

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

AMES, IOWA

NOVEMBER 28, 2023

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on the 28th day of November, 2023, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, and Rachel Junck. *Ex officio* Jeff Clark was also present. Council Member Anita Rollins joined the meeting telephonically.

CONSENT AGENDA: Council Member Rollins requested to pull Item No. 2.

Moved by Corrieri, seconded by Betcher, to approve the consent agenda.

1. Motion approving payment of claims
2. ~~Motion approving Summary of Minutes of Regular Meeting on November 14, 2023~~
3. Motion approving Report of Change Orders for period November 1 -15, 2023
4. Motion approving Civil Service Candidates
5. Motion approving 5-Day (December 9 – December 13, 2023) Class C Retail Alcohol License – Christiani's Events, 2601 East 13th Street
6. Motion approving addition of Outdoor Service Privilege to Special Class C Retail Alcohol License - Potter's Shoppe & Eatery, 330 5th Street
7. Motion approving the renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor License with Outdoor Service and Catering Privilege, The Café, 616 Northridge Parkway
 - b. Class C Liquor License with Outdoor Service, Aunt Maude's, 543-547 Main Street
 - c. Class C Liquor License with Outdoor Service, Thumbs Bar, 2816 West Street
 - d. Special Class C Retail Alcohol License, Mongolian Buffet, 1620 South Kellogg Ave #103, Pending Dramshop Review
 - e. Class E Retail Alcohol License, Caseys #4314, 1118 South Duff Avenue
 - f. Class E Retail Alcohol License, Caseys #4315, 3218 Orion Drive
 - g. Class E Retail Alcohol License, AJ's Liquor III, 2401 "A" Chamberlain Street
8. RESOLUTION NO. 23-596 accepting Abstract of Votes for November 7, 2023, Regular City Election
9. RESOLUTION NO. 23-597 approving Encroachment Permit for Mini Split Heat Pump at 300 Main Street
10. RESOLUTION NO. 23-598 approving the Iowa Department of Agriculture and Land Stewardship Funding Agreement for the Ioway Creek-Brookside Water Quality Project revising the completion date to December 31, 2024
11. RESOLUTION NO. 23-599 approving preliminary plans and specifications for the Ash Pond Closure, setting January 24, 2024 as the due date for bids, and setting February 13, 2024 as the date of public hearing and award of contract
12. RESOLUTION NO. 23-600 approving preliminary plans and specifications for the CyRide Security System Upgrade Phase II project, setting January 10, 2024, as the bid

due date, and January 23, 2024, as the date of Public Hearing

13. RESOLUTION NO. 23-601 awarding contract to RESCO of Ankeny, Iowa for the purchase of pad mount transformers in the amount of \$446,639.40

14. RESOLUTION NO. 23-602 approving Change Order to Professional Services Agreement with Dewilt Grant Reckert (DGR) for the 161kV Electric Line Relocation Project related to the Iowa Department of Transportation I-35 Improvements in Polk County

15. RESOLUTION NO. 23-603 approving contract and bond for 2022/23 Traffic Signal Program with Kline Electric d.b.a. Heartland Underground Solutions

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

SUMMARY OF MINUTES OF REGULAR MEETING ON NOVEMBER 14, 2023: Council Member Rollins noted an omission of a motion from “Council Comments” regarding the removal of the Fifth Street Brick Piers and Art Reliefs.

Moved by Rollins, seconded by Junck, to delay approval of the Summary of Minutes of the Regular Meeting on November 14, 2023, pending the inclusion of the motion related to the aforementioned art in “Council Comments.”

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

PUBLIC FORUM: Mayor Haila opened the Public Forum.

Richard Deyo, 505 8th Street #2, Ames, shared his passion for art in the community and discussed his personal artwork. He also touched on where his artwork has been kept and displayed.

James Bernau, 3511 Oakland Street, Ames, discussed the Ames Climate Action Plan and concerns regarding noncompliance of Tesla Powerwalls with the City’s Interconnect Agreement. He urged the City Council and staff to investigate removing this barrier to support electric vehicle infrastructure.

Valerie Stallbaumer, 823 Crawford Avenue, Ames, shared that she and a group of supporters are in favor of maintaining the 16 brick structures with plaques on two sides showing historic information about Ames along 5th Street.

