

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

AMES, IOWA

JULY 9, 2024

CALL TO ORDER: The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee meeting was called to order by Ames Mayor and voting member John Haila at 6:00 p.m. on the 9th day of July, 2024. 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; Linda Murken, Story County Board of Supervisors; and Bill Zinnel, Boone County Board of Supervisors. Emily Boland, Ames Transit Agency Board of Trustees, joined the meeting electronically.

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

1. Motion setting August 13, 2024, as date of public hearing for amendment to the FFY 2024-2027 Transportation Improvement Program
2. RESOLUTION NO. 24-388 approving Professional Services Agreement with HDR Engineering, Inc. of Omaha, Nebraska for creation of a Comprehensive Safety Action Plan in an amount not to exceed \$124,905, contingent upon execution of the AAMPO SS4A grant agreement

Vote on Motion: 10-0. Motions/Resolutions declared carried/adopted unanimously, signed by the Chair, and hereby made a portion of these Minutes.

HEARING ON PUBLIC PARTICIPATION PLAN: Transportation Planner Kyle Thompson noted that there were no public comments received during the 45-day public comment period; however, minor comments were received by staff from the Iowa Department of Transportation (IDOT) that were incorporated into the final plan.

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

Moved by Betcher, seconded by Zinnel, to approve Final Public Participation Plan.

Vote on Motion: 10-0. Motion declared carried unanimously.

HEARING ON FFY 2025-2028 TRANSPORTATION IMPROVEMENT PROGRAM: Transportation Planner Thompson shared that there were no substantial changes to the plan, which was presented to the Committee in May. He added that, similarly to the Public Participation Plan, no public comments were received on the 2025-29 Transportation Program and minor comments received from the IDOT were merged into the program.

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

Moved by Beatty-Hansen, seconded by Murken, to adopt RESOLUTION NO. 24-389 approving Final FFY 2025-2028 Transportation Improvement Program.

Vote on Motion: 10-0. Resolution declared adopted unanimously, signed by the Chair, and hereby made a portion of these Minutes.

COMMITTEE COMMENTS: None.

ADJOURNMENT: Moved by Beatty-Hansen, seconded by Zinnel, to adjourn the meeting at 6:03 p.m.

Vote on Motion: 10-0. Motion declared carried unanimously.

REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JULY 9, 2024

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:05 p.m. on the 25th day of June, 2024, 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, Rachel Junck, and Anita Rollins. *Ex officio* Emily Boland joined the meeting electronically.

PROCLAMATION FOR "PARKS AND RECREATION MONTH," JULY 2024: Mayor Haila proclaimed July 2024 as Parks and Recreation Month, highlighting that parks and recreation facilities promote time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being. He shared that the U.S. House of Representatives designated July as Parks and Recreation Month, and Ames recognizes the benefits derived from parks and recreation resources. Parks and Recreation Director Keith Abraham accepted the proclamation, thanking the Mayor and City Council. He recognized staff for their contributions to departmental events and programing, and extended gratitude to the community for engaging in the offerings of the Department.

RECOGNITION OF CITY OF AMES ANIMAL SHELTER AND ANIMAL CONTROL ON ACHIEVING A 90% SAVE RATE FOR THE 2023 CALENDAR YEAR: Chief of Police Geoff Huff and Animal Control Supervisor Ron Edwards, along with staff and volunteers from the Ames Animal Shelter, were recognized by Mayor Haila on behalf of the City Council and Best Friends Animal Society for achieving a 90% save rate for the 2023 calendar year. Supervisor Edwards recognized the 200 volunteers that provided over 7,000 hours of service over the last fiscal year, highlighting the important role volunteers play in providing needed care for the animals.

CONSENT AGENDA: Council Member Betcher requested to pull Item No. 21.

Moved by Betcher, seconded by Junck, to approve the consent agenda less Item No. 21.

