL to reach a final decision related to this topic.

Director Abraham noted that two options are being considered for stormwater management: 1) managing all stormwater on-site, or 2) managing some stormwater on-site and the remainder off-site. Once the Survey Report is received from CGA, the project consultants will be able to calculate how much stormwater will be generated and what will need to be managed on-site. City staff from the Public Works Department has also reviewed potential options for off-site management as well.

City staff is finalizing a contract with Impact7G to provide services related to environmental issues encountered during the project, detailed Mr. Abraham. The scope of services included will address developing a construction management plan for dealing with possible contamination, installing monitoring wells and performing periodic testing, and providing guidance and recommendations to mitigate/remediate potential risks associated with site contamination.

The schematic design phase and floor plans were presented by Director Abraham as well as the building renderings. He highlighted the efforts to make the building accessible after receiving feedback from the Parks and Recreation Americans with Disabilities Act (ADA) Audit before reviewing the Estimated Budget, noting the line items with a change from the Projected Budget. Director Abraham reviewed that even with potential additional funding options, there still remains a funding shortfall for the current estimated base bid. He emphasized the recommendation of staff to continue work with the consultants to review the design and reduce the Estimated Budget to a dollar amount that better aligns with the Projected Budget, rather than use the potential additional funding options to close the gap. He supported the recommendation by noting that the potential additional funding could be used to fund the Base Bid plus Alternate 1, which adds a walking track and multipurpose space.

Mayor Haila discussed the geothermal wells and inquired for more details as to why the IDNR did not support the vertical wells. Director Abraham explained that vertical wells are typically 300 feet in length, while the aquifer on the site is located approximately 90 to 120 feet below ground level. The concern here, he explained, was that if there is movement of any contamination to those vertical shafts for the well, that contamination could drop down into the aquifer. The horizontal wells would sit at 15, 30, and 45 feet, leaving a 45-foot buffer between the aquifer. Council Member Betcher asked about the energy benefit of the geothermal. Director Abraham discussed how the chiller for the HVAC system coupled with the geothermal system, and the limitations of moving forward with installing the chiller without the presence of a geothermal system.

Council Member Gartin noted that there has been lengthy discussion regarding the benefit of the walking track and shared his support for the Base Bid plus Alternate 1, noting his belief that it would be greatly appreciated by the community. He also shared his grave concern for building the Fitch Family Indoor Aquatic Center on a site with contaminated soil, his concern is intensified by the new knowledge that the City runs the risk of endangering one of the aquifers.

Council Member Betcher observed that one of the Value Engineering Options is lowering the walls and roof of the building. She asked if reducing the footprint of the building is also an option. Director Abraham replied in the affirmative, citing an example of reducing the pool deck. He

assured the City Council that staff would continue work with the consultants to evaluate all of the spaces for potential reductions while ensuring a functional building that meets the needs of the community.

Council Member Betcher noted her favor in removing Option No. 13 from the Value Engineering Options: Combining Zero-depth Pool and Lap Pool. Council Member Corrieri shared her agreement. Council Member Beatty-Hansen also noted that she has heard more support for the walking track from community members than she has against it and supported Council Member Gartin's comments regarding its benefit to the community.

*Ex officio* Etten inquired as to why the Recreational Basin is not located next to the Classroom/Party Room. Director Abraham explained that it was designed that way from a safety standpoint with relation to the location of the Family/Universal Changing Room. *Ex officio* Etten also added support for the walking track, noting the level of use and overall benefits of the walking tracks located on campus.

The City Council members engaged in thoughtful discussion with staff regarding the exterior design of the building, noting that cost savings on exterior items that are not essential to the operations of the facility could be considered while still maintaining a focus on the longevity of the building materials. They further discussed the budget, with City Manager Schainker stating that there are going to be challenges with funding, and staff will either have to cut costs or identify additional revenue to accomplish the Base Bid plus Alternate 1. He furthered that staff would work with the Design Team to not sacrifice too much, but priorities must be identified.

Director Abraham discussed the timeline for bidding the project, noting that from a budgetary standpoint, it is prudent to adhere to the timeline. He reiterated the recommendation of staff to work with the consultant through design development with the goal to bring the Estimated Budget closer to the Projected Budget. He then highlighted the sustainability investments for the project per the request of Council Member Gartin.