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

FITCH FAMILY INDOOR AQUATIC CENTER: Parks and Recreation Director Keith Abraham and Troy Turner of Story Construction presented the update and engaged in questions from the City Council Members. Director Abraham brought the setback requirements to the attention of the City Council, highlighting that Zoning Code requires a 20-foot setback; however, if Add Alternate 1 is awarded, the setback on the east side of the building will be 16 feet. He clarified that by approving Plans and Specifications, the City Council acknowledges that the 16-foot setback is adequate.

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. 23-604 approving preliminary plans and specifications for the Fitch Family Indoor Aquatic Center setting January 11, 2024 as bid due date and January 23, 2024 as date of Public Hearing.

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

Moved by Gartin, seconded by Corrieri, to request staff to return with alternative material options for the walking track and the associated costs of each.

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

12-MONTH CLASS E RETAIL ALCOHOL LICENSE - NEIGHBORHOOD LIQUOR AND SMOKES, 3505 LINCOLN WAY, SUITE 105: Mayor Haila noted that the applicant for the 12-month Class E Retail Alcohol License - Neighborhood Liquor and Smokes, 3505 Lincoln Way, Suite 105 had withdrawn the license request at the state level and City staff were notified late this afternoon. He concluded that this item no longer required consideration from the City Council.

AMES MAIN STREET REQUEST FOR DOWNTOWN AMES MASTER PLAN COST SHARING: Board Members Sam Stagg, Chair; Nicole Rasmussen, Organizational Chair and Secretary; and Crystal Davis, Executive Director, of Ames Main Street presented the proposed scope of services and request for funding match.

Moved by Gartin, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 23-605 allocating \$25,000 from Council Contingency for a Downtown Ames Master Plan.

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

Moved by Beatty-Hansen, seconded by Junck, to adopt RESOLUTION NO. 23-606 approving an agreement with Ames Main Street to reimburse 50% of the actual cost to produce a Downtown Master Plan, up to an amount not-to-exceed \$25,000.

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

DEFERRAL REQUEST OF SIDEWALK INSTALLATION AND CONNECTION DISTRICT PAYMENTS FOR ALLIANT ENERGY SUBDIVISION SITE ON EAST LINCOLN WAY: Planning and Housing Director Kelly Diekmann explained that though this was a unique request, with a subdivision configuration that allows for the eventual development of the site in its entirety, partial deferrals as requested by Alliant are appropriate because of the proposed utility use.

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

Moved by Betcher, seconded by Junck, to approve Alternative 1: Direct staff to prepare an agreement to be considered along with the Final Plat approval to allow for an alternative

schedule of connection fee payments and deferral of the sidewalk installation.

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

REQUEST FROM AMES MAIN STREET TO ACCEPT UNCONDITIONAL GIFT OF OUTDOOR DECORATIVE SNOWFLAKE: Assistant City Manager Brian Phillips noted that Ames Main Street is proposing that the City take ownership of an outdoor decorative snowflake, emphasizing that the acceptance of the gift would be unconditional before reviewing acceptable locations for placement.

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

Moved by Beatty-Hansen, seconded by Junck, to adopt RESOLUTION NO. 23-607 accepting unconditional gift of snowflake.

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

Moved by Junck, seconded by Beatty-Hansen, to direct staff to determine location, timing, and placement of the snowflake.

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

BATTERY ELECTRIC BUS PURCHASE: Director of CyRide Barb Neal and Assistant Director of CyRide Fleet and Facilities James Rendall presented the Council Action Form and reviewed the funding sources.

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

Moved by Junck, seconded by Betcher, to adopt RESOLUTION NO. 23-608 awarding contract to Gillig LLC of Livermore, California, for the purchase of five 40' battery electric buses in a total amount not to exceed \$5,789,480.

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

NORTH RIVER VALLEY WELL FIELD AND PIPELINE PROJECT: Director of Water and Pollution Control John Dunn presented the Council Action Form.

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

Moved by Beatty-Hansen, seconded by Betcher, to adopt RESOLUTION NO. 23-609 awarding contract to In Situ Archaeological Consulting of Eden Prairie, Minnesota, for archaeological monitoring during construction of the North River Valley Well Field and Pipeline Project in the amount of \$134,924.