3. Motion approving payment of claims
4. Motion approving Summary of Minutes of Regular City Council Meeting on June 25, 2024
5. Motion approving Civil Service Candidates
6. Motion approving Report of Change Orders for period June 16-30, 2024

7. Motion approving a new Class C Retail Alcohol License with Outdoor Service and Catering Privilege - Mullets, 4815 Mortensen Road, Suite #101, Pending Favorable DIA and Fire Inspection
8. Motion approving extension of Outdoor Service for Class C Retail Alcohol License with Outdoor Service - Tip Top Lounge, 201 East Lincoln Way, Pending Dramshop Review
9. Motion approving the renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Applebee's Neighborhood Grill & Bar, (105 Chestnut Street), Class C Retail Alcohol License
 - b. Sportsman's Lounge, (123 Main Street), Class C Retail Alcohol License with Living Quarters, Pending Dramshop Review
 - c. AJ's Liquor II, (2515 Chamberlain Street), Class E Retail Alcohol License
 - d. HuHot Mongolian Grill, (703 S. Duff Avenue Suite #105), Special Class C Retail Alcohol License
10. Motion approving interim policy to implement State of Iowa stormwater regulations
11. RESOLUTION NO. 24-390 approving Commission on the Arts (COTA) Fall 2024 Special Project Grant contracts
12. RESOLUTION NO. 24-391 accepting completion of Arts Capital Grant with Ames Writers Collective and authorizing payment in the amount of \$2,066.47
13. RESOLUTION NO. 24-392 approving Electric Facilities Agreement with Iowa Department of Transportation
14. RESOLUTION NO. 24-393 approving Professional Services Agreement with HDR Engineering, Inc. of Omaha, Nebraska for creation of a Comprehensive Safety Action Plan in an amount not to exceed \$124,905, contingent upon execution of the AAMPO SS4A grant agreement
15. RESOLUTION NO. 24-394 approving plans and specifications for the FY 2023/24 Airport Improvement Program (wildlife fence project), setting July 30, 2024, as the bid due date and August 6, 2024, as date of Public Hearing
16. Underground Trenching Contract for Electric Services:
 - a. RESOLUTION NO. 24-395 approving primary contract with Communications Data Link, Grimes, Iowa, for the one-year period from July 1, 2024, through June 30, 2025, in an amount not to exceed \$250,000
 - b. RESOLUTION NO. 24-396 approving secondary contract with Ames Trenching & Excavating, Ames, Iowa, for the one-year period from July 1, 2024, through June 30, 2025, in an amount not to exceed \$175,000
17. RESOLUTION NO. 24-397 awarding contract to WESCO Distribution of Des Moines, Iowa for the purchase of primary cable in the amount of \$135,462.00
18. RESOLUTION NO. 24-398 awarding contract to Play-Pro Recreation, Clive, Iowa for Playground Equipment for Stuart Smith Park in the amount of \$59,990
19. RESOLUTION NO. 24-399 awarding contract to Play-Pro Recreation, Clive, Iowa for Playground Equipment for Bandshell Park in the amount of \$72,440
20. RESOLUTION NO. 24-400 awarding contract to Hiway Truck Equipment of Fort Dodge, Iowa for the purchase of an aerial platform, dumping chip box, and accessories for a new forestry truck in the amount of \$154,102
- ~~21. RESOLUTION NO. 24-401 awarding a contract to American Vet Works Inc. of Newport, New York for the purchase of 2 all-electric SUVs — one each for Water~~