The City Council Members each shared their Project Priorities. Council Member Gartin noted the importance of the quality of materials in terms of longevity and service levels specifically relating to hours of operations. Council Member Betcher selected minimizing maintenance, impact on operations, and service levels as top priorities as each related to staffing. She highlighted her dissatisfaction in sacrificing those priorities for building aesthetics. Council Member Beatty-Hansen chose sustainability at the top of her list, especially in how it pertains to lowering the ongoing operational costs of the building. Council Member Junck echoed Council Member Betcher's priorities, stating that quality materials in relation to longevity is also a priority for her. She elaborated that longevity goes with operations and how well the facility is able to be maintained. Council Member Corrieri shared her agreement with the prior comments, noting that service levels would be her top priority. Council Member Rollins noted that energy efficiency and sustainability are a top priority for her, as well as service levels. She furthered that quality materials adding longevity should be a priority, highlighting that there are creative ways to add to the

aesthetics without it being a high priority budget item. *Ex officio* Etten expressed her priority of service levels in regard to staffing, noting that staffing recreational facilities has been an ongoing issue for Iowa State University.

The Public Input was opened by Mayor Haila.

Kendra Meyers, Ames Resident, shared her excitement for and support of the Fitch Family Indoor Aquatic Center, encouraging the City Council to consider adding two additional lap lanes to the Recreation Pool for a total of eight lanes to better meet the demand from the community for that service.

Mayor Haila closed the Public Input when no one else came forward to speak.

Director Abraham discussed advances in technology and creation of a bright atmosphere that will make the Fitch Family Indoor Aquatic Center a state-of-the-art facility at the request of Council Member Gartin. He also addressed the number of lap lanes currently in the design, citing facility schedules and policy that could counteract the demand for service. Mayor Haila communicated the consensus that the City Council was supportive of the recommendations from staff regarding the budget.

**STORY COUNTY SATURATED BUFFER/BIOREACTOR PROJECT:** Water and Pollution Control Director John Dunn briefly reviewed the agreements, and shared his gratitude for the partners that the Department has had the opportunity to work with, specifically the Iowa Department of Agriculture and Land Stewardship, which is contributing significant funding to the project. Council Member Gartin asked about the maintenance plan for the project. Director Dunn explained that the property owner is required to sign a 10-year maintenance agreement and will be expected to maintain the saturated buffer or bioreactor during that time in exchange for getting the improvements put on their property free of charge.

Mayor Haila opened and closed the Public Input when no one came forward to speak.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 23-184 approving 28E Agreement with the Iowa Department of Agriculture and Land Stewardship – Division of Soil Conservation and Water Quality, City of Ames, and Story County Soil and Water Conservation District.

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

Moved by Rollins, seconded by Corrieri, to adopt RESOLUTION NO. 23-185 approving funding agreement between Story County, Story County Conservation Board, and the City of Ames for funding assistance for water nutrient removal practices.

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

**INTEGRATED SITE PLAN SUBDIVISION FOR DANIEL’S SUBDIVISION, 2<sup>ND</sup>**

**ADDITION:** Planning and Housing Director Kelly Diekmann reviewed the amendment to the Site Development Plan, highlighting that the amendment includes a double drive-thru lane rather than the single drive-thru lane originally approved. This change results in a reduction in the excess parking included within the subdivision from 39 spaces to 28 spaces and some minor adjustments to the proposed landscaping. Circulation through the parking lot has also been modified to include a one-way direction for traffic flow. He shared that staff believes the parking lot still functions appropriately and will be a safe environment, thus staff supports the amendment and recommends the approval of the Final Plat.

Public Input was opened and closed by Mayor Haila when no one came forward to speak.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 23-186 approving Minor Amendment to the Site Development Plan.

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

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 23-187 approving Final Plat.

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

**MINOR FINAL PLAT FOR HIDDEN CREEK FARM, PLAT 1 (W 190<sup>TH</sup> STREET):**

Planner Julie Kruse presented the Final Plat for the property that located Story County on the north side of 190<sup>th</sup> Street across from the Quarry Estates Subdivision. She noted that it is currently within the Story County Study Area Overlay, which lies between 190<sup>th</sup> and 180<sup>th</sup> Streets in the Ames Urban Fringe Plan. Staff has been working with Story County on the Final Plat. She highlighted the boundary for the Ada Hayden Watershed, adding that residential development within the watershed typically requires compliance with Subdivision Standards. She reviewed the Development Agreement, which addresses conditional waivers of standards and retains City review of a future traffic analysis, access, and stormwater. She emphasized that Story County is aware of the terms of the Development Agreement and approved the Final Plat at its meeting contingent upon the terms.

