

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JULY 28, 2020

CALL TO ORDER: Mayor John Haila called the Regular Meeting of the Ames City Council, which was being held electronically, to order at 6:00 p.m. with the following Council members present: Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Rachel Junck, and David Martin. *Ex officio* Member Nicole Whitlock was also present.

Mayor Haila announced that it is impractical to hold an in-person Council meeting due to the Governor of Iowa declaring a public health emergency because of the COVID-19 pandemic. Therefore, this meeting is being held as an electronic meeting as allowed by Section 21.8 of the *Iowa Code*. The Mayor then provided how the public could participate in the meeting via internet or by phone.

RECOGNITION OF UNITARIAN UNIVERSALIST FELLOWSHIP OF AMES AS A SUNSMART CHAMPION FOR THE CONGREGATION'S EXTRAORDINARY SUPPORT OF THE SUNSMART COMMUNITY SOLAR PROJECT: Mayor Haila explained that he was presenting a certificate to the Unitarian Universalist Fellowship of Ames for being the first SunSmart champion. The Unitarian Universalist was being recognized for its commitment to renewable energy through the SunSmart Ames community solar project. Mayor Haila stated it was exciting to break ground on the Solar Farm project last Friday, and the City is expecting to start producing solar energy by the end of the year. The Unitarian Universalist's commitment to renewable energy is evidenced by the congregation's purchase of enough Power Packs to provide 100% of its electric usage. In addition to participating in SunSmart Ames, the Unitarian Universalist Fellowship of Ames had already installed solar panels at its facility in 2010 and was the first customer-owned system interconnected to the Ames Electric System. By signing the certificate, the Mayor was pleased to name the Unitarian Universalist Fellowship of Ames as the very first SunSmart champion.

Reverend Kent McKusick stated that he has been serving the Unitarian Universalist Fellowship of Ames for the past eight years, and it was clear to him that its commitment to sustainable and renewable energy had taken place well before he arrived. Reverend McKusick commented that when this project was offered as a possibility, it was rare to see the excitement go through the congregation as much as it did for this project. He noted that Larry Koehrsen was one of the leaders wanting to have solar usage. Mr. Koehrsen stated that the Unitarian Universalist Fellowship of Ames is an organization that has a strong identity with the natural world, and climate change, and wanting to make a difference. The Solar Farm project was right in the congregation's wheelhouse that provided an opportunity to do something more than just talk about climate change. Mr. Koehrsen mentioned that the congregation set a goal to purchase enough Power Packs to offset the entire electrical energy use in the building. They were able to get enough pledges to meet and exceed their goal. The Unitarian Universalist Fellowship of Ames was pleased to be a part of the SunSmart program along with being present for the groundbreaking of the new Solar Farm.

PROCLAMATION FOR "AMERICAN WIND WEEK," AUGUST 9 - 15, 2020: Mayor Haila proclaimed the week of August 9 - 15, 2020, as "American Wind Week." He encouraged all citizens

to learn more about the benefits of wind energy in the community, celebrate Iowa's leadership in renewable energy production, and the City of Ames' commitment to utilizing wind energy as a part of its energy portfolio. Mayor Haila stated that Electric Services Director, Don Kom was unavailable, but the Proclamation would be sent to him.

Mayor Haila stated that he wanted to acknowledge and give his deepest condolences to the family of Dan Flannery, in the passing of the beloved and skilled Swimming Coach for the Ames High School. He noted that Mr. Flannery's death was an incredible loss to the community.

Mayor Haila announced that the Council was working off an Amended Agenda. City staff added a Resolution approving the amended COVID-19 Leave Policy to the Consent Agenda.

CONSENT AGENDA: Council Member Betcher asked to pull Item No. 11, Resolution approving allocation of \$10,000 from Council Contingency to fund "Cyclones Care," (a collaborative public health education campaign) for further discussion.

Moved by Betcher, seconded by Corrieri, to approve the following items on the Consent Agenda.