~~Administration, and Electric Services Engineering, for a total of \$81,990~~

22. RESOLUTION NO. 24-402 awarding Year Two of the Five-year lime sludge disposal contract to Wulfekuhle Injection and Pumping of Peosta, IA, in an amount not to exceed \$392,140
23. RESOLUTION NO. 24-403 approving contract and bond for the 2023/24 Water System Improvements (Kellogg Avenue & 11th Street) with Jet Drain Services, LLC, of Ames, Iowa
24. RESOLUTION NO. 24-404 approving contract and bond for the 2024/25 Clear Water Diversion Program - Douglas Avenue (14th Street - 16th Street) with Iowa Water & Waste Systems LLC of Ames, Iowa
25. RESOLUTION NO. 24-405 approving contract and bond for the 2024/25 Right-Of-Way Restoration with Alpha Landscapes LLC of Johnston, Iowa
26. RESOLUTION NO. 24-406 accepting final completion of Year Two of the Water Plant Well Rehabilitation Contract
27. RESOLUTION NO. 24-407 accepting final completion of the WPC Facility Caterpillar G379 Methane/Natural Gas Engine Generator Overhaul Project
28. Vacation of right-of-way adjacent to 302 and 212 Sondrol Ave and conveyance to 302 Sondrol, LLC
 - a. RESOLUTION NO. 24-408 setting date of Public Hearing as July 23, 2024, for the vacation of the 10' strip of right-of-way adjacent to 302 and 212 Sondrol Avenue
 - b. RESOLUTION NO. 24-409 setting date of Public Hearing as July 23, 2024, to approve the conveyance of the vacated 10' strip of right-of-way adjacent to 302 and 212 Sondrol Avenue to 302 Sondrol, LLC., for \$10,177.20 (as determined by the City's standard formula)

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

AWARD OF CONTRACT FOR PURCHASE OF 2 ALL-ELECTRIC SUVs: Fleet and Facilities Director Corey Mellies highlighted for Council Member Betcher how the purchase of the two all-electric SUVs would support the Climate Action Plan adopted by the City Council.

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 24-401 awarding a contract to American Vet Works Inc. of Newport, New York for the purchase of 2 all-electric SUVs - one each for Water Administration, and Electric Services Engineering, for a total of \$81,990.

Roll Call Vote: 6-0. Resolution declared 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 #2, Ames, addressed his experience with community interactions.

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

DIVERSITY, EQUITY, AND INCLUSION (DEI) ANNUAL UPDATE: DEI Coordinator Casandra Eames shared the inaugural update. She highlighted the initial tasks assigned to her

position, which included networking, outreach, reporting, research, and training. She discussed the ways in which she fulfilled each task and noted that continuing dialogue in each of those areas would continue to be a focus for her over the next year. Coordinator Eames also noted that in the next fiscal year she would focus time and effort to compile and present a community-wide inclusion plan as well as launch a podcast alongside the Communications and Outreach Division to highlight the vast diversity in the Ames community. The City Council members engaged in questions with Coordinator Eames to better understand benchmarks for success, discuss best practices seen in other communities, and learn about the year ahead for the Ames Human Relations Commission (AHRC).

CHANGES TO ELECTRIC RATES TO ADOPT REVENUE-NEUTRAL RATE ADJUSTMENTS TO BETTER ALIGN WITH COST-OF-SERVICE STUDY RECOMMENDATIONS, TO ADD OPTIONAL TIME-OF-USE RATES, AND TO ADJUST THE LARGE CUSTOMER INTERRUPTIBLE OPTION BILL CREDITS:

Director of Electric Services Donald Kom highlighted that the Electric Services Department conducted a cost-of-service and rate design study to help make long-term financial plans, promote efficient use of resources, and provide fair and equitable rates for customers. Based on the results of the study, the Electric Utility Operations Review and Advisory Board (EUORAB) recommended adjustments to customer rates; however, he clarified that the proposed adjustment would result in no overall revenue increase. He reviewed the three changes proposed: 1) Change in Monthly Service Charges and Energy Rates; 2) New Optional Time-of-Use Rates, and 3) Large Customer Interruptible Option Bill Credit. Director Kom concluded that staff was requesting delayed action on Renewable Energy Buyback, which was discussed at the City Council workshop on cost-of-service, until EUROAB had developed its recommendation.