Council Member Gartin discussed the benefits of the conservation overlay, noting his appreciation that the overlay puts a limitation on adding fertilizers to the ground that might eventually impact Ada Hayden. He asked if the Development Agreement addresses any of those attributes. Planner Kruse replied in the negative, citing religious use for the property as the reason the Subdivision Standards would not apply and reiterating the purpose of the Development Agreement. She emphasized that since the land in the County, its requirements, including stormwater requirements, would apply to the property. Council Member Gartin noted that the City typically allows flexibility for religious uses but he wants to make sure that the City is doing its due diligence in protecting

the water supply. He asked if staff is making a recommendation to ensure the City is addressing stewardship issues here. Planner Kruse replied in the negative and Director Diekmann discussed how the limited use of fertilizer is typically enforced, noting the City's limitation in terms of enforcement. Staff and the City Council engaged in thoughtful discussion on how to address the issue.

Mayor Haila opened the Public Input.

James Pease, President of Friends of Ada Hayden Heritage Park, shared his opposition to the waiver of Subdivision Standards, noting that other entities within the watershed have agreed to apply the standards, and encouraged the City Council not to set what he believed to be a dangerous precedent by granting the waiver.

The Public Input was closed by Mayor Haila when no one else came forward to speak.

Director Diekmann continued the discussion on the use of the land and interaction of the conservation overlay given that Subdivision Standards do not apply. He again reviewed the terms of the Development Agreement. Council Member Gartin discussed the structure of the motion to amend the Development Agreement.

Moved by Gartin to amend the Development Agreement to include a phosphorus reduction provision and that approval of the Agreement be contingent on the Developer's acceptance of the amendment.

Director Diekmann discussed the limitations regarding administration and enforcement of such provisions and Council Member Gartin withdrew the motion. Director Diekmann concluded that the best practice would be to incorporate a Landscape Management Plan to minimize the use of phosphorus into the Development Agreement. City Attorney Mark Lambert concurred.

Moved by Gartin, seconded by Beatty-Hansen, to amend the Development Agreement to provide for a landscape management plan that minimized the use of phosphorus.

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

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 23-188 approving the Development Agreement as amended.

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

Moved by Rollins, seconded by Junck, to adopt RESOLUTION NO. 23-189 approving waiver of Subdivision Standards.

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

Moved by Gartin, seconded by Rollins, to adopt RESOLUTION NO. 23-190 approving Final Plat, subject to the return of the signed Development Agreement.

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

The meeting recessed at 8:07 p.m. and reconvened at 8:15 p.m.

**DEVELOPMENT AGREEMENT WITH TOWNHOMES AT CREEKSIDE, LLLP:**

Housing Coordinator Vanessa Baker-Latimer noted that approving the Development Agreement was the next step in the process for seeking Low-Income Tax Housing Credit (LITHC) on Lot 27 in the Baker Subdivision. She announced that staff had been working with Hatch Development Group, who was awarded the Request for Proposal (RFP) and will do business under the name Townhomes at Creekside, LLLP. Staff engaged with the Developer to negotiate an agreement that will meet the City's housing goals for affordable multi-family housing and for the Hatch Development Group to score well in meeting the Iowa Finance Authority's (IFA) Qualified Allocation Plan (QAP) requirements to be awarded tax credits.

Upon approval of the LITHC award, the City will set aside a maximum of \$1.8 million of its HOME funds for the construction of 38 units, of which there will be 16-two bedrooms, 18-three bedrooms, 4-four bedrooms. Based on the City's commitment of its HOME funds, seven of the 38 units will be set aside specifically under the City's HOME program guidelines; all seven units will be 3-bedroom units; for households at 50% or less of the Ames Medium Income Limit (AMI). As per the City's RFP, 10%, equivalent to four units, will be designated for Section 8 Housing Choice Voucher holders. Staff has set aside 1-two bedroom, 1-three bedroom, 1-four bedroom, and 1 floater unit as part of this agreement. These units are in addition to the City's seven HOME set-aside units, explained Housing Coordinator Baker-Latimer.

Council Member Rollins asked if the parking issue was addressed in the concept plan that was presented. Director Diekmann replied in the affirmative, noting that extra parking was added to the west side of the development. He stated that a formal Major Site Development Plan will be required for final approval of the project once the developer has received notice of a LIHTC award; however, the concept plan was approvable as presented.

Mayor Haila opened and closed the Public Input when no one came forward to speak.

Moved by Betcher, seconded by Rollins, to adopt RESOLUTION NO. 23-191 approving Development Agreement with Townhomes at Creekside, LLLP (affiliated with Hatch Development Group) in conjunction with a Low-Income Tax Credit (LIHTC) Application for multi-family housing development for Lot 27 in the Baker Subdivision.