1. Motion approving payment of claims
2. Motion approving Minutes of Special Meeting of July 9, 2020, and Regular Meeting of July 14, 2020
3. Motion approving certification of Civil Service applicants
4. Motion approving Report of Change Orders for period July 1 - July 15, 2020
5. Motion approving a new 12-month Class C Liquor License with Outdoor Service, and Sunday Sales - La Casa Maya, 631 Lincoln Way
6. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor License with Catering, Outdoor Service and Sunday Sales - Cyclone Experience Network, 1800 S. 4th St - Jack Trice Stadium
 - b. Class C Liquor License with Sunday Sales - La Fiesta Bar & Grill, 823-Wheeler Street, Ste 5
 - c. Class C Liquor License with Class B Wine Permit and Sunday Sales - Hy-Vee Market Grille, 640 Lincoln Way
 - d. Class E Liquor License with Class B Wine and Class C Beer (Carryout Beer) - Fareway Meat Market #189, 3720 Lincoln Way
 - e. Class C Liquor License with Outdoor Service, Catering Privilege, Class B Native Wine Permit, Outdoor Service, and Sunday Sales - The Mucky Duck Pub, 3100 S. Duff Avenue
 - f. Class C Liquor License with Sunday Sales - El Azteca - 2120 Isaac Newton Drive
 - g. Class C Liquor License with Sunday Sales - Es Tas Stanton, 216 Stanton Avenue
 - h. Special Class C Liquor License with Sunday Sales - New Hickory Holding Company, 1404 S. Duff Avenue - pending dram shop
7. RESOLUTION NO. 20-383 approving Quarterly Investment Report for the Period Ending June 30, 2020
8. RESOLUTION NO. 20-384 approving appointment of Kim Linduska to Civil Service Commission

9. RESOLUTION NO. 20-415 approving amended COVID-19 Leave Policy
10. RESOLUTION NO. 20-386 approving Cooperate Agreement between Ames Human Relations Commission and Iowa Civil Rights Commission regarding Intake and Investigation of Civil Rights Complaints
11. RESOLUTION NO. 20-387 approving bow hunting within the Park System, on City property, and at other eligible property as detailed in Urban Deer Management Ordinance and rules
12. RESOLUTION NO. 20-388 approving GIS Coordinator, Ben McConville's participation on the State of Iowa Type III All-Hazards Incident Management Team
13. RESOLUTION NO. 20-389 approving Amendment No. 2 to Professional Services Agreement with WHKS & Co., of Ames, Iowa, regarding Flood Mitigation - River Flooding project for an additional amount not to exceed \$105,200 (total contract not to exceed \$319,200 or 6% of the project estimated cost)
14. RESOLUTION NO. 20-390 approving Third Amendment to Agreement Between City of Ames and Habitat for Humanity of Central Iowa, Inc., for Purchase and New Construction of Property at 3305 Morningside Street
15. RESOLUTION NO. 20-391 approving preliminary plans and specifications for 2020/21 Seal Coat Street Pavement Improvements - E. 8th Street (Duff Ave - Carroll Ave); setting August 19, 2020, as bid due date and August 25, 2020, as date of public hearing
16. RESOLUTION NO. 20-392 approving preliminary plans and specifications for 2020/21 Seal Coat Street Pavement Improvements - Franklin Ave (Lincoln Way - Oakland Ave); setting August 19, 2020, as bid due date and August 25, 2020, as date of public hearing
17. RESOLUTION NO. 20-393 approving preliminary plans and specifications for 2020/21 Right-of-Way Restoration (Standard Vegetation); setting August 19, 2020, as bid due date and August 25, 2020, as date of public hearing
18. RESOLUTION NO. 20-394 approving preliminary plans and specifications for 2020/21 Right-of-Way Restoration (Native Vegetation); setting August 19, 2020, as bid due date and August 25, 2020, as date of public hearing
19. RESOLUTION NO. 20-395 approving preliminary plans and specifications for 2018/19 Storm Water Facility Rehabilitation (Little Bluestem); setting August 19, 2020, as bid due date and August 25, 2020, as date of public hearing
20. RESOLUTION NO. 20-396 approving preliminary plans and specifications for Baker Subdivision; setting August 19, 2020, as bid due date and August 25, 2020, as date of public hearing
21. RESOLUTION NO. 20-397 approving preliminary plans and specifications for 2019/20 Traffic Signal Program (Lincoln Way & Beach); setting August 19, 2020, as bid due date and August 25, 2020, as date of public hearing
22. RESOLUTION NO. 20- 398 approving preliminary plans and specifications for 2020/21 Traffic Signal Program (S. Duff & S. 5th Street); setting August 19, 2020, as bid due date and August 25, 2020, as date of public hearing
23. RESOLUTION NO. 20-399 approving preliminary plans and specifications for 2019/20 Multi-Modal Roadway Improvements (13th Street & Clark Avenue); setting August 19, 2020, as bid due date and August 25, 2020, as date of public hearing

