

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

MAY 9, 2023

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on the 9th 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, Anita Rollins and *ex officio* Tabitha Etten.

PROCLAMATION FOR “PEACE OFFICERS MEMORIAL DAY:” Mayor Haila proclaimed May 15, 2023, as “Peace Officers Memorial Day” and thanked the Ames Police Department for their service to the community. Commander Jason Tuttle accepted the proclamation and thanked the Mayor, City Council, and community for the support given to the Police Department. He also expressed his thanks to all the Police Department staff members for their dedication and professionalism in serving the community.

PROCLAMATION FOR “MENTAL HEALTH AWARENESS MONTH:” Mayor Haila presented the Community Representatives from National Alliance of Mental Illness of Central Iowa, Central Iowa Community Services, Eyerly Ball, Community and Family Resources, Alternative Response for Community Health, and Youth and Shelter Services with the proclamation declaring May as “Mental Health Awareness Month”. Russell Wood, CEO of Central Iowa Community Services, shared he appreciated the commitment of the City Council and Mayor to reach out to those struggling with mental health.

PROCLAMATION FOR “ASIAN AMERICAN PACIFIC ISLANDER (AAPI) HERITAGE MONTH:” Vice Chair of the Ames Human Relations Commission Dr. Chunhui Chen and his guests accepted the proclamation from Mayor Haila. Mayor Haila thanked Dr. Chen for his leadership and expressed his gratitude for being included in the AAPI Heritage Month Celebration. Dr. Chen shared he was honored to accept proclamation on behalf of the over 7,000 AAPI members of the Ames community and shared ways AAPI culture has impacted the culture of the United States.

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

4. Motion approving payment of claims
5. Motion approving Minutes of Special Meeting on April 18, 2023, and Regular Meeting on April 25, 2023
6. Motion certifying Civil Service candidates
7. Motion approving Report of Change Orders for period April 16-30, 2023
8. Motion approving new 5 Day License (May 16 – May 20), Special Class C Retail Alcohol License with Outdoor Service - Apres Bar Co, 1930 East 13th Street
9. Motion approving ownership update for Class E Retail Alcohol License – Caseys #2298, 428 Lincoln Way

10. Motion approving the renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:

- a. Class C Liquor License – North Grand Cinema, 2801 Grand Avenue
 - b. Special Class C Liquor License with Outdoor Service – Octagon Center for the Arts, 427 Douglas Avenue
 - c. Class E Liquor License - Casey’s General Store #2298, 428 Lincoln Road
 - d. Class B Liquor License with Catering Privilege – Gateway Hotel and Conference Center, LLC., 2100 Green Hills Drive
11. Request for Midnight Madness on July 8, 2023:
- e. RESOLUTION NO. 23-250 approving partial street closures of Collaboration Place Road to S Riverside Drive (north side lane), S Riverside Drive North to Airport Road (west side lane), Airport Road between S Riverside Drive & South Loop Drive (south side of east bound traffic), South Loop Drive (east side of road), and University Boulevard from Cottonwood Road to Collaboration Place (east side of road)
12. RESOLUTION NO. 23-251 approving request from Good Neighbor Emergency Assistance to close Clark Avenue between 6th and 7th Street from 2:00 p.m. – 8:00 p.m. on Sunday May 21, 2023, for the Annual Street Party Celebration
13. RESOLUTION NO. 23-252 approving request to modify the City’s FY 2022/23 ASSET contract with ChildServe by reallocating \$6,000 from Infant Daycare to Children Daycare
14. RESOLUTION NO. 23-253 setting May 23, 2023, as date of public hearing on the Final Adjusted Budget for FY 2022/23
15. RESOLUTION NO. 23-254 approving updates to Zoning Board of Adjustment (ZBA) Bylaws
16. RESOLUTION NO. 23-255 awarding contract for the 2023/24 rock salt requirements to Independent Salt Co., of Kanopolis, Kansas in the amount of \$83.85 per ton
17. RESOLUTION NO. 23-256 awarding contract to the State Hygienic Laboratory of Coralville, Iowa for water quality monitoring at Ada Hayden Heritage Park in the amount of \$79,872
18. RESOLUTION NO. 23-257 approving contract renewal with Earth Services & Abatement, LLC of Des Moines, Iowa, for the Asbestos Maintenance Services contract at the Power Plant not to exceed \$120,000 and approve performance bond
19. RESOLUTION NO. 23-258 approving contract renewal with MCG Energy Solutions, LLC, of Minneapolis, Minnesota, for MISO Market Participant Services in the amount of \$115,011.89
20. RESOLUTION NO. 23-259 approving contract renewal with Diamond Oil Company, of Des Moines, Iowa, for the Fuel Oil Supply Contract at the Power Plant
21. RESOLUTION NO. 23-260 approving contract renewal with TEiC Construction Services, Inc., of Duncan, South Carolina for Boiler Maintenance Services at the Power Plant
22. RESOLUTION NO. 23-261 awarding Year Two of a Two Year contract with Rowell Chemical Corp of Hinsdale, Illinois for the purchase of liquid sodium hypochlorite for the Water Plant and Power Plant in an amount not to exceed \$192,950