Council Member Gartin discussed the residential time of use rates, inquiring if there was an option to spread cost savings evenly throughout the year. Director Kom highlighted the capacity of the utility and the demand observed seasonally, noting that a higher incentive to conserve energy in the summer months would help encourage residents to participate in the program when the utility sees the peak usage. Council Member Gartin also discussed solar options for residents. Director Kom noted that EUROAB would be reaching out to stakeholders to better understand the needs of customers in order to develop a recommendation for a policy decision that would be presented to the City Council later this year. *Ex officio* Boland asked for clarification on the classification of apartment buildings for time of use rates. Director Kom explained that if an apartment had its own individual unit, it would be treated as a residential user; however, some apartment buildings utilized industrial systems for the whole building, in which case the property would be classified as small or large commercial user.

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

Director Kom concluded that it was the intention of staff to put the proposed changes into effect for non-summer billing season, which begins October 1, 2024. He noted that staff would clarify the billing cycle this would be in effect for and make that note in the ordinance for second reading. He also noted that staff would work to develop outreach in order to inform residents of the proposed changes.

Moved by Betcher, seconded by Beatty-Hansen, to pass on first reading an ordinance relating to changes to electric rates to adopt revenue-neutral rate adjustments to better align with cost-of-service study recommendations, to add optional Time-of-Use rates, and to adjust Large Customer Interruptible Option bill credits.

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

REQUEST TO INITIATE ZONING TEXT AMENDMENT TO ALLOW SOCIAL SERVICE USES WITHIN THE O-SFC (SINGLE FAMILY CONSERVATION OVERLAY) ZONING DISTRICT: Director of Planning and Housing Kelly Diekmann stated that the Ames Romero House requested to initiate a Zoning Text Amendment (ZTA) to the Single Family Conservation Overlay District (O-SFC) to facilitate allowing by Special Use Permit (SUP) the establishment of new Social Service uses that are currently not permitted within the Overlay for its new facility at 702 Clark Avenue. Alternatively, the City Council could consider establishing siting criteria for social service uses in addition to, or in lieu of, the suggested SUP process. He noted that if concentration issues are not a concern for the use, the SUP is an appropriate zoning tool for siting social service uses in a residential area and would allow for a case-by-case assessment of a specific site, use, and unique compatibility concerns.

Council Member Gartin inquired if the SUP was granted to the applicant or the property location. Director Diekmann noted that the permit is issued to the property location. He furthered that if a SUP is issued by the Zoning Board of Adjustment (ZBA), potential future users of that property could operate social services uses as long as it is within the parameters of the SUP. Council Member Gartin then inquired about the notification process. Director Diekmann noted that there is no notification process for a ZTA; however, staff would alert the Old Town Neighborhood Association.

Mayor Haila opened the Public Input.

Matt Mitchell, Director of Ames Romero House, 709 Clark Avenue, Ames, detailed the plan of the organization to continue providing daytime hospitality services to community members in need at its new location of 702 Clark Avenue. He explained that the services include the provision of food, a shower, winter clothes, and laundry facilities between the hours of 1:00 p.m. and 4:00 p.m., Monday through Friday, and from 10:30 a.m. to 4:00 p.m. on Sundays. He noted that the organization typically serves 30 community members on a daily basis and expects that to expand to approximately 40 individuals at its new location.

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

Moved by Gartin, seconded by Beatty-Hansen, to approve Option 1: Consideration of approval of a Special Use Permit by the Zoning Board of Adjustment.

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

STEVEN L. SCHAIKER PLAZA ICE SKATING RIBBON STATUS REPORT: Director Abraham stated that the development of a downtown plaza has been discussed by City Council for many years. More recently, questions arose regarding the status of the project as the construction took longer than anticipated and was still in progress. He noted that the purpose of

the item was to identify a significant issue that influenced the timely completion of the project and would require City Council direction.

The project began with the demolition of the existing parking lot and construction of a new parking lot on the north side of 6th Street across from City Hall and west of First Christian Church. Other activities included adding parking spaces along the west side of Clark Ave.; constructing a building to house two restrooms, mechanical equipment, and a skate rental area; installation of utilities; and components of the spray pad.