24. RESOLUTION NO. 20-400 approving change to bid due date to August 12, 2020, and hearing date to August 25, 2020, for Unit 8 Turbine Generator Overhaul
25. RESOLUTION NO. 20-401 awarding Contract to Carrier Access Inc., of Clive, Iowa for Replacement of the Core Network Switches and Associated Infrastructure in the amount of \$119,070.35 for the Information Technology Division
26. RESOLUTION NO. 20-402 approving contract and bond for CyRide 2020 Interior Improvements Project
27. Steam Turbine No. 8 Parts Procurement for the Power Plant:
 - a. RESOLUTION NO. 20-403 approving contract and bond for Steam Turbine No. 8 Parts Procurement for the Power Plant with Argo Turboserve Corporation
 - b. RESOLUTION NO. 20-404 approving contract and bond for Steam Turbine No. 8 Parts Procurement for the Power Plant with Mechanical Dynamics & Analysis LLC (MD&A)
 - c. RESOLUTION NO. 20-405 approving contract and bond for Steam Turbine No. 8 Parts Procurement for the Power Plant with Alin Machining Company, Inc.
 - d. RESOLUTION NO. 20-406 approving contract for Steam Turbine No. 8 Parts Procurement for the Power Plant with Action Turbine Repair Services Inc., (ATRS)
28. RESOLUTION NO. 20-407 approving Change Order No. 1 to Peterson Contractors, Inc., of Reinbeck, Iowa, for the South Grand Avenue - South 5th Street Project in an amount not to exceed \$77,362.49
29. RESOLUTION NO. 20-408 approving Change Order No. 2 to Keller Excavating Inc., of Boone, Iowa, for the 2018/19 Water System Improvements project (Burnett Avenue and Murray Drive) in the amount not to exceed \$78,589
30. RESOLUTION NO. 20-409 accepting completion of 2017/18 Water System Improvement - Water Service Transfers (10th and 12th Streets)
31. RESOLUTION NO. 20-410 accepting completion of 2018/19 Asphalt Street Pavement Improvements (Florida, Reliable, Hutchison, Delaware)
32. RESOLUTION NO. 20-411 approving completion of 2017/18 Shared Use Path System Expansion (W. Lincoln Way)

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

ALLOCATION OF \$10,000 FROM COUNCIL CONTINGENCY TO FUND “CYCLONES CARE,” A COLLABORATIVE PUBLIC HEALTH EDUCATION CAMPAIGN: Council Member Betcher stated she pulled this item because there have been a couple of very positive additions to the “Cyclones Care” messaging, and she thought Public Relations Officer Susan Gwiasda could provide more information.

Ms. Gwiasda explained that the Story County Board of Supervisors had its regular meeting and decided they wanted to become a part of the campaign as a funding member and approved \$3,000 to be put towards the “Cyclones Care” message. In addition, Heartland Senior Services reached out and wanted to contribute at a lower level to the campaign. Ms. Gwiasda stated that they now have confirmed support from Iowa State University, the Ames Chamber of Commerce, Story County,

Heartland Senior Services, Mary Greeley Medical Center, and the League of Women Voters. It was pointed out that there were many organizations that are agreeing to be part of the communications plan to push the message out, but do not have the finances right now to contribute to the marketing campaign. Many organizations are willing to do what they can. Ms. Gwiasda stated it was great to see the collaborative spirit of the community.

Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 20-385 approving the allocation of \$10,000 from Council Contingency to fund “Cyclones Care,” a collaborative public health education campaign.

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 Public Forum. No one requested to speak, so he closed Public Forum.

MOTION TO DIRECT STAFF TO PROCEED WITH ISSUING A REQUEST FOR PROPOSALS (RFP) ON 321 STATE STREET FOR MULTI-FAMILY DEVELOPMENT ON THE SOUTH PARCEL UTILIZING LOW-INCOME HOUSING TAX CREDITS (LIHTC):

Planning and Housing Director Kelly Diekmann explained that a Request for Proposals (RFP) had been prepared based on the feedback received from last week’s Workshop. The RFP is open to housing options that have rental components that are consistent with the Low-Income Housing Tax Credit (LIHTC) Program that is run by the Iowa Finance Authority (IFA). The proposal focuses on allowing a lease-to-own option or standard rentals. The main preferences that were put into the RFP were to see smaller scale building types with a restriction of three-stories in height. The scoring system is going to be a comparison of proposals and will be forwarded to City Council to find the best project that meets the interest of the City. The number one priority is to find a developer that is experienced with LIHTC and can put a competitive project together. Director Diekmann noted that, as a draft RFP, there will be a few small edits by staff to get it finalized by next week.

Council Member Betcher explained that there is a points category for market rate housing to be included in the project and she wondered if that had to be included in the proposal for the LIHTC or if the market rate housing is somewhere within the subdivision, and therefore, the LIHTC application would get points. Mr. Diekmann commented that it was his understanding that it would need to be on the property of the recipient of the LIHTC application, and under the control of the developer.

Mayor Haila referred to Attachment D (CDBG Special Terms and Conditions) where it mentioned that “agencies must be an incorporated non-profit in Iowa by proposal submittal,” and wanted to know if the developers have to be non-profit or is the non-profit referring to the City. Housing Coordinator Vanessa Baker-Latimer explained that the agencies claiming to be a non-profit have to show that they are. She mentioned she will change the wording in that section to be clearer.

Mayor Haila commented that the RFP noted that the developer had to figure out if they have

adequate storm water capacity in the pond. He thought the pond was designed to handle both properties across the street and this property. Mayor Haila inquired if the developers would be told how much storm water capacity they get to use, and if they go over, they have to figure out how much land to dedicate to a storm water pond on the property. This could reduce the amount of developable land. Director Diekmann explained that the reason that was put into the RFP was because staff has a very broad assumption about the development of the entire area for 321 State, but can't guarantee what the proposals will be. It was a "catch all" way to make sure to verify that the project is correct with assumptions.

Mayor Haila also mentioned that the proposal indicates that a geothermal system is going to be put in, and the developer is expected to connect to it. He wanted to know how this was going to be done. Director Diekmann stated when speaking with the Electric Services Department, it is the expectation that the system for the single-family home area could also serve this property. The way it was worded is the expectation that the developer would connect to the geothermal, but if there was a good reason why a developer couldn't connect, they would be expected to extend a natural gas line from the west side over to the site so heating and cooling could be done under conventional needs. Mayor Haila pointed out that in the RFP it stated that "the developer is responsible to connect to the district geothermal heating and cooling system at the north edge of the site along Tripp Street," and he wanted to make sure the wording is clear that if the developer didn't want to connect it would be the developer's prerogative. Mr. Diekmann explained that the understanding is that the developers will connect to the geothermal system. It would cost less for the developer to connect to the geothermal system. The developer would only need to take the electric to the edge of the street to the area. The Ames Electric Department will have already covered the capital costs. Ms. Baker-Latimer mentioned that they could put in additional language to clarify that the City is in the process of having the geothermal system put in as part of the development on the north and south side. This way the developers are aware that the City of Ames is installing the system.

Mayor Haila asked if it would be helpful under submittal requirements to add a note to reinforce that there will be no reimbursement for any expense as part of the RFP response or for final development plans and permits by the City. He noted that it may be beneficial to state the no reimbursement aspect in a couple places.

Mayor Haila opened public comment.

