

**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

MAY 23, 2023

The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee meeting was called to order by Ames Mayor and voting member John Haila at 6:00 p.m. on the 23rd day of May, 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; and Linda Murken, Story County Board of Supervisors. Jian Janes, Transit Board, joined the meeting electronically.

DRAFT FFY 2024-2027 TRANSPORTATION IMPROVEMENT PROGRAM:

Transportation Planner Kyle Thompson provided an overview of the Transportation Improvement Program (TIP), highlighting that the included programs are federally funded and regionally significant transportation projects within the Metropolitan Planning Organization boundary. He reviewed the major changes, including removing the Cherry Avenue Extension (E Lincoln Way – SE 5th Street) Project per the request of the City of Ames and rolling over into FFY24 the Lincoln Way (Dotson Drive – S Franklin Avenue) and Ioway Creek Trail (0.5 miles E of S Duff Avenue – S 5th Street) Projects.

The projects recently added to the TIP were reviewed by Mr. Thompson, including the Hyland Avenue Pavement Improvements (Lincoln Way – Ontario Street), E Lincoln Way Pavement Improvements (Duff Ave – S Skunk River), and Vehicle Replacement for CyRide. He furthered that the Surface Transportation Block Grant Program funding allocated to the Cherry Avenue Extension project will be reallocated to the Hyland Avenue Pavement Improvements Project.

Moved by Betcher, seconded by Murken, to approve the Draft FFY 2024-2027 Transportation Improvement Program and set July 11, 2023, as date of public hearing.

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

HEARING ON THE FY 2024 TRANSPORTATION PLANNING WORK PROGRAM:

Planner Thompson noted that there were no substantial amendments from the presentation of the draft Transportation Planning Work Program.

Moved by Rollins, seconded by Zinnel, to adopt RESOLUTION NO. 23-288 approving the Final FY 2024 Transportation Planning Work Program.

Vote on Motion: 11-0. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

POLICY COMMITTEE COMMENTS: There were no comments made.

ADJOURNMENT: Moved by Popp, seconded by Murken, to adjourn the meeting at 6:05 p.m.
Vote on Motion: 11-0. Motion declared carried unanimously.

REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA **MAY 23, 2023**

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:06 p.m. on the 23rd day of May, 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.

PROCLAMATION FOR “NATIONAL PUBLIC WORKS WEEK” MAY 21–27, 2023: Mayor Haila proclaimed the week of May 21-27, 2023, as National Public Works Week. He urged the community to join with representatives of the American Public Works Association and government agencies in paying tribute to public works professionals, engineers, managers, and employees, and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life. Municipal Engineer Tracy Peterson accepted the proclamation with Stormwater Resource Analyst Liz Calhoun and Civil Engineer Cesar Cintron. Engineer Peterson recognized the busy construction season for the Ames community and highlighted the work of the winter maintenance crews.

PROCLAMATION FOR “AMES POLLINATOR WEEK” JUNE 19-25, 2023: Mayor Haila proclaimed the week of June 19-25, 2023, as Ames Pollinator Week. He urged every resident to keep learning about the important role pollinators play and identifying how to make a difference. Municipal Engineer Peterson accepted the proclamation with Stormwater Resource Analyst Calhoun and members of the Pollinator Task Force. Engineer Peterson introduced the Pollinator Task Force and recognized the key leadership role of Prairie Rivers of Iowa.

CONSENT AGENDA: Council Member Beatty-Hansen requested to pull Item No. 6h and Council Member Gartin requested to pull Item No. 9.

Moved by Gartin, seconded by Betcher, to approve the consent agenda less Item No. 6h and Item No. 9.