As construction progressed, crews began working on the ice-skating ribbon which included adding subgrade heat below the ice ribbon; pouring a colored concrete border around the ribbon; running piping from the building to the ice ribbon; and installing insulation, rebar, tubing, and wire mesh to be encapsulated in the concrete.

Director Abraham highlighted that the 6,000 square feet of concrete for the ice-skating ribbon was to be poured as one monolithic slab. This was a difficult pour as the contractor needed to ensure the concrete would be placed under, around, and in between all of the rebar, tubing, and wire mesh, and had to be completed as one continuous pour without stopping. He furthered that due to the potential difficulty, a pre-pour meeting was held on November 9, 2023, to discuss the specifics and ensure everyone was in agreement with what was to be done. Director Abraham noted City of Ames representatives inspected the concrete in February and noticed numerous deficiencies in the following areas:

- Inconsistent finish
- Rough finish in areas
- Rippled surface with peaks and valleys in some areas
- Bird baths
- Stone pop outs
- Voids on surface
- One dasher board anchor at an angle and protruding above the concrete

City staff communicated the identified deficiencies to Henkel Construction, the General Contractor on the project, as well as Everything Ice, the Ice System Contractor, and Confluence, Inc., the Project Lead and Landscape Architect. Director Abraham highlighted that all parties agreed that the surface was unacceptable and needs to be corrected. He elaborated that during the non-winter months, the ice ribbon will be utilized for a variety of individual and group activities. Thus, the concern of staff that the quality of the surface is related to more than aesthetics and rather concerns safety and surface deterioration.

Director Abraham stated that City staff identified two options in order to correct the deficiencies. The first option was to remove and replace the existing ice ribbon. This would include removing the existing concrete, tubing, rebar, mesh, etc. and replace it with all new materials. The pros of this options were outlined by Director Abraham as follows:

- The City would receive a homogenous, concrete ice ribbon surface, with no overlay products required, as originally expected
- The City would receive a surface that is safer, more durable, and aesthetically pleasing than what currently exists

- The City would receive a surface that is not subject to the same level of ongoing maintenance responsibilities as is required if overlay products are used

Option 1 also had a number of cons that were detailed by Director Abraham as follows:

- Delays completing the project for possibly up to twenty-four months, should there be a protracted conflict with Henkel to resolve the issue. Therefore, skating may not occur until November of 2026 or later
- Repouring the concrete could result once again in an unacceptable surface
- There is uncertainty that a new ice subcontractor can be identified by Henkel to do this work
- If a new ice subcontractor is found, they may not agree to use the project equipment and refrigeration system that is currently installed

Director Abraham shared that Option 2 was to grind the existing surface and install an overlay of cementitious materials. This option was presented by Henkel Construction, which researched multiple products and was recommending the application of a series of products from Euclid Chemical. These products were identified as Qwikstich, Euroweld, Euco Re-Cover, Kurex Dr. Vox, and Baracade WB244, which were believed to be the best solution for fixing the surface by Henkel Construction.

Option 2 had various pros that Director Abraham outlined as follows:

- Avoided excessive delays to complete the project, thus skating could occur as early as November 2024
- Maintains the surface look of concrete
- Could mitigate the City's risk to incur future maintenance/replacement costs related to the overlay material system should Henkel agree to provide an upfront monetary contribution to the City to cover these expected costs. (Henkel has offered \$50,000 towards this purpose, which City staff believes is not sufficient.)
- Work could be done prior to the plaza being opened for public use

Director Abraham also reviewed the cons of Option 2 as follows:

- Provides a surface with numerous layers of varying materials which were not specified by the City
- Requires on-going maintenance including surface repairs as needed, sealing the surface every three-five years, and potentially redoing the surface layer every 15 years
- This system of applications as well as the main product, Euco Re-Cover, have never been applied on an outdoor, uncovered, refrigerated ice surface
- The recommended company to apply the various applications has no prior experience with the main product
- The manufacturer of the Euclid products will not write a letter to the City stating the recommended combination of applications