Tony Ramey, 425 Hilltop Road, Ames, wanted to comment about the email he sent to the Council earlier. He noted that he did get a reply from Council Member Martin. Mr. Ramey stated he was asking to include a proposal that is in line with what the neighborhood would like to see with triplex's that would be rent to own. Mr. Ramey stated that an additional sentence could be added to 1E; that mentions lease-to-own housing units. He stated that he sent the email and mentioned it because of the scoring criteria for LIHTC and thought that in the scoring criteria under 6.1.4 that provides an opportunity for home ownership would give 25 points. He believed that if a developer would take into consideration his recommendation, they would get more LIHTC points.

Moved by Corrieri, seconded by Betcher, to approve Alternative 1. To direct staff to proceed with issuing a Request for Proposal (RFP) to identify a partner developer to pursue the development of a multi-family housing component on the south parcel of the Baker Subdivision utilizing Low-Income Housing Tax Credits (LIHTC).

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

STAFF REPORT ON THE AMES URBAN FRINGE PLAN AMENDMENT AT 23959-580TH AVENUE (CAREMOLI): Planning and Housing Director Kelly Diekmann stated a similar request had come before the Council earlier this year from Papa's Towing Company, but the Council chose not to proceed with a request due to its timing in relation to the Ames 2040 Plan and an Ames Urban Fringe Plan (AUFPP) Amendment to a different use type. Director Diekmann explained that the site has a County A-2 zoning, which allows for agricultural business uses along with other agricultural activities. The property owner doesn't believe he can tenant the buildings for an agricultural use and would like to explore other options. The property was then sold, and the current owner, Larson Leasing, LC, is requesting an amendment to the AUFPP in support of a different mix of uses for the existing buildings that would include office, commercial, and warehouse space. Story County Planning had determined that a zoning district change would need to occur for the owner's desired use of the existing building with a mix of industrial and commercial activities; the preferred County zoning district would likely be a Commercial/Light Industrial. Mr. Diekmann explained that per the Ames Urban Fringe Plan, a rezoning of the site is not permissible under the current Industrial Reserve Designation.

Director Diekmann commented that there were two options to move forward. The first option would be to allow the applicant's needs to be met by allowing for a change in the AUFPP that would also allow Story County to rezone the site to Commercial/Light Industrial, and the property would stay within the County for its review and development. The other option is to change the designation to allow for the property to be annexed. Even though the property doesn't touch the City of Ames at this point, there are two intervening properties that the City already has consent to annex. The City could combine those two properties along with this property for a voluntary annexation. The primary difference would be the review territory would be within the City and a zoning district would need to be applied to the property. Director Diekmann mentioned that the new zoning district would be something that staff would be working on this winter as the utility project moves forward. It was pointed out that if the property is allowed to proceed through Story County's process, the City would require that the property would be annexed sometime in the future. He noted that the Iowa DOT planned to construct a new interchange in the vicinity of this site that will create a primary entrance from Highway 30 to the City's planned Prairie View Industrial Park location. This location is viewed as a critical entry into the City's planned industrial expansion area. Mr. Diekmann mentioned that, if the property was annexed into the City, water and sewer service would not be available for a long time, but the site is already developed and could continue to operate under its current utility system.

Director Diekmann displayed a location map and explained that no new buildings are being proposed on the site.

Council Member Gartin asked for Mr. Diekmann to point out which properties have consented to be annexed into the City. Mayor Haila asked if there were any requirements from the State in order to annex land to avoid jagged borders. Director Diekmann stated that when it is a voluntary annexation the State doesn't question it, but the State will question the boundaries when doing an 80/20 annexation.

Council Member Gartin asked if there were any properties that should be brought in as an 80/20 annexation. Director Diekmann explained that he didn't really look at the annexation choices once staff saw that annexation was possible. It was pointed out that there were about three to four properties on 580th that were rural development and would probably not be interested in coming into the City since there currently is not any access to utilities. Mr. Diekmann commented that he can look into the 80/20 annexation during the annexation process. Mr. Gartin noted that the City could reach out later to the properties to see if they would want to be annexed.