3. Motion approving payment of claims
4. Motion approving Minutes of Regular Meeting on May 9, 2023
5. Motion approving Report of Change Orders for period May 1 – 15, 2023
6. Motion approving the renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor License with Catering Privilege and Outdoor Service– Della Viti, 323 Main Street Suite #102, Pending Dramshop Status
 - b. Class C Liquor License with Outdoor Service - Old Chicago Pizza and Taproom, 1610 S. Kellogg Ave, Pending Dramshop Status

- c. Class E Liquor License - Casey's General Store #2560, 3020 S Duff Ave
- d. Class A Liquor License with Outdoor Service - Green Hills Residents' Association, 2200 Hamilton Drive, Suite 100
- e. Class E Liquor License - MMDG Spirits, 126A Welch Avenue
- f. Class E Liquor License - Kum & Go #200, 4510 Mortensen Road
- g. Class E Liquor License - Kum & Go #216, 203 Welch Ave
- ~~h. Special Class C Liquor License with Outdoor Service - Wheatsfield Cooperative, 413 Northwestern~~
- i. Special Class C Retail Alcohol License – Ichiban Japanese Restaurant, 117 Welch Ave
- 7. Motion approving five-day license for Special Class C Retail Alcohol License with Outdoor Service – Ames on the Half Shell, 125 East 5th Street dates in 2023, Pending Dramshop Review
- 8. Motion approving five-day license (June 19 – June 23, 2023) for Special Class C Retail Alcohol License with Outdoor Service – Apres Bar Co, 1930 East 13th Street
- ~~9. Requests from Ames Patriotic Council for Memorial Day Parade on Monday, May 29, 2023:~~
 - ~~a. Motion approving blanket Temporary Obstruction Permit for closed area~~
 - ~~b. RESOLUTION NO. 23-289 approving closure of Pearl Avenue and 5th Street~~
 - ~~c. RESOLUTION NO. 23-290 approving temporary closure of Clark Avenue from 5th Street to 9th Street~~
 - ~~d. RESOLUTION NO. 23-291 approving temporary closure of 9th Street between Clark Avenue and Maxwell Avenue~~
 - ~~e. RESOLUTION NO. 23-319 approving temporary closure of 6th Street at Clark Avenue and Duff Avenue at 9th Street, as parade moves through those intersections~~
- 10. RESOLUTION NO. 23-292 approving appointment of *ex officio* student liaison to City Council
- 11. RESOLUTION NO. 23-293 approving request from The Bridge Home to modify its FY 2022/23 ASSET Contract
- 12. RESOLUTION NO. 23-294 approving FY 2023/24 contracts with Human Services Agencies (ASSET)
- 13. RESOLUTION NO. 23-295 approving FY 2023/24 Commission On The Arts (COTA) Annual Grants
- 14. RESOLUTION NO. 23-296 approving Police's Department's application and participation in the Department of Justice Office of Justice Programs Bulletproof Vest Partnership Program
- 15. RESOLUTION NO. 23-297 approving Iowa DOT Grant Application for the 2022/23 Airport Improvements Program (South Apron Rehab)
- 16. RESOLUTION NO. 23-298 approving Electric Utility Easement at 126 S. Kellogg Avenue – Story County Human Services building (south side)
- 17. RESOLUTION NO. 23-299 approving contract renewal with Wulfekuhle Injection & Pumping, of Peosta, Iowa, for Cell Maintenance Services in the amount not-to-exceed \$170,000
- 18. RESOLUTION NO. 23-300 approving contract renewal and bond with hth companies, inc, Union, Missouri, for the Scaffolding and Related Services and Supply Contract at the Power Plant, in the amount not-to-exceed \$85,000