A mock-up of just one layer of Euco Re-Cover was installed on a small section of the ice-skating ribbon at the Plaza so staff could observe how it is applied as well as how it looks, explained Director Abraham. The applicators had great difficulty applying the recommended material and could not create an acceptable finish during this test case. He highlighted that Henkel

Construction and the manufacturer's representative were not present during this mock-up and are confused as to what happened since the product did not perform as advertised. Henkel Construction requested to do another mock-up with the manufacturer's representative present as both parties still believe that Option 2 is the best solution to fix the identified surface deficiencies.

Director Abraham noted that it is imperative to identify a solution that corrects the problems identified with the ice ribbon surface, minimizes ongoing maintenance/replacement costs to the City, and provides a safe environment for the community for many years. With the two options identified, City staff believed it best to hire a third-party consultant with the necessary concrete expertise to review the deficiencies and provide a recommendation. Director Abraham shared that Henkel Construction is unsupportive of this recommendation and unwilling to pay for the consultant's services. Nonetheless, City staff is upholding the recommendation for the third-party consultant in order to better guarantee the long-term viability of the project. Director Abraham concluded that City staff is not asking the City Council to take action on either of the options presented, but rather requested to authorize staff to develop a scope of services and enter into a contract with a concrete expert.

The financial status of the project was reviewed by Director Mellies as requested by Council Member Betcher. He emphasized that payments for the project had been frozen after City staff noticed the deficiencies as City staff were not accepting the work as completed.

Director Abraham and Director Mellies then engaged in robust conversations with the members of the City Council to clarify understanding of the project timeline, issues encountered, solutions identified, and recommendations of each party contracting on the project.

The Public Input was opened by Mayor Haila.

Richard Deyo, 505 8th Street #2, Ames, proposed that the plaza be designated as a nudist park.

Jason Knipp, Vice President of Operations for the Central Iowa Office of Henkel Construction, and Kyle Sievers, Project Manager for Henkel Construction, 2500 Ford Street, Ames, addressed questions that arose from the discussion between the City Council and City staff. Project Manager Sievers discussed the delays in the project, noting that it was originally anticipated that the project would be completed in eight months. He highlighted design changes still underway for the portion of the project containing the splash pad to explain why areas outside of the ice ribbon had not been completed in the meantime, highlighting the desire to complete the project monolithically. He then clarified that the five products recommended by Euclid Chemical were designed to work together in unison as accessory products. Vice President Knipp explained that Euclid Chemical was not willing to write a letter in support of the recommended use of the products simply because the products have not been used on a refrigerated surface. Both Project Manager Sievers and Vice President Knipp emphasized that Henkel Construction believed the products to be the best solution to the deficiencies and noted the benefits of accelerating the project completion as compared to removing and replacing the ice skating ribbon. Project Manager Sievers then discussed the project timeline related to the pour per the request of Council Member Betcher. He highlighted that all parties agreed that December was an

acceptable time to pour, and all were present at the pre-pour meeting. He stated that staff from Henkel Construction noticed the deficiencies in the surface after the pour was complete and engaged in meetings with the Ice System Contractor, and Project Lead to resolve what they believed to be an aesthetic issue. He confirmed that City staff were not included in those initial meeting and not aware of the deficiencies until a site visit in February after the concrete had cured. In response to concerns about the application of the topical solution, Project Manager Sievers noted that the superintendent from Henkel Construction assigned to the plaza project had to be reassigned to a nearby project because of project delays at the plaza, which was why there was not staff from Henkel Construction present at the mock-up. He emphasized the Henkel Construction was confident in the products and was requesting to perform another mock-up with all parties present.

