

**SUMMARY OF MINUTES OF THE
REGULAR MEETING OF THE AMES CITY COUNCIL**

AMES, IOWA

OCTOBER 10, 2023

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 5:59 p.m. on the 10th day of October, 2023, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Bronwyn Beatty-Hansen, Amber Corrieri, Tim Gartin, Rachel Junck, and Anita Rollins. *Ex officio* Jeff Clark was also present. Council Member Gloria Betcher joined the meeting telephonically.

PROCLAMATION FOR “KOSHU CITY DAY” OCTOBER 16, 2023: Mayor Haila proclaimed October 16th, 2023, as Koshu City Day. Ames International Partner Cities Association Chair Cindy Hicks accepted the proclamation.

CONSENT AGENDA: Moved by Beatty-Hansen, seconded by Junck, to approve the consent agenda.

2. Motion approving payment of claims
3. Motion approving Summary of Minutes of Regular Meeting on September 26, 2023
4. Motion approving Civil Service Candidates
5. Motion approving new 5-Day (October 27 – October 31, 2023) Class C Retail Alcohol License – The Mucky Duck Pub, 2601 East 13th Street, Pending Dramshop Review
6. Motion approving new 5-Day (November 4 – November 8, 2023) Special Class C Retail Alcohol License – Gateway Hotel & Conference Center, 1800 Christensen Drive
7. Motion approving Ownership Updates for Class E Retail Alcohol License – Liquor Land, 4518 Mortensen Road
8. Motion approving the renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class E Liquor License – Target Store T-1170, 320 S. Duff Avenue
 - b. Class C Retail Alcohol License – Wasabi Ames, 926 S. 16th Street, Pending Dramshop Review
 - c. Class C Retail Alcohol License – Margarita’s Sport Bar Seafood Inc., 823 Wheeler Street
 - d. Class C Retail Alcohol License – London Underground, 212 Main Street
9. Motion setting October 24, 2023, as date of public hearing regarding proposed changes to Downtown Urban Revitalization Area
10. RESOLUTION NO. 23-532 approving appointment to Boards & Commissions
11. RESOLUTION NO. 23-533 approving the Official Statement for General Obligations Corporate Purpose Bonds, Series 2023D and setting the date of sale for October 24, 2023, and authorize electronic bidding for the sale
12. RESOLUTION NO. 23-534 approving Iowa DOT Grant Agreement for the 2022/23 Airport Improvements Project (South Apron Rehab)

13. RESOLUTION NO. 23-535 approving Engineering Services Agreement for 2023/24 Traffic System Capacity Improvements – Airport Road with WHKS & Co., Ames, Iowa, in an amount not to exceed \$62,300
 14. RESOLUTION NO. 23-536 approving Engineering Services Agreement for 2022/23 Shared Use Path System Expansion – Grand Avenue project with WHKS & Co., Ames, Iowa, in the amount not to exceed \$58,100
 15. RESOLUTION NO. 23-537 approving preliminary plans and specifications for the 2022/23 Storm Water Erosion Control Project (Clear Creek Bank Stabilization – Utah Drive), setting November 8, 2023, as bid due date, and November 14, 2023, as date of Public Hearing
 16. RESOLUTION NO. 23-538 approving Change Order No. 2 with J. Pettiecord Inc, Bondurant, Iowa, for removal and disposal of contaminated dirt and water at the GT oil line replacement site in the amount of \$75,000
 17. RESOLUTION NO. 23-539 approving Change Order No. 3 with Con-Struct, Inc., of Ames, Iowa, for the South 16th Street Improvements Project in the amount not to exceed \$28,600
 18. RESOLUTION NO. 23-540 approving Change Order No. 3 with LinnCo, Inc. for the abandonment of previously unidentified water lines for the Water Treatment Plant Demolition project in lump sum of \$157,692.60 and extension of the Substantial Completion Date to November 8, 2023
 19. RESOLUTION NO. 23-541 approving contract and bond for the CyRide 2023 Shop Rehabilitation project with Grabau Construction, Inc., of Boone, Iowa
 20. RESOLUTION NO. 23-542 approving contract and bond for the East 13th Street Sanitary Sewer Extension with On Track Construction, LLC, of Nevada, Iowa
 21. RESOLUTION NO. 23-543 accepting completion of the contract for Unit 8 Electrostatic Precipitator Insulation and Lagging with Incorp Industries LLC, of Evansville, Indiana, in the amount of \$1,830,140
 22. RESOLUTION NO. 23-544 approving partial completion and reducing financial security for public improvements of Quarry Estates 3rd Addition to \$31,005
 23. RESOLUTION NO. 23-545 approving partial completion and reducing financial security for public improvements of Quarry Estates 4th Addition to \$29,350
 24. RESOLUTION NO. 23-546 approving partial completion and reducing financial security for public improvements of Quarry Estates 6th Addition to \$71,880
 25. RESOLUTION NO. 23-547 approving partial completion and reducing financial security for public improvements of Ag Innovations Center Addition to \$42,440
- Roll Call Vote: 6-0. Motions/Resolutions declared carried/adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