19. RESOLUTION NO. 23-301 approving contract renewal and bond with hth companies, inc., Union, Missouri, for the Non-Asbestos Insulation and Related Services and Supply Contract at the Power Plant, in an amount not-to-exceed \$120,000
20. RESOLUTION NO. 23-302 award a three-year contract with Enverus, of Dallas, Texas, for Electric Load Forecasting Services in the amount of \$80,695
21. RESOLUTION NO. 23-303 approving contract renewal to Wright Tree Services of West Des Moines, Iowa, for Electric Distribution Line Clearance Program in an amount not-to-exceed \$366,583
22. RESOLUTION NO. 23-304 awarding year two of a five-year contract with Pitts Lawn and Tree Services of Huxley, Iowa, for cemetery mowing and trimming services in an amount not-to-exceed \$53,302.50
23. RESOLUTION NO. 23-305 approving contract renewal to Pitts Lawn & Tree Services of Huxley, Iowa, for Tree Trimming & Removal Program in an amount not-to-exceed \$85,000
24. RESOLUTION NO. 23-306 awarding contract to hth companies, inc., Union, Missouri, for the Specialized Wet Dry Vacuum, Hydro Blast, and other Related Cleaning Services contract in an amount not-to-exceed \$200,000
25. RESOLUTION NO. 23-307 awarding contract for purchase of FY 2023/24 brass products for the Water Meter Division to Core and Main, of Grimes, Iowa in accordance with the unit prices bid
26. Mobile Vehicle Lifts and Attachment
 - a. RESOLUTION NO. 23-308 approving sole-source purchase of Stertil-Koni lifts from Midwest Lift Works
 - b. RESOLUTION NO. 23-309 approving the purchase of four mobile vehicle lifts and attachment to Midwest Lift Works of Jordan, Minnesota, in the amount of \$67,609.80
27. RESOLUTION NO. 23-310 awarding contract for purchase of pebble lime for FY 2023/24 for the Water Plant to Graymont Western Lime, Inc. of West Bend, Wisconsin, in the unit price of \$232/ton
28. RESOLUTION NO. 23-311 accepting the Unit 8 Boiler Repair Project as completed by TEiC Construction Services, Inc. of Duncan, South Carolina
29. RESOLUTION NO. 23-312 approving partial completion of public improvements and reducing security for Sunset Ridge Subdivision, 11th Addition
30. RESOLUTION NO. 23-313 approving completion of public improvements and releasing security for Scenic Valley 4th Addition

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

RENEWAL OF THE SPECIAL CLASS C LIQUOR LICENSE WITH OUTDOOR SERVICE - WHEATSFIELD COOPERATIVE, 413 NORTHWESTERN: Moved by Gartin, seconded by Betcher, to approve the renewal of the Special Class C Liquor License with Outdoor Service - Wheatfield Cooperative, 413 Northwestern.

Roll Call Vote: 5-0-1. Voting Aye: Betcher, Corrieri, Gartin, Junck, Rollins. Abstaining: Beatty-Hansen. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

REQUESTS FROM AMES PATRIOTIC COUNCIL FOR MEMORIAL DAY PARADE ON MONDAY, MAY 29, 2023: Council Member Gartin introduced the planned events for Memorial Day, highlighting that the Ames Patriotic Council will sponsor a Memorial Day parade beginning at 10:30 a.m. on Monday, May 29, 2023, with a program to be held at 11:00 a.m. at the cemetery. He noted that in case of rain, the parade will be cancelled, and the program will move indoors to the Ames City Auditorium.

Moved by Beatty-Hansen, seconded by Betcher, to approve requests from Ames Patriotic Council for Memorial Day Parade on Monday, May 29, 2023:

- a. Motion approving blanket Temporary Obstruction Permit for closed area
- b. RESOLUTION NO. 23-289 approving closure of Pearle Avenue and 5th Street from east of Pearle Avenue through Clark Avenue intersection from 9:00 a.m. to 11:00 a.m. for parade line-up
- c. RESOLUTION NO. 23-290 approving temporary closure of Clark Avenue from 5th Street to 9th Street from 10:30 a.m. to 11:00 a.m. for movement of parade
- d. RESOLUTION NO. 23-291 approving temporary closure of 9th Street between Clark Avenue and Maxwell Avenue from 10:45 a.m. to 11:00 a.m. for movement of the parade
- e. RESOLUTION NO. 23-319 approving temporary closure of 6th Street at Clark Avenue and Duff Avenue at 9th Street, as parade moves through those intersections

Roll Call Vote: 5-0-1. Voting Aye: Beatty-Hansen, Betcher, Corrieri, Junck, Rollins. Abstaining: Gartin. Motions/Resolutions declared carried/adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

PUBLIC FORUM: The Public Forum was opened and closed when no one came forward to speak.