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

Moved by Beatty-Hansen, seconded by Betcher, to adopt RESOLUTION NO. 23-610 approving Change Order No. 2 for North River Valley Well Field and Pipeline Project.

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

HEARING ON AMENDING THE CONTRACT REZONING AGREEMENT AT 4605 HYDE AVENUE (AUBURN TRAIL) RESULTING IN TIME EXTENSION FOR SHARED USE PATH CONSTRUCTION: Mayor Haila opened and closed the Public Hearing when no one came forward to speak.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 23-611 approving the amendment to the Contract Rezoning Agreement for Auburn Trail Subdivision to extend the timeline for constructing the Hyde shared use path.

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

OAKWOOD ROAD SPEED LIMIT: The Public Input 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 updating speed limit on Oakwood Road.

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

Moved by Corrieri, seconded by Betcher, to waive the rules.

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

Moved by Corrieri, seconded by Beatty-Hansen, to pass on Second reading an ordinance updating speed limit on Oakwood Road.

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

Moved by Betcher, seconded by Corrieri, to pass on Third reading and adopt ORDINANCE NO. 4512 updating speed limit on Oakwood Road.

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

LARGE ELECTRIC CUSTOMER TIME-OF-USE RATES: Director of Electric Services Don Kom presented the Council Action Form.

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

Moved by Corrieri, seconded by Betcher, to pass on First reading an ordinance amending Chapter 28, Division 1 for eligibility of customers for time-of-use rates based on electrical demand.

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

SECOND READING OF ORDINANCE ON AMENDING THE ZONING TEXT AMENDMENT FOR REDUCED AFFORDABLE HOUSING PARKING REQUIREMENT: Moved by Beatty-Hansen, seconded by Betcher, to pass on Second reading an ordinance to amending the zoning text amendment for Reduced Affordable Housing Parking

Requirement.

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

SECOND READING AN ORDINANCE TO AMEND THE URBAN REVITALIZATION AREA BOUNDARY: Moved by Beatty-Hansen, seconded by Betcher, to pass on Second reading an ordinance to amend the Urban Revitalization Area Boundary.

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

THIRD READING AND ADOPTION OF ORDINANCE NO. 4511 AMENDING SECTION 29.1317 FOR THE PURPOSE OF EXCEPTION FOR ELECTRICAL VEHICLE CHARGERS WITHIN SETBACKS AND PARKING AREAS: Moved by Betcher, seconded by Beatty-Hansen, to pass on Third reading and adopt of ORDINANCE NO. 4511 amending Section 29.1317 for the purpose of exception for Electrical Vehicle Chargers within setbacks and parking areas.

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

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Mayor Haila noted that there were three items to consider. The first was from Ryan Berg requesting same-side parking on Garden Road.

Moved by Gartin, seconded by Corrieri, to refer the item to staff for a memo.

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

The second item was a collection of feedback regarding the deaccession of the Downtown Brick Pillars. Mayor Haila asked the City Council to take this item under advisement for discussion of the topic at a future meeting.

Mayor Haila announced the third item, which was an email from Mr. Bernau regarding Tesla Powerwalls as mentioned in Public Forum. City Manager Steve Schainker noted that this important topic was being addressed by staff.

Moved by Junck, seconded by Beatty-Hansen, to place the aforementioned issue on the December 12, 2023, agenda.

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

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

Moved by Gartin, seconded by Beatty-Hansen, to place review of the sidewalk maintenance ordinance on a future agenda.

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

Moved by Gartin, seconded by Betcher, to invite Mr. Jeffs of Kate Mitchell Elementary School along with his team to an upcoming City Council meeting to recognize the achievement of students and staff of being in the top 1% of Iowa schools.

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

ADJOURNMENT: Moved by Betcher, seconded by Corrieri, to adjourn the meeting at 8:10 p.m.

Carly M. Watson, Deputy City Clerk

John A. Haila, Mayor

Renee Hall, City Clerk

*Subject to change as finalized by the City Clerk.
For a final official copy, contact the City Clerk's Office at 515-239-5105.*