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

Mayor Haila inquired about the redesign of elements related to the splash pad, which the City Council had not previously been notified of. Director Mellies noted that the dry deck surrounding the wet deck of the splash pad did not have proper bonding for the electrical systems contained within. Because of this, when operational, the user would become the grounding when stepping from the dry deck to the wet deck. This issue was being remediated by the Project Lead. The concrete in the dry deck would be removed and replaced with proper meshing to bond the surfaces and ground the electrical systems.

Mayor Haila then inquired about the timeline for the third-party concrete expert. Assistant City Manager Pa Vang Goldbeck shared that initial contact had been made with a potential contractor. Depending on the scope of services, it was anticipated that the review would take roughly a month to complete, and the contractor had shown willingness to prioritize the work at the plaza.

Moved by Betcher, seconded by Beatty-Hansen, to authorize staff to develop a scope of services and hire a third-party concrete expert to review the ice skating ribbon.

Council Member Corrieri stated concerns related to over analyzing this issue and creating further delays in the project completion. City Manager Steve Schainker stated his support of the recommendation from City staff, highlighting that there was not enough information to select one of the two options identified without an expert opinion. Council Member Gartin shared his agreement with Council Member Corrieri, emphasizing the element of unknown with the refrigerated concrete slab. City Manager Schainker noted that the third-party concrete expert may identify a third option not known to staff, pointing out an element of unknown in the solutions identified and accentuating the reason a third-party opinion is needed.

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

HEARING ON MAJOR SITE DEVELOPMENT PLAN FOR DUNKIN' DONUTS AT 209 LINCOLN WAY: Planner Amelia Schoeneman reviewed that the property owner and Dunkin' Donuts franchisee is proposing to partially redevelop 209 Lincoln Way as a drive-through coffee shop. She highlighted that this site is the former location of a drive-through Burger King restaurant. The Dunkin' Donuts franchisee planned to reuse a majority of the existing building to

include an indoor seating area; however, the play structure on the south side of the building would be removed and replaced with a new façade and patio. Additionally, Planner Schoeneman explained that it is planned that the parking area, including the drive-through, would be reconstructed.

In order to complete the proposed project, the franchisee requested the following waivers: 1) A 10% reduction in required parking spaces; 2) A 20% reduction, from 5 feet to 4 feet, of the setback of the drive-through from the north property line; and 3) A waiver of the sidewalk construction shown on the Site Plan along Sherman Avenue. Planner Schoeneman noted that the site is required to come into conformance with current zoning standards as practicable; however, several parking dimension and building design nonconformities are permitted to remain, as reusing the existing building precludes full conformance. She concluded with a review of the site dimensions and landscaping, noting that the site will fully conform with front yard landscaping and the required number of parking lot trees upon completion.

Council Member inquired about the sidewalk waiver. Planner Schoneman explained that staff is in support of the waiver because sidewalk is traditionally constructed within the public right-of-way; however, in this instance, the public right-of-way on the west side of Sherman Avenue contains a transformer and power poles. Because of this, she noted that the sidewalk would have to be relocated to private property, which is not preferred by the franchisee. Council Member Gartin spoke to traffic concerns on Lincoln Way. Planner Schoeneman noted that *Municipal Code* requires adequate queuing for five cars beyond the menu board, in this case, there would be 120 linear feet for queuing, which surpasses the requirements. She also highlighted that the franchisee is providing two-way alley access at two points in the drive thru as well as a “hop out” for cars that no longer wish to wait in the drive thru line. She concluded that the Iowa Department of Transportation (IDOT) controls the right-of-way on Lincoln Way, so should the site need to be reconfigured, IDOT staff would have to be consulted.

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

Moved by Corrieri, seconded by Rollins, to adopt RESOLUTION NO. 24-410 approving Major Site Development Plan for 209 Lincoln Way.

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

HEARING ON WATER POLLUTION CONTROL FACILITY NUTRIENT REDUCTION MODIFICATIONS PHASE 1: Director of Water and Pollution Control John Dunn shared that two bids were received for the project that exceeded the engineer’s estimate by a considerable margin. He noted that staff was requesting that the City Council accept the report of bids and delay award until its July 23rd meeting to allow staff the opportunity to evaluate the range of possible options to ensure compliance with the federal permit held by the City.