AMES ECONOMIC DEVELOPMENT COMMISSION PRESENTATION OF ANNUAL REPORT: Dan Culhane, President and CEO of the Ames Chamber of Commerce (Chamber), presented the Year in Review 2022, discussing noteworthy economic development in the Ames community. Council Member Gartin shared his appreciation for all the Chamber does for the community and its work to expand the Ames taxbase. He also took the time to appropriately recognize Mr. Culhane for his leadership in fundraising for the Fitch Family Indoor Aquatic Center.

Mayor Haila commented on the Symposium on Building Inclusive Organizations (Symposium) that the Chamber hosts annually in November and thanked Mr. Culhane for his leadership in cultivating the event. Mr. Culhane elaborated on the Symposium, highlighting that the 2023 event would be the sixth annual event. He stressed that the purpose of the event is multifaceted and that the business community in Ames understands the importance of inclusive organizations and the role in fortifying positive Town and Gown relationships. Mayor also noted the significant growth of jobs in manufacturing and inquired about the expansion of that market. Mr. Culhane shared that the data was gathered from the Ames Metropolitan statistical area, noting considerable job growth

for Burke, BASF, ColorBiotics, and Danfoss. Mayor Haila discussed the importance of community development. Mr. Culhane shared his agreement, emphasizing that the only way to have livable vibrant communities is to strike a balance with a holistic approach to community and economic development.

STAFF REPORT ON SELLING ALCOHOLIC BEVERAGES DURING EVENTS AT THE AMES CITY AUDITORIUM: Parks and Recreation Director Keith Abraham presented the staff report, highlighting that the Parks and Recreation Department is always looking for ways to increase service levels for the community with fiscal responsibility in mind. He noted that event attendees at Auditorium activities regularly ask staff as to why alcohol is not served at many of the events. He reviewed the types of events that staff would be interested in permitting alcohol sales, highlighting that staff would consider alcohol service for all Auditorium events and rentals, except those that are targeted primarily for youth attendances or those under drinking age and events/rentals that are religious in nature.

The three options for selling alcohol were reviewed by Director Abraham: 1) Contracted vendor sales, 2) Sales by City staff, and 3) Do not sell alcohol. He elaborated on Contracted Vendors, noting that with this option, staff would procure a vendor to provide alcohol sales at specific events over the course of the year. Staff has had conversations with two vendors that expressed an interest and would be able to perform this service. The contractors would also be permitted to sell small concessions items like candy, chips, and water. The areas in which alcohol would be consumed would be limited to the Ames City Auditorium (ACA) lobby, seating areas (floor and balcony), and stage. The contracted vendor would be required to provide a minimum percentage of gross sales to the ACA. This method would limit the risk to the City.

Director Abraham noted that the second option, alcohol sales by City staff, creates more net revenue but results in greater risk. The Parks and Recreation Department currently sells alcohol in a similar manner at the Homewood Golf Course (Homewood), explained Mr. Abraham. The main difference in alcohol service at Homewood is that the service is available during all operating hours, where ACA would be an event-by-event basis.

Council Member Gartin discussed questions regarding Dram Shop Insurance and the risk of litigation. City Attorney Mark Lambert noted that the possibility of litigation is always there and that it is entirely situated on the circumstances. He discussed the City's level of risk when it came to contracting with an outside vendor and noted that Risk Manager Bill Walton would have further insight on different insurance options for the City. Council Member Gartin noted his preference to have Attorney Lambert and Risk Manager Walton included in the development of the Request for Proposal (RFP), as he wants to be diligent in protecting the City.

Council Member Betcher inquired if event organizers would have the option to opt out of alcohol service. Director Abraham replied in the affirmative. She also asked if, when staff is compiling the RFP and selecting a vendor, there is the potential to identify several different vendors to provide service at different events. Director Abraham replied in the negative, noting it would be the

preference of staff to have the same vendor contracted for all events. Council Member Betcher additionally inquired about expanding alcohol service to host City sponsored events utilizing the City's newly acquired Gambling License. Director Abraham noted that it would be a possibility to host events such as trivia at the ACA, however, staff would most likely focus those types of events at Homewood.

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

Moved by Beatty-Hansen, seconded by Corrieri, to direct staff to proceed with the concept of selling alcohol (beer and wine) at the Ames City Auditorium.