23. RESOLUTION NO. 23-262 awarding Year Two of a Five Year contract with Northway Well & Pump Company of Waukee, Iowa for the Well Rehabilitation Project in an amount of \$120,066.16
 24. RESOLUTION NO. 23-263 approving Change Order No. 3 deducting \$90,000 from the TEiC Construction Services, Inc. contract for Unit 8 Boiler Repair Project
 25. RESOLUTION NO. 23-264 approving delay of construction for the Cherry Avenue Extension Project and reallocating funding to the Hyland Avenue Project (Lincoln Way to Ontario Street)
 26. RESOLUTION NO. 23-265 approving preliminary plans and specifications for the Sanitary Sewer System Improvements (Basin 12 – US 69) setting June 7, 2023, as bid due date and June 13, 2023, as date of public hearing
 27. RESOLUTION NO. 23-266 approving contract and bond for the CyRide 2023 HVAC Improvement Project with Mechanical Comfort, Inc. of Ames, Iowa
 28. RESOLUTION NO. 23-267 approving contract and bond for the North River Valley Well Field and Pipeline Project with Keller Excavating, Inc. of Boone, Iowa
 29. RESOLUTION NO. 23-268 approving contract and bond for the Refuse Derived Fuel (RDF) Storage Bin Repair Project with Neumann Brothers, Inc. of Des Moines, Iowa
 30. Ioway Creek Restoration and Flood Mitigation Project
 - a. RESOLUTION NO. 23-269 approving FEMA Sub-award Agreement Amendment No. 2, increasing FEMA funds received in the amount of \$981,383
 - b. RESOLUTION NO. 23-270 accepting the Ioway Creek Restoration and Flood Mitigation Project as completed by Keller Excavating, Inc. of Boone, Iowa in the amount of \$3,664,368.67
 31. RESOLUTION NO. 23-271 approving partial completion and reducing financial security for Domani Subdivision 1st Addition
 32. RESOLUTION NO. 23-272 accepting completion of the Parks and Recreation Administration Building Siding Replacement Project with TMJ Construction Services, Ames, Iowa in the amount of \$57,762.39
 33. RESOLUTION NO. 23-273 approving agreement with Ames Historical Society for capital improvements to facilities in the amount of \$150,000
- 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.

Will Determan, 1008 Lincoln Way, Ames, addressed alternative options for on-street parking on Main Street to allow the City to showcase the priorities of the community.

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

ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2022: Finance Director Corey Goodenow and Accounting and Reporting Manager Kara

Nady presented the Annual Comprehensive Financial Report and were available to answer questions from the City Council.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 23-274 approving Annual Comprehensive Financial Report for Fiscal Year ended June 30, 2022.