Council Member Betcher questioned if the Council went with Option 2, and developed the new industrial zone, what would the staff hours be and if the Work Plan needed to be re-prioritized. Director Diekmann explained that it would not affect the current Work Plan.

Mayor Haila inquired if the new interchange would have Highway 30 elevated and then have 580th go underneath an overpass. Mr. Diekmann mentioned that he is not that familiar with the Iowa DOT's plan.

Mayor Haila wanted to know if Mr. Diekmann was familiar with Story County's Commercial/Light Industrial Zoning and if Mr. Diekmann had any concerns about something being put in that was incompatible with the City's vision. Director Diekmann stated that will be something for staff to look into further during the application process. Mr. Diekmann noted he would be concerned about Story County's Conditional Use Permits, which allow racetracks and commercial campgrounds, but overall Story County's Commercial/Light Industrial Zoning is in-line with the City's zoning standards.

Mayor Haila asked when the Council gives staff direction, would it allow the application to move forward only. Director Diekmann stated that would be correct, and if the Council approved the application, the applicant would need to go to Story County to have the Board of Supervisors approve the application, and then the applicant would file a Fringe Plan Amendment with the City of Ames to kick off the review process and the public notice process.

Mayor Haila opened public input and closed it when no one came forward to speak.

Council Member Gartin mentioned that, in the long term, this property would be one that the Council would want under City control. He noted that Option 2 would be the best option, and he would be interested to hear what annexation options there would be. Mr. Gartin explained that this area is important, and the annexation needs to be done correctly.

Moved by Gartin, seconded by Beatty-Hansen, to approve Option 2, to allow the applicant to move forward with an application to amend the AUPF from Industrial Reserve to Planned Industrial (PI) and allow a concurrent voluntary annexation application.

Council Member Betcher asked if the property owner, Mr. Larson, had a preference to any of the options listed in the Staff Report. Mr. Diekmann stated that Option 1 would be the easiest, but Mr. Larson said he would be fine with Option 1 or Option 2. Director Diekmann noted that with the annexation, whether in Option 1 or 2, the timing can be controlled by the City either by a certain timeframe, by the City's request, or by a trigger in the covenant that states prior to any new buildings being added.

Council Member Martin stated he is not sure why the City would want to move quickly with the annexation rather than hold that option in reserve until the time is right. He was hesitant about Option 2 versus Option 1, and asked if there was a good reason to move forward immediately. Council Member Betcher explained that she is considering Option 2 due to the fact that it has the option of expanding the annexation area. Council Member Martin mentioned that he is understanding that Option 1 would add this property to the list of future annexation agreements that could be done when the time was right, where Option 2 would do everything all at once. Director Diekmann stated that was how staff was trying to make the two distinct. Mayor Haila noted that if the property is required to be annexed, the properties will need to be brought up to the City's Building Code requirements. It was noted that if any of the buildings were to be a business, they would have to bring the building up to Fire Code and add sprinklers; which will be hard to do with rural water. Mayor Haila just wanted to make the Council aware of what could factor into the project down the road for the property owner. Mr. Diekmann stated he knows the property owner has not thought of all that yet as there is still a lot to be learned. Council Member Betcher stated that it sounds like it would be more beneficial for the applicant to go with Option 1. It was noted that Option 1 would definitely be easier for the applicant. Director Diekmann noted that if there was a consensus for moving to the Planned Industrial (PI), staff can work on the annexation component concurrently with the PI designation. The Council is not approving the PI change tonight; staff would have to draft an annexation agreement and that is something that could be worked on.

Council Member Gartin stated that one of the big things for him is he doesn't want this property to be developed under the County regulations; the property should be developed to the City's standards. He noted this is a critical property even though there is not a lot there, but the addition of the corridor will make the area very beneficial to the community.

Mayor Haila inquired about the buildings that were already on the property and if they were going to be doing anything to the outside of the building or just getting renters into the building. Mr. Diekmann commented that some of the outside facade may change to add doors, but the vacant land in the back would not get touched.