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

Moved by Beatty-Hansen, seconded by Corrieri, to direct staff to contract alcohol (beer and wine) sales with a vendor.

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

Moved by Beatty-Hansen, seconded by Corrieri, to empower staff to make the decision regarding types of events that should include alcohol (beer and wine) service.

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

SANDS-MCDORMAN PROPERTY: Director Abraham presented the staff report, reviewing the results of the visual inspection conducted by Assistant Building Official Scott McCambridge. Considering the condition, location, and functionality of each building, Mr. Abraham noted that staff is recommending soliciting buyers for the barn wood and demolishing the remaining buildings.

Council Member Beatty-Hansen expressed her desire to keep the milk house building for the historic value. She shared her belief that there may be a creative use for the building and inquired about the timeline for demolition. Director Abraham noted that the timeline is unknown; however, after the purchase is made, the main priority will be to address any safety concerns on the property, specifically relating to the barn and corn crib.

Council Member Betcher shared her concern regarding demolition and the materials that would be sent to the landfill. She discussed the idea of soliciting buyers to purchase the residence and move it to a separate location. She also mentioned thinking creatively about the uses for the other buildings because of the City Council priority of sustainability. Council Member Rollins asked if any of the buildings would be worth reconstructing if in the right location. Director Abraham replied in the negative, noting that the only possibility would be the garage, which would only be useful to staff for a short period of time.

Moved by Beatty-Hansen to approve Alternative 1 as detailed in the staff report with the exception of the milk house, which would be discussed at a later date. Motion failed due to no second.

Moved by Betcher to approve Alternative 2 as detailed in the staff report. Motion withdrawn.

Moved by Betcher, seconded by Beatty-Hansen, to approve Alternative 3 as detailed in the staff report, with focus on keeping the milk house and exploring the potential of using the garage for storage. Motion withdrawn.

Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 23-314 approving the demolition of the barn, corn crib, and residence on the Sands-McDorman property once the property is owned by the City of Ames with conditions as follows: 1) Solicitation of buyers for the wood from the barn and corn crib; 2) Solicitation of buyers for the residence with the understanding that the unsold building will be demolished; and 3) Direction to staff to explore the potential to use the garage and milk house for storage or other functions.

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

AMENDED MASTER PLAN FOR 798 N 500TH AVENUE (NORTH SUNSET RIDGE): Planner Eloise Sahlstrom provided an overview of the amendment, highlighting that the changes allow for expanded unit count and increased flexibility.

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

Moved by Gartin, seconded by Rollins, to adopt RESOLUTION NO. 23-315 approving Third Amendment to Contract Rezoning Agreement.

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

STAFF REPORT ON PARKING STANDARDS FOR RETAIL: Director Diekmann presented the staff report. He explained that the current regulations for Minimum Off-Street Parking Requirements mandate that retail uses have one parking space per 300 square feet of building and the rate applies to all components of the business, including those areas used for storage and office.

Sandy Swanson, Managing Director of Overflow Thrift Store (Overflow), had contacted the City regarding its proposed new store on S. E. 2nd Street, just east of the current location at the corner of S. E. 2nd Street and S. Duff Avenue. Director Diekmann explained that Overflow is intending to construct a new facility on vacant land it already owns on S. E. 2nd Street. The new facility would combine the operations of its two locations on one site, and Overflow favors building on this land because of the proximity to many of its low-income clients. Based on the Zoning Ordinance requirements and the latest information provided by Overflow, the proposed development must have at least 64 parking spaces. Overflow has indicated that it has only 41.

Director Diekmann discussed the parking rates in different cities, highlighting that the rate varies greatly based on different experiences and goals of that community. He noted that the Urban Land Institute recommends parking rates mindful of peak parking needs in suburban types of

environments. Director Diekmann then reviewed the three options to modify the standards. He noted that staff does not have a recommendation for which option is most appropriate to address the request from Overflow but noted that staff does believe Option 3 would be an undesirable solution in the long term.