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

ROAD CLOSURES FOR RAGBRAI ROUTE: Assistant City Manager Brian Phillips gave an overview of the route RAGBRAI is planning through the city on July 25-26, 2023, as Ames is an overnight stop. Discover Ames President and CEO, Kevin Bourke, shared with the City Council the planned outreach to keep the community updated about RAGBRAI events.

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 23-275 approving road closures for RAGBRAI Route.

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

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME PROGRAMS:

Housing Coordinator Vanessa Baker-Latimer shared that a portion of CDBG funds have historically been used to improve infrastructure and explained the need for removal of water mains and replacement of water lines, including lead services, in HUD-designated Low- and Moderate-Income Census Tract #10. Coordinator Baker-Latimer further explained that because this activity is not listed in the City's adopted 2022/23 Action Plan activities, an amendment is required. In the adopted 2022/23 Action Plan, the City budgeting to implement a First-time Homebuyer Assistance Program, focused on the Baker Subdivision. However, since the homes in the Baker Subdivision are not ready for purchase, this program would be funded in the 2023/24 Annual Action Plan instead, allowing the 2022/23 funds to be allocated to the water main project. Additionally, the budget for the Slum and Blight Activity was reduced by approximately \$33,000 to fill the gap to finance the proposed water main project. Coordinator Baker-Latimer noted for the record that the date of Public Hearing was incorrect in the Council Action Form and should be corrected to June 27, 2023.

Moved by Beatty-Hansen, seconded by Betcher, to adopt RESOLUTION NO. 23-276 approving substantial amendment to 2022/23 Annual Action Plan Projects to the City's Community Development Block Grant Program (CDBG).

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

Coordinator Baker-Latimer detailed the proposed 2023/24 Annual Action Plan and the types of Public Input that were received. She noted that the consensus taken from these forums was the need for a continued focus on affordable housing for lower-income households.

Moved by Betcher, seconded by Rollins, to adopt RESOLUTION NO. 23-277 approving 2023/24 Proposed Annual Action Plan Projects for Community Development Block Grant

(CDBG) and HOME Programs (Public Forum Follow-up).

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

THE BLUFFS AT DANKBAR FARMS: Planning and Housing Director Kelly Diekmann gave an overview of the updated agreement with the developer, which included a Master Plan Exhibit with the updated F-PRD boundaries. These included all the FS-RL zoned land as well as a small portion of the FS-RM zoned land. There are no other changes to terms of the Zoning Agreement. The City Council engaged in conversation and questions around connectivity and future planned developments in the area.

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 23-278 approving agreement.

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. 4498 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) (CONTINUED FROM APRIL 11, 2023): Moved by Betcher, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4498 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.

Director Diekmann detailed the request from the developer for a waiver of sidewalks in the northwest corner of the subdivision along Cameron School Road at the Erickson Avenue intersection. He highlighted reasonings the City Council could use to justify approving or denying the waiver and answered questions from the City Council about future stages of the project and how the area fit into the Bike/Pedestrian Master Plan. Director Diekmann provided options for moving forward with the project that would still allow more information to be gathered by City staff from the developer to return to the City Council.

Moved by Beatty-Hansen, seconded by Gartin, to adopt RESOLUTION NO. 23-279 approving Preliminary Plat with the modification of a sidewalk waiver west of Erickson, but not east, and entertaining a request for deferral at time of Final Plat.

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

DOWNTOWN FAÇADE GRANTS: Director Diekmann detailed the context of the request for a grant to add transom windows.

Moved by Betcher, seconded by Rollins, to adopt RESOLUTION NO. 23-280 approving Downtown Façade Grant for 214 Main Street.

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

DOWNTOWN AND CAMPUSTOWN FAÇADE GRANTS: The proposed amendment to the Downtown and Campustown Façade Grants was detailed by Director Diekmann, who explained that staff were proposing to standardize the grant award for both the Downtown and Campustown programs at a maximum grant amount of \$23,000 with a one to one match ratio requirement. Additionally, each project that employs a licensed architect can receive an additional \$2,000, as is currently the allowance within Campustown, while the grant for design services in the Downtown will remain at \$1,000.