Council Member Gartin indicated concern with the number of bids received. Director Dunn noted that due to the scale of the project, there were only two contractors that were able to invest the necessary time. Mayor Haila stated that a similar project was bid in Cedar Rapids, Iowa, during the same time and inquired about the bids received. Director Dunn clarified that there

were no conflicts between the bid lettings. He explained that Cedar Rapids bid for a similar type of work on a larger scale and observed similar results in bidders. He assured the City Council that staff cast a wide net to solicit bids and received only two interested bidders, one of which was a local company.

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

Moved by Betcher, seconded by Rollins, to accept the report of bids and delay a decision on whether or not to award until the July 23, 2024 City Council meeting.

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

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Mayor Haila noted that there were seven items to consider. The first was from Dylan Kline, Economic Development Liaison with the Ames Regional Economic Alliance, detailing a cost analysis of geothermal installation in the Baker Subdivision.

Moved by Beatty-Hansen, seconded by Rollins, consider the item as information only.

Vote on Motion: 2-4, Betcher, Corrieri, Junck, and Gartin dissenting. Motion failed.

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

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

A request to preserve the Martin Historical Pier from Archie L. Greene was the second item. Assistant City Manager Brian Phillips provided a project update and Mayor Haila stated that he would inform the requestee.

The third item from Shahriar Parvez concerned rental housing practices. Mayor Haila noted that the item had been resolved through correspondence with Council Member Corrieri and the resident.

Suggestions for City of Ames Sustainability Programs from Lisa Kuehl was the fourth item.

Moved by Beatty-Hansen, seconded by Rollins, to take the item under advisement.

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

The fifth item from Iddo Friedberg was regarding bicycle safety.

Moved by Beatty-Hansen, seconded by Corrieri, to take the item under advisement.

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

A request for Zoning Text Amendment from Peter Moore and Lisa Schulte Moore was the sixth item.

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

Vote on Motion: 4-2, Beatty-Hansen and Betcher dissenting. Motion declared carried.

The final item was input regarding infill housing on Welbeck Drive from Marcene and Larry Renaud. Mayor Haila noted that action was already taken by the City Council at a previous meeting on the subject related to this item.

REPORT OF GOVERNING BODY: The Mayor shared that there were no items of interest to report.

COUNCIL COMMENTS: *Ex officio* Boland noted that the Joint Meeting of the City Council and Iowa State University Student Government would be held at 5:00 p.m. on November, 20th at the Memorial Union. She also shared that she is living in an off campus apartment this school year and praised the easy, efficient process of signing up for utility service.

Council Member Gartin stated concern about shared use path access on the path that travels under S. Duff Avenue.

Moved by Gartin, seconded by Beatty-Hansen, to request a memo from staff regarding the future connection of the shared use path that travels underneath S. Duff from S. 5th Street and continues to a dead end at a privately owned gravel road south of Lincoln Way.

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

Council Member Gartin recognized the Parks and Recreation Department, encouraging everyone to engage in the outstanding programs offered. He also offered condolences to the families of Dr. Erwin “Erv” Klaas and LeRoy “Roy” Cakerice in light of their recent passing. He noted the influence both individuals had in the community.

Council Member Betcher also extended condolences, highlighting Erv’s commitment to preserving natural resources in Ames and the surrounding areas.

Mayor Haila thanked staff for their participation in the Fourth of July parade, noting that one of the largest crowds ever seen gathered for the parade in Downtown Ames.

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 Rollins, seconded by Beatty-Hansen, to go into closed session at 8:48 p.m.

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

The City Council reconvened in Regular Session at 9:01 p.m.

Moved by Gartin, seconded by Rollins, to move forward with the settlement as presented in the Closed Session.

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

ADJOURNMENT: Moved by Betcher, seconded by Junck, to adjourn the meeting at 9:02 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