Council Member Martin appreciated Mr. Gartin's point about wanting to share the rights of the development standard going forward, but he liked the idea of achieving this through covenants. He

wondered if there is consensus to move to Planned Industrial and approve Option 2. He asked if Mr. Diekmann would be able to come back to the Council and explain that maybe the best thing to do is not to do the annexation immediately due to some other factor. Mr. Martin explained he didn't want to make a decision that will lock the Council into something that can't be changed. Director Diekmann mentioned that there is still a lot to be learned about the annexation regarding timing for the City and for the applicant. Mr. Diekmann stated if the Council chose Option 2, the annexation would be done as soon as possible, but they would work through it while doing the Ames Urban Fringe Plan. He noted all the Council would be doing is telling the applicant how to apply.

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

STAFF REPORT REGARDING DOWNTOWN PAVER REPLACEMENT PROJECT:

Assistant City Manager Brian Phillips stated that Justin Clausen, Public Works Operations Manager, and Angie DeWaard, Public Arts Commission, are on the line as well to answer any questions. Mr. Phillips mentioned there are three questions that staff would like to get direction on from the City Council before moving forward with finalizing the plans and specifications for the project. He noted that two of the questions are straightforward after having discussions with Ames Main Street and that would be regarding the color and patterns of the pavers. In communication with Ames Main Street they are comfortable with staff's recommendations. Mr. Phillips stated that in order to replicate the current pattern, it may increase the cost of the project, but staff believes they can specify the curved pattern as well as right angle pattern and see what bids come in.

Mr. Phillips stated the big discussion is the wall and artwork at Tom Evans Plaza. Ames Main Street and the Public Art Commission (PAC) had a discussion with the artist and investigated options pertaining to the wall. It may be possible to renovate the wall at a cost a little higher than \$16,000, but it was the desire of Ames Main Street and PAC to decommission the wall and have it removed as part of the paver project. He noted that they need Council's opinion about the wall in order to finalize the plans and specifications.

Mayor Haila inquired as to why people would want the wall removed. Mr. Phillips explained that the communication from Ames Main Street indicated that the wall was in disrepair; many of the tiles are coming off the wall or are cracked. It would be difficult to match the colors of the existing tiles if they were to repair the wall. Assistant Manager Phillips explained that the comments from Ames Main Street were that the removal of the wall would open the space in Tom Evans Plaza for people to be able to see into the Plaza. Both Ames Main Street and the Public Art Commission recognize the opportunity for future artwork to be placed in the area. It was also unclear at the time PAC met how much it would cost to rehabilitate the wall, and the expectation was that it was going to be very expensive. PAC felt that given all the circumstances, it would be best to decommission the wall. Mayor Haila inquired if the \$16,000 would replace all the tiles or just some of them. Mr. Phillips noted that amount would be to just replace the damaged tiles. Mayor Haila commented that the colors may not match and look patchy.

Council Member Betcher commented that if the wall was to be taken down the City would lose the

electricity that is currently hidden within if the wall. The electric service being removed may be an issue for the Ames Farmers Market and other events Downtown. The Staff Report also mentioned the installation of expensive bollards or planters in the area. She wondered if the wall were to be taken down if it would be a permanent solution or would the area be considered to have temporary planters with some sort of electricity available. Mr. Phillips explained that if the wall were removed, they would need to spend at least \$500 to abandon the existing electrical back to a junction box. If electrical outlets are desired, then they would need to spend an additional \$2,000 to reconnect the service and put in a new box. Assistant City Manager Phillips commented that would be a question for the Council to decide if they would like to have electrical service available or not. Council Member Betcher asked if the Council wanted to put in new electrical would it need to be done when putting the pavers in or could it be done later. Justin Clausen explained it would be preferable to put in the electricity before the pavers go in. They would run conduit from the existing junction box to another island that is close to where the outlets are currently. The electricity could be put in later, but they would have to remove the pavers, and this could damage some of them; they would need to replace them if that were to happen.