Moved by Beatty-Hansen, seconded by Junck, to adopt RESOLUTION NO. 23-281 approving Amendment to the Downtown Façade Grant Program.

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

Council Member Corrieri reminded the City Council of an item that was on a previous agenda to discuss the Downtown and Campustown Façade Program that was pulled to gather additional feedback. She stated that she wanted to see this followed up on to gain a better understanding of how the City could support Downtown and gain insight into what stakeholders viewed as priorities.

Moved by Corrieri, seconded by Beatty-Hansen, to direct staff to have discussions with Downtown stakeholders, business owners, investors, and property owners about their priorities and how the City can support development and redevelopment in Downtown.

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

AMES PLAN 2040: Director Diekmann noted the edits to the text and maps were not intended to have any policy change implications, which would be addressed through a formal amendment process, but rather to provide clarity to the plan. He answered questions from the City Council and clarified that land owned by Iowa State University (ISU) was not mapped, as the City tried to stay out of areas where ISU indicated they wanted to grow.

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

Moved by Gartin, seconded by Junck, to adopt RESOLUTION NO. 23-282 approving amendments for clarification to the Plan 2040.

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

NUTRIENT REDUCTION FACILITY PLAN: Water Pollution and Control (W&PC) Director John Dunn provided an update on cost estimates for the future bid date of the Nutrient Reduction Facility Plan and the changes the project would necessitate for water rates. He shared his confidence in the estimates that were provided and the context that was considered in calculating

the rate of inflation. City Manager Steve Schainker stated that the City and W&PC Department were going to push to do better than the projected price to add as much value to consumers with as little cost as possible.

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

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 23-211 approving the Nutrient Reduction Facility Plan and direct staff to submit it to the Iowa Department of Natural Resources (continued from April 11, 2023, City Council meeting).

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

Director Dunn noted when the City Council approved the original agreement with Strand Associates in June 2022, changes to the scope of work were anticipated, as the details of the project were still being developed and refined. Two significant design changes, the relocation of the Administration Building and the change to constructing the project in two phases instead of three, have necessitated a revision to the scope and associated fees.

Moved by Gartin, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 23-212 approving Amendment Number 1 to the Professional Services Agreement with Strand Associates for design phase services related to the Water Pollution Control Facility Nutrient Reduction Modifications Project in the amount of \$763,000 (continued from April 11, 2023, City Council meeting).

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

HEARING ON PROPOSAL TO ENTER INTO A WATER REVENUE LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER: Mayor Haila opened and closed the Public Hearing when no one came forward to speak.

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 23-283 approving a loan and disbursement agreement and the issuance of an incremental increase of \$4,000,000 for the 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 ELECTRICAL MAINTENANCE SERVICES CONTRACT: Mayor Haila opened and closed the Public Hearing when no one came forward to speak.

Moved by Rollins, seconded by Betcher, to adopt RESOLUTION NO. 23-284 approving final plans and specification and awarding contract to Tri-City Electric Company of Iowa, of Davenport, Iowa, in the amount not-to-exceed \$110,000.

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

HEARING ON NUISANCE ASSESSMENTS: Mayor Haila opened and closed the Public Hearing when no one came forward to speak.

Moved by Gartin, seconded by Rollins, to adopt RESOLUTION NO. 23-285 assessing costs of snow/ice removal and certifying assessments to Story County Treasurer.

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

Moved by Rollins, seconded by Betcher, to adopt RESOLUTION NO. 23-286 assessing costs of sidewalk repair and certifying assessments to Story County Treasurer.

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 Betcher, to continue resolution assessing cost of garage demolition and certifying assessments to Story County Treasurer to the next meeting, May 23, 2023.

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

SECOND READING OF ORDINANCE TO INCREASE WATER RATES BY 8% EFFECTIVE JULY 1, 2023: Moved by Rollins, seconded by Betcher, to pass on second reading ordinance to increase water rates by 8% effective July 1, 2023.