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

**HEARING ON BAKER SUBDIVISION (321 STATE AVENUE):** Housing Coordinator Baker-Latimer cited state law that requires a Public Hearing for the sale of City-owned property.

The Public Hearing was opened and closed by Mayor Haila when no one came forward to speak.

Moved by Betcher, seconded by Rollins, to adopt RESOLUTION NO. 23-192 approving Option Agreement for the sale of Lot 27 to Townhomes at Creekside, LLLP, an Iowa Limited Liability Partnership, (affiliated with Hatch Development Group) in conjunction with a Low-Income Housing Tax Credit (LIHTC) application for Multi-Family Housing Development.

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

Michael Kiernan, 740 16<sup>th</sup> Street, Des Moines, of Kiernan Development and Construction, LLC, in partnership with Hatch Development Group, stated that the company is honored by the privilege of taking the project forward to secure a LITHC award for the City of Ames. He commended City staff on their efforts to turn around the agreements and applications in such a short time period. He concluded by addressing concerns regarding the absence of a playground on the site concept, noting that a playground will be included in the amenity area.

**HEARING ON SUBMITTAL OF SECOND SUBSTANTIAL AMENDMENT TO THE CITY'S 2021/22 CDBG/HOME ANNUAL ACTION PLAN TO INCLUDE HOME-AMERICAN RESCUE PLAN (HOME-ARP) PROGRAM FUNDS:** Housing Coordinator Baker-Latimer shared that at the January 24, 2023 meeting of the City Council, staff reported the feedback received from various groups. She explained that in summary, the primary focus areas for the Qualifying Populations (QPs) were homeless populations and at-risk homelessness populations. The primary activities identified from feedback were Non-Congregate Shelter (#1), the Production and Preservation of Affordable Rental Housing (#2), and Tenant-Based Rental Assistance (TBRA) and Supportive Services (#3). At that same meeting, the City Council directed staff to prepare the proposed Second Substantial Amendment to the City's CDBG 2021-22 Annual Action Plan that will incorporate a special allocation of HOME-ARP funding in the amount of \$1,269,248, to address the following QPs: 1) Homeless individuals and families; 2) individuals and families at risk of homelessness, and 3) persons fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking, as defined by HUD. In consideration of eligible activities, Non-Congregate Shelter was identified by the City Council as the priority. She provided context that the remaining 15% of funding would be set aside for program administration.

Ms. Baker-Latimer highlighted two changes to the application for the record. On page 26 of the application, there were two items: Preferences and Limit Liabilities. HUD permits applicants to answer one but not both aforementioned items. Ms. Baker-Latimer adjusted the application in response to indicate that the City would not be establishing Limitation Liability on this project. The second change to the application was a result of Public Forum. Two agencies participated at

the January 9, 2023, forum: Home Allies and the Story County Housing Trust Fund. Ms. Baker-Latimer added both agencies to page five of the application under agencies that were consulted.

The application is to be submitted by 10:00 p.m. Eastern Standard Time on Friday, March 31, 2023, announced Ms. Baker-Latimer, before welcoming questions from the City Council.

Mayor Haila opened the Public Hearing on the Second Substantial Amendment to the City's CDBG 2021-22 CDBG/HOME Annual Action Plan that incorporates a special allocation of HOME-ARP funding. When no one came forward to speak, Mayor Haila closed the Public Hearing.

**HEARING ON REZONING A PORTION OF THE PROPERTY ADJACENT TO THE SOUTHWEST CORNER OF CAMERON SCHOOL ROAD AND GW CARVER AVENUE (THE BLUFFS AT DANKBAR FARMS):** Planner Kruse reviewed the site plan for the Planned Residential Development, drawing attention to the amenities within the subdivision, including a clubhouse and pocket park. Council Member Rollins asked if the area would be connected by shared use paths. Planner Kruse replied in the negative, noting that standard five-foot sidewalks would be utilized to connect the development, and future trail connections would be investigated. Director Diekmann added that a shared use path would be located on the east side of GW Carver Avenue, connecting the development to North Ridge Heights and the Irons. Mayor Haila inquired about the pocket park, asking if it would be maintained as a private amenity. Planner Kruse replied in the affirmative, and Director Diekmann noted that under Ames Plan 2040 the development does not meet the park proximity service expectations and is required to have a recreational or open space. Mayor Haila also asked about traffic safety near the driveway in the area designated for religious use. Director Diekmann noted the limitations in moving the driveway due to a natural gas pipeline, noting that Traffic Engineers agreed to the separation distance and spacing.