Council Member Beatty-Hansen discussed the option of no minimum parking requirement. Director Diekmann responded by noting any minimum under one space per 500 square feet is not a meaningful standard. He furthered that his concern would be that in not requiring minimum parking standards for uses such as retail, but keeping parking standards for every other use, it would limit the future use of the building. Council Member Beatty-Hansen asked if staff has seen cities recently changing parking minimums. Director Diekmann replied in the affirmative, noting that Ames is one of those cities. Council Member Gartin shared his lack of excitement about making a change to the parking requirement specifically for thrift stores for reasons that align with the concerns expressed by staff.

Moved by Gartin, seconded by Beatty-Hansen, to approve the Option 2: Modify the Standards for Minimum Off-Street Parking Requirements for All Retail Sales and Services-General to a reduction of parking to one space per 500 square feet.

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

STAFF REPORT ON PAVING STANDARDS OF UNPAVED PARKING LOTS: Director Diekmann reviewed the staff report, highlighting that the request was initiated by the owner of 2801 West Street. He explained that the site includes an apartment building and small retail shop with unpaved parking areas in the front yard and unpaved area at the rear of the site. He furthered that the current parking areas are nonconforming for location, dimensions, and landscaping standards. Preexisting nonconforming parking areas are allowed to continue as is and are not required to be paved, Director Diekmann noted.

Director Diekmann discussed the standards for nonconforming parking areas and the options identified by staff that would address permitting paving including: 1) Create a Zoning Board of Adjustment (ZBA) Review Process, 2) Staff Review for a permit to pave unpaved parking lots, and 3) Take No Further Action. He explained that staff believes the best way to allow for paving of nonconforming unpaved parking lots is for the Zoning Board of Adjustment to handle these requests through an Exception process where Public Input would be considered.

Council Member Beatty-Hansen inquired about the period of time the unpaved nonconforming parking areas had been in the current state. Director Diekmann noted that paving requirements in the City of Ames were established in the early 1980s, thus these areas have been around for decades. Council Member Gartin noted his hesitancy with the ZBA process to create a process with standards that would be meaningful to apply on a consistent basis and shared his preference to remain with the current standards. Council Member Beatty-Hansen asked about what the present issue is with the unpaved surfaces, with Director Diekmann citing maintenance as the primary concern. Council Member Betcher discussed nonconforming properties that may be within the

redevelopment area. Director Diekmann noted that nonconforming uses have no redevelopment potential.

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

Moved by Betcher, seconded by Gartin, to approve Option 3: Take No Further Action.

Vote on Motion: 5-1. Voting Aye: Betcher, Beatty-Hansen, Corrieri, Gartin, Rollins. Voting Nay: Junck. Motion declared carried.

HEARING ON THE FINAL AMENDMENTS TO FISCAL YEAR 2022/23: Budget Manager Nancy Masteller provided an overview of the amendments.

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

Moved by Gartin, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 23-316 amending current budget for Fiscal Year ending June 30, 2023.

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

HEARING ON ZONING TEXT AMENDMENT ON SETBACK ENCROACHMENTS FOR ACCESSORY STRUCTURES: Director Diekmann and Planner Sahlstrom presented the Council Action Form. Director Diekmann highlighted that staff prepared a zoning text amendment to modify the language in *Municipal Code* Section 29.402(2)(c)(viii) to accomplish the following: 1) Create greater definition of what constitutes a landscape accent, and 2) Limit landscape accents that exceed fence height limitations to a maximum of three structures that are no greater in size than an 8-foot x 8-foot footprint. He clarified that the exception for 8x8 foot structures would allow for three such structures in each setback yard on a lot, thus there could potentially be up to 12 total structures on a lot.

Director Diekmann noted two other modifications to the language in Section 29.402(2)(c)(viii) that adjusted how light poles and flag poles are addressed within the setback projection section to address the number of poles and their relationship to other features on the site as result of this proposed change. He stated that the proposed revision limits the number of flag poles to three within setbacks and clarifies that outdoor lighting poles are permitted within setbacks for parking lots, driveways, and walkways.