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

SECOND READING OF ORDINANCE ON ZONING TEXT AMENDMENT ON ELECTRIC VEHICLE CHARGING STATIONS SETBACKS: Moved by Beatty-Hansen, seconded by Betcher, to pass on second reading ordinance on Zoning Text Amendment on Electric Vehicle Charging Stations Setbacks.

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

SECOND READING OF ORDINANCE ON ZONING TEXT AMENDMENT ON AFFORDABLE HOUSING PARKING REQUIREMENTS: Moved by Betcher, seconded by Beatty-Hansen, to pass on second reading ordinance on Zoning Text Amendment on Affordable Housing Parking Requirements.

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

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Mayor Haila noted there were eight items to consider.

The first item was from Allison Retz regarding Hayes Avenue Parking.

Moved by Gartin, seconded by Betcher, to take no action on the item.

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

Dan Sansgaard, Executor of LVS Farms, LLC, submitted correspondence relating the LVS Farms Request for Waiver of Subdivision Requirements.

Moved by Betcher, seconded by Junck, to receive a memo from staff with further information.

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

The next item was from Luke Jensen, RES Development Managing Director, submitting a Text Amendment Request Regarding Front Yard Parking Standards for F-PRD and PUD Zones. Moved by Betcher, seconded by Junck, to request a memo from staff with further information. Vote on Motion: 6-0. Motion declared carried unanimously.

Chuck Winkleblack, Away Team LLC Manager, submitted an email about The Linc Development Project and requests for consideration of updated financial status of the project. Moved by Betcher, seconded by Gartin, to direct staff to continue working with the developer to close the funding gap and give a memo on what can be done. Vote on Motion: 6-0. Motion declared carried unanimously.

Next, Keith Abraham, Parks and Recreation Director, submitted a staff memo on existing buildings on the Sands-McDorman Property. Moved by Beatty-Hansen, seconded by Betcher, to place the item on a future agenda for discussion. Vote on Motion: 6-0. Motion declared carried unanimously.

From Assistant City Manager Phillips, a memo on the Workshop Regarding Solid Waste was submitted. City Manager Schainker noted this item was for information only.

The seventh item was from Director Diekmann, detailing a Request for Text Amendment to Allow Paving of Non-conforming Parking Areas. Moved by Junck, seconded by Rollins, to place the item on a future agenda for discussion. Vote on Motion: 5-1, Beatty-Hansen dissenting. Motion declared carried.

The final item was also from Director Diekmann regarding the Overflow Thrift Store Request for a Text Amendment for a Retail Store. Moved by Beatty-Hansen, seconded by seconded by Corrieri, to place the item on a future agenda, with a focus on Option 2. Motion Withdrawn.

Moved by Beatty-Hansen, seconded by Junck, to place on a future agenda. Vote on Motion: 6-0. Motion declared carried unanimously.

COUNCIL COMMENTS: Council Member Gartin said goodbye to the seniors at Iowa State and wished the graduates good luck.

Council Member Rollins congratulated Council Member Junck on her upcoming double graduation.

Ex officio Etten wished a happy finals week to all students and teachers at ISU.

Council Member Beatty-Hansen reminded everyone the Bike to Work Week breakfast would be at 7:00 a.m. – 9:00 a.m. on Monday, May 15, 2023, and encouraged everyone to join.

Mayor Haila also encouraged everyone to attend the Mayor and Council's Bike Ride on Saturday, May 20, 2023 at 9:00 a.m. He also shared his appreciation to Dr. Chen for his leadership and expressed gratitude for a great AAPI event that took place Sunday May 7, 2023. Mayor Haila then extended congratulations to ex officio Etten on her official appointment.

ADJOURNMENT: Moved by Betcher, seconded by Rollins to adjourn the meeting at 8:55 p.m.
Vote on Motion: 6-0. Motion declared passed unanimously.