The Public Hearing was opened and close by Mayor Haila when no one came forward to speak.

Moved by Betcher, seconded by Corrieri, to pass on first reading an ordinance Rezoning a portion of the property adjacent to the southwest corner of Cameron School Road and GW Carver Avenue (The Bluffs at Dankbar Farms).

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

Moved by Corrieri, seconded by Gartin, to adopt RESOLUTION NO. 23-193 approving the Planned Residence District (FS-PRD) Major Site Development Plan.

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

**HEARING ON 2023 CYRIDE HVAC IMPROVEMENT PROJECT:** Mayor Haila opened and closed the Public Hearing when no one came forward to speak.

Moved by Betcher, seconded by Corrieri, to accept the Report of Bids and direct staff to delay award of contract.

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

**FIRST READING OF ORDINANCE TO AMEND THE AMES MUNICIPAL CODE SECTIONS 18.31(32) AND (343) REGULATING PARKING ON BRISTOL DRIVE AND HAMPTON STREET:** The Public Hearing was opened and closed by Mayor Haila when no one came forward to speak.

Moved by Betcher, seconded by Corrieri, to pass on first reading an ordinance to amend the Ames *Municipal Code* Sections 18.31(32) and (343) regulating parking on Bristol Drive and Hampton Street.

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

**SECOND PASSAGE OF ORDINANCE ON ZONING TEXT AMENDMENT TO ELIMINATE ROOFTOP SOLAR PANEL ZONING REQUIREMENTS:** Moved by Beatty-Hansen, seconded by Corrieri, to pass on second reading an ordinance on Zoning Text Amendment to Eliminate Rooftop Solar Panel Zoning Requirements.

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

**SECOND PASSAGE OF ORDINANCE TO AMEND AMES MUNICIPAL CODE CHAPTERS 23 & 28 FOR UTILITY CONNECTIONS AND FEES AND RURAL WATER BUYOUT FEES:** Moved by Rollins, seconded by Beatty-Hansen, to pass on second reading an ordinance amending Ames *Municipal Code* Chapters 23 & 28 for Utility Connections and Fees and Rural Water Buyout Fees.

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

**THIRD PASSAGE AND ADOPTION OF ORDINANCE NO. 4493 RELATING TO ZONING TEXT AMENDMENT FOR FRONT YARD PARKING AND DRIVEWAY STANDARD:** Moved by Corrieri, seconded by Junck, to pass on third reading and adopt ORDINANCE NO. 4493.

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

**THIRD PASSAGE AND ADOPTION OF ORDINANCE NO. 4494 TO REZONE A PORTION OF THE PARCEL LOCATED AT 325 BILLY SUNDAY ROAD FROM S-GA TO HOC:** Moved by Rollins, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4494.

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

**THIRD PASSAGE AND ADOPTION OF ORDINANCE NO. 4495 REVISING 28.309 OF THE AMES MUNICIPAL CODE TO AMEND THE INDUSTRIAL PRETREATMENT LOCAL LIMITS:** Moved by Betcher, seconded by Beatty-Hansen, to pass on third reading and adopt ORDINANCE NO. 4495.

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

**DISPOSITION OF COMMUNICATIONS TO COUNCIL:** Mayor Haila noted that there was one item to consider from Public Works Director John Joiner regarding the Cherry Avenue Extension. City Manager Schainker stated that the item was for informational purpose only.

**COUNCIL COMMENTS:** Council Member Betcher announced that she and Assistant City Manager Schildroth learned that the sessional they proposed to the International Town and Gown Association (ITGA) on Community Conversations on Mental Health has been accepted to be a part of an upcoming conference. She noted that this opportunity will showcase what the community has done. Council Member Betcher also shared that she would be presenting a lecture at the Ames Public Library at 7:00 p.m. on Wednesday, March 29, 2023, regarding the Trice connection, highlighting that there is the option to view the lecture via Zoom.

Council Member Rollins shared that she attended the Genevieve Salamone concert, which was a wonderful event to bring awareness to the plight of Indigenous women as well as being excellent entertainment. The event was sponsored in part by the Ames branch of the NAACP.

**ADJOURNMENT:** Moved by Betcher, seconded by Corrieri, to adjourn the meeting at 8:43 p.m. Vote on Motion: 6-0. Motion declared carried unanimously.

---

Carly M. Watson, Deputy City Clerk

---

John A. Haila, Mayor

---

Renee Hall, City Clerk