PUBLIC FORUM: Mayor Haila opened the Public Forum.

Richard Deyo, 505 8th Street, #102, Ames, discussed forming relationships within the community and his individual experiences extending kindness to the residents of Ames.

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

OVER-THE-COUNTER CARD PAYMENTS FOR CUSTOMER SERVICE: Finance Director Corey Goodenow and Utility Accounts Supervisor John Odenweller reviewed the Council Action Form (CAF).

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

Moved by Corrieri, seconded by Rollins, to adopt RESOLUTION NO. 23-548 authorizing Customer Service staff to accept over-the-counter card payment for a set fee initially established at \$2.99 per transaction (paid by the customer) with a transaction limit initially established at \$450 per transaction.

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

ACCESSORY DWELLING UNIT (ADU) PUBLIC OUTREACH SUMMARY: Planning and Housing Director Kelly Diekmann and Planner Eloise Sahlstrom presented the summary.

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

Moved by Beatty-Hansen, seconded by Corrieri, to approve Option 1: Direct staff to proceed with preparing a draft ordinance for public hearings related to text amendments to Chapter 31, Historic Preservation, and Chapter 29, Zoning Ordinance to adopt ADU standards consistent with draft regulations and to exempt ADUs from Single-Family Conservation Overlay District (O-SFC).

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

DUPLEXES PUBLIC OUTREACH SUMMARY: Director Diekmann reviewed the summary.

Mayor Haila opened the Public Input.

Justin Dodge, Hunziker and Associates, Realtors, 105 S. 16th Street, Ames, shared the demands of the current rental market and encouraged the City Council to consider an option that allowed for the construction of two car garages.

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

Moved by Betcher, seconded by Rollins, change the lot size minimum to 10,000 square feet.

Moved by Betcher, seconded by Rollins, to amend the motion to be applicable only in the Near Campus Neighborhood.

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

Moved by Beatty-Hansen, seconded by Gartin, to limit the bedroom count in the Near Campus Neighborhood to the 2018 standard.

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

Moved by Gartin, seconded by Rollins, to approve Option 1: Direct staff to proceed with public hearings for a zoning text amendment for the proposed duplex regulations, based upon the current draft with consideration to the earlier amendments.

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

STAFF REPORT ON PAVING EXCEPTIONS FOR PULLMAN STREET AND CARNEGIE AVENUE: Director Diekmann introduced the CAF, reviewing the City's requirement for Public Improvements related to "missing infrastructure" for paving streets and utilities.

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

Moved by Beatty-Hansen, seconded by Junck, to approve Option 1: Allow for limited development of existing properties with waiver of installation of any or all Public Improvements, and add the item to the Planning and Housing Department Work Plan and Referrals.

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

PRESENTATION OF THE 2023 RESIDENT SATISFACTION SURVEY RESULTS: Public Relations Officer Susan Gwiasda discussed the findings of the 2023 Resident Satisfaction Survey.

Mayor Haila recessed the meeting at 7:55 p.m. The meeting reconvened at 8:02 p.m.

PARTNER CITY AGREEMENT WITH KOSHU CITY, JAPAN: Mayor Haila reviewed the agreement, sharing that the agreement clarifies the intent of the partnership.

Moved by Junck, seconded by Corrieri, to adopt RESOLUTION NO. 23-549 formalizing updated Partner City Agreement with Kosu City, Japan.

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

STAFF REPORT ON PROPERTY MAINTENANCE CODE CORRESPONDING CHANGES TO CHAPTERS 18, 22 & 29: Planning and Housing Director Kelly Diekmann presented the Staff Report.

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

Moved by Gartin, seconded by Rollins, to approve Option 1 under Vehicle Definition: Add vehicle definitions to Chapter 29 based upon Chapter 30.