Council Member Gartin inquired about the enforcement process. Director Diekmann responded that most minor zoning standards are enforced through a complaint-based process. He furthered that either staff or the public can initiate a complaint, which is then reviewed administratively to determine if the standard had been met. A decision by staff can be appealed for zoning related issues to the Zoning Board of Adjustment. Mayor Haila asked if the Night Sky Ordinance was cross referenced in the code section. Director Diekmann replied in the negative, noting that the Site Visibility Triangle had not been cross referenced either, though the standards still apply.

Mayor Haila opened the Public Hearing.

Grant Thompson, 3270 Oakland Street, Ames, commended City staff and the City Council for considering this item to allow flexibility and use on property. He noted that his concern came down to the significant deer pressure in parts of the Ames community, and the impact that has on residents' ability to grow a vegetable garden and pollinator plants. He referred to the presentation by Dan Culhane, where there was mention of a livability asset, and noted that he think about that idea in terms of what he has on his property. Mr. Thompson shared his support for some level of a standard, but wondered if the proposed 8x8 area would be sufficient for residents.

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

Council Member Gartin noted that this was a difficult item to consider because there are many yards in Ames that he would consider to be "busy." Director Diekmann pointed out that if a resident meets the four or six-foot height standard, there is no limit on the number of landscape accent features, the 8x8 area is the exception for exceeding that standard. Council Member Junck noted that it was brought to her attention that the City sponsored community garden site on North Dakota Avenue has tall fences that may not be in compliance with code. Director Diekmann explained that the community garden is situated on a through lot, which has a different fence requirement. He furthered that what is missing from the project is a requirement for landscaping between the fence and North Dakota Avenue. He noted that the appropriate Department has been made aware of that and is working to fix the issue. Council Member Gartin asked if feedback on these standards have been received from local Neighborhood Associations. Director Diekmann stated that the Neighborhood Associations had been notified of the proposed changes and received no feedback.

Moved by Gartin, seconded by Corrieri, to pass on first reading an ordinance regarding Zoning Text Amendment on Setback Encroachments for Accessory Structures.

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

HEARING ON 2023/24 TRAFFIC SIGNAL PROGRAM: Moved by Gartin, seconded by Beatty-Hansen, to accept the Report of Bids.

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

Moved by Beatty-Hansen, seconded by Corrieri, to adopt RESOLUTION NO. 23-317 approving final plans and specifications and awarding contract to Van Maanen Electric Inc., of Newton Iowa, in the amount of \$256,658.30.

Roll Call Vote: 6-0. Resolution declared adopted unanimously.

HEARING ON 2025/26 TRAFFIC SIGNAL PROGRAM: Mayor Haila opened and closed the Public Hearing when no one came forward to speak.

Moved by Rollins, seconded by Betcher, to accept the Report of Bids.

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

Moved by Rollins, seconded by Betcher, to adopt RESOLUTION NO. 23-318 approving final plans and specifications and awarding contract to Van Maanen Electric Inc., of Newton Iowa, in the amount of \$108,692.00.

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

HEARING ON ORDINANCE REVISING CHAPTER 28 OF THE *MUNICIPAL CODE* TO AMEND THE INDUSTRIAL PRETREATMENT LOCAL LIMITS: The Public Hearing was opened and closed by Mayor Haila when no one came forward to speak.

Moved by Gartin, seconded by Corrieri, to pass on first reading an ordinance revising Chapter 28 of the *Municipal Code* to amend the Industrial Pretreatment Local Limit.

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

HEARING ON 2023/24 TRAFFIC SIGNAL PROGRAM: Moved by Beatty-Hansen, seconded by Corrieri, to reconsider Item No. 40: Hearing on 2023/24 Traffic Signal Program.

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

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

Moved by Gartin, seconded by Betcher, to accept the Report of Bids.

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

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 23-317 approving final plans and specifications and awarding contract to Van Maanen Electric Inc., of Newton Iowa, in the amount of \$256,658.30.

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

HEARING ON NUISANCE ASSESSMENT: City Attorney Mark Lambert highlighted that staff is recommending the associated nuisance fee be assessed over the course of 10 years at a 3.7% interest rate.