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

Moved by Betcher, seconded by Beatty-Hansen, to approve Option 2 under Junk Vehicle Storage: Replace the term “inoperable vehicle” in zoning with junked vehicle. Keep the current 30-day limit and other outdoor storage limitations with the modification to only allow one vehicle.

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

Moved by Corrieri, seconded by Beatty-Hansen, to approve Option 1 under Outdoor Storage Garbage, Recycling, and Refuse Containers: Amend the Zoning Ordinance for an exception to screening related to individual containers serving one- and two-family homes.

Vote on Motion: 5-1, Betcher dissenting. Motion declared carried.

Moved by Gartin, seconded by Rollins, to approve that the Streets and Sidewalks (Chapter 22) include an express prohibition of using right-of-way for private purposes, such as storing materials (rocks, dirt, garbage, etc.), dumpsters, storage containers, etc. within the right-of-way.

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

Moved by Gartin, seconded by Corrieri, to put the matter of “**all** unhitched trailers” on a future agenda for discussion.

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

Moved by Beatty-Hansen, seconded by Rollins, to insert the storage of equipment in the vehicle language detailed in Chapter 18.

Vote on Motion: 5-1, Gartin dissenting. Motion declared carried.

Moved by Betcher, seconded by Beatty-Hansen, to amend the Zoning Code Chapter 29, Section 4 exception for RV and boat/boat trailer parking to permit on a property the parking of one RV, empty boat trailer, or boat, trailered or not, on any approved parking surface.

Motion withdrawn.

Moved by Betcher, seconded by Beatty-Hansen, to allow for the **parking** of one unoccupied travel trailer or recreational vehicle, boat, or boat trailer on any approved parking surface **including within the front yard setback for a period of 72 hours** and allow for the **storage** of one unoccupied travel trailer or recreational vehicle, boat, or boat trailer on any approved parking surface **behind of the front yard setback**.

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

PRESENTATION OF THE 2023 RESIDENT SATISFACTION SURVEY RESULTS:
Mayor Haila opened the Public Input.

Richard Deyo, 505 8th Street, #102, Ames, shared his concerns as a resident of Ames.

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

OUTDOOR DISPLAYS ON CITY-OWNED PROPERTY: City Attorney Mark Lambert discussed the CAF.

The Public Input was opened by Mayor Haila.

Crystal Davis, Executive Director of Ames Main Street, 304 Main Street, Ames, shared that the organization is saddened about the possibility of not being able to continue the tradition of the snowflake display in Tom Evans Plaza and reviewed the history. She noted the intent of Ames Main Street to donate the snowflake to the City of Ames to be used in partnership with the snowflakes on the light poles in Downtown.

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

Moved by Beatty-Hansen, seconded by Junck, to adopt RESOLUTION NO. 23-550 approving a policy that no ongoing displays, other than City-owned displays, will be allowed on City property, with the exception of temporary displays in conjunction with a rally or gathering of people.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

BOBCAT S770 SKID STEER: City Manager Steve Schainker noted that there was an error in the dollar amount presented at the previous meeting and reconsideration was needed.

Moved by Junck, seconded by Rollins, to reconsider RESOLUTION NO. 23-509.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Rollins, seconded by Junck, to adopt RESOLUTION NO. 23-551 awarding purchase of Bobcat S770 Skid Steer to Bobcat of Ames, Iowa in the amount of \$51,704.13.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Mayor Haila noted there were two items to consider. The first was from Mack Shelley regarding glass and bottle recycling. City Manager Schainker noted that the complaint is out of the control of the City.
Moved by Rollins, seconded by Corrieri, that staff respond to the email.
Vote on Motion: 6-0. Motion declared carried unanimously.

A memo from Director Diekmann regarding the Planning and Housing Department Work Plan and Referrals was the second item. City Manager Schainker asked the City Council to review the memo, which will be discussed at the next meeting.

COUNCIL COMMENTS: The Mayor and Council Members reported on various meetings attended, upcoming meetings, community events, and items of interest.

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

Moved by Gartin, seconded by Junck, to go into closed session at 9:23 p.m.
Roll Call Vote: 6-0. Motion declared carried unanimously.

The City Council reconvened in Regular Session at 9:35 p.m.

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

ADJOURNMENT: Moved by Gartin, seconded by Corrieri, to adjourn at 9:35 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