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. 23-319 assessing cost of garage demolition and certifying assessments to Story County Treasurer.

Moved by Betcher, seconded by Rollins, to amend the motion to adopt RESOLUTION NO. 23-319 to include the assessment of fees over a 10-year period at 3.7% interest.

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

THIRD READING AND ADOPTION OF ORDINANCE NO. 4500 TO INCREASE WATER RATES BY 8% EFFECTIVE JULY 1, 2023: Moved by Gartin, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4500.

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

THIRD READING AND ADOPTION OF ORDINANCE NO. 4501 ON ZONING TEXT AMENDMENT ON ELECTRIC VEHICLE CHARGING STATIONS SETBACKS: Moved by Betcher, seconded by Rollins, to pass on third reading and adopt ORDINANCE NO. 4501.

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

THIRD READING AND ADOPTION OF ORDINANCE NO. 4502 ON AFFORDABLE HOUSING PARKING REQUIREMENTS: Moved by Betcher, seconded by Beatty-Hansen, to pass on third reading and adopt ORDINANCE NO. 4502.

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

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Mayor Haila noted that there were four items to consider. The first item was from Sue Ravenscroft regarding the Linc Development Project. Mayor Haila noted that the item was for information only. A memo from Tracy Peterson regarding the City of Ames Pollinator-Friendly Community Plan 2023-2032 was the second item. City Manager Steve Schainker noted that the item was for information only and no action by the City Council was required.

The third item was a memo from Planning and Housing Director Kelly Diekmann regarding a Request for Waiver to Subdivide Land in Boone County within the Ames Urban Fringe.

Moved by Rollins, seconded by Gartin, to place the item on a future agenda.

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

A memo from Planning and Housing Director Kelly Diekmann regarding a Request for Planned Residential Development (PRD) and Planned Unit Developments (PUD) Front Yard Parking Zoning Text Amendment related to Apartments was the fourth item.

Moved by Betcher, seconded by Corrieri, to place the item on a future agenda.

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

COUNCIL COMMENTS: *Ex officio* Etten noted her plan to work at Y Camp this summer and extended an invitation to all youth in the community to attend camp.

Council Member Gartin shared that he plans to occasionally highlight this summer some of the cool amenities residents can enjoy in the area. He recognized Hickory Grove Park, a county park, which has gone through major renovations. He noted that he is impressed with the work the County

has done and encouraged the community to visit Hickory Grove Park as they think about opportunities for enjoying summer.

Council Member Betcher shared the schedule of events for the Ames/Story County Juneteenth Celebration, noting that anyone interested in volunteering could sign up to do so by visiting www.amesianaacp.org.

Mayor Haila announced June 8, 2023, as City Council Night at the Bandshell. He also thanked the 92 bikers that were in attendance at the Mayor and City Council Bike Ride on Saturday, May 18, 2023. He extended his gratitude to staff and law enforcement that helped make the event possible. Mayor Haila additionally shared that he attended the Pops Concert at the Harrison Barnes Gymnasium at Ames High School. He shared that he was impressed by the phenomenally talented group of students and inspired by the music.

CLOSED SESSION: Mayor Haila asked City Attorney Mark Lambert if there was a legal reason to go into Closed Session. Mr. Lambert replied in the affirmative, citing Section 21.5(1)(c), *Code of Iowa*, to discuss items presently in or threatened to be in litigation.

Moved by Gartin, seconded by Betcher, to go into closed session.
Roll Call Vote: 6-0. Motion declared carried unanimously.

The City Council entered into a Closed Session at 8:13 p.m. and reconvened in Regular Session at 8:39 p.m.

Moved by Betcher, seconded by Corrieri, to pursue the course of action as determined in the Closed Session.
Roll Call Vote: 6-0. Motion declared carried unanimously.

ADJOURNMENT: Mayor Haila advertised that the next Community Conversation on Mental Health was scheduled for 6:30 p.m. on June 6, 2023, at the Ames Public Library Farwell T. Brown Auditorium, and the topic of conversation will be “Civility in Conversations.”

Moved by Rollins, seconded by Betcher, to adjourn the meeting at 8:40 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