Mr. Phillips noted that the bollards were recommended by staff in order to separate the driving area and the pedestrian area. There are some options regarding the bollards. Each bollard costs around \$1,000 and 11 bollards would need to be purchased. If cost was an issue, there are alternatives that could be done instead of the bollards. Mayor Haila wanted to know if the quote for the bollards was current as the ornamental bollards can be very expensive. Mr. Clausen explained that he had reached out to the supplier that originally supplied Ames Main Street with the current bollards and the quote is current. Council Member Betcher explained that the current bollards are looking rusty and Ames Main Street is not happy with what has happened to the bollards. Mr. Clausen explained that what is happening to the current bollards has to do with the age of the bollards and painting. The newer bollards are being done by powder-coating, which helps maintain the color for a longer period. Ms. Betcher asked, if they decided to take down the wall down, would the Council be locking themselves into something that Ames Main Street is not going to like. She noted she had a conversation with John Hall, Senior Director of Business Development with Ames Main Street, about different ideas for Ames Main Street. Mr. Phillips noted that there have not been any further conversations outside of the paver project with Ames Main Street.

Council Member Beatty-Hansen inquired if the \$16,000 cost to repair the wall was known to the Public Art Commission before they made their decision to recommend decommissioning it. She inquired if PAC had known about the cost of removing and replacing the wall, would its decision have been different. Mr. Phillips explained that PAC held their meeting knowing that the cost of the repair was going to be very high, but the exact amount was not known. The Council could ask PAC to review the request again with the cost amount added, but there would be some timing issues as they would like to start replacing the pavers this fall. Angie DeWaard, Public Arts Commission member, stated that there is a lot of maintenance that would be necessary, which was mentioned when the wall was first put up, and that had either been lost in time or just had not been doing the maintenance. She wanted to point out that if the wall was repaired, there would be ongoing maintenance issues going forward. Ms. DeWaard commented that when she was speaking with

Ames Main Street, it felt that they did not like the wall regardless if it would be repaired or not. Mayor Haila noted that with the ceramic tiles there would be a lot of maintenance especially with Iowa's colder winters. Council Member Beatty-Hansen asked if the artist had expressed his desire to have the wall decommissioned as well. Ms. DeWaard stated that the artist did have a conversation with Elizabeth Erbes, Ames Main Street, and after speaking with Ms. Erbes, the artist did comment that if the were to be removed it would open the area.

Mayor Haila stated that in the Staff Report it mentions that a curb would need to be installed to transition the existing street down to the paver elevation. He wanted to know if there were any safety concerns. Mr. Clausen stated that since there is a curb on the street side that is six inches higher than where the pavers sit, there needs to be a way to transition it down. His concern is to maintain ADA slopes as there are two crosswalks on either side of the wall. Any bollards would need to be placed in between the curb area. This would allow the City to have a more level Plaza area. They did not go into a detailed design, but something is needing to be done to help with the elevation.

Council Member Gartin mentioned that when RAGBRAI was held in Ames there were different concert venues along Main Street. He wondered if it would be wise to think about the level of electric service to make sure there are options to have concerts. Mr. Clausen explained that he did work with the Electric Department to get a rough idea about costs, but did not get into an in-depth conversation about different options.

Mayor Haila opened public comment. He closed public comment when no one asked to speak.

Moved by Gartin, seconded by Betcher, to deaccession "The Vanishing Rail Yard."
Roll Call Vote: 6-0. Motion declared carried unanimously.

Mr. Phillips stated that the Council would need to discuss what they would recommend for the electrical outlets, and once they have the final cost, they would take the final costs out of the paver replacement project. If the costs exceed what had been budgeted for the first phase they could take funds from future phases and then maybe allocate funds in future years. Mayor Haila inquired about the other components that need to be added to the project. Mr. Phillips explained that all the other components have to take place if the wall is removed, but the electric outlets are where there is some discretion. Mayor Haila clarified that by the approval of the Council, to demolish the wall, they have committed to \$20,000 cost for the project, and the question is if an additional \$3,000 would need to be spent on electrical service.

Moved by Betcher, seconded by Junck, to reinstall the electrical outlets and to explore expanding the electrical service at the location.
Roll Call Vote: 6-0. Motion declared carried unanimously.

Staff has prepared plans and specifications with two bid alternates: a straight paver pattern and a curving line paver pattern with the third accent color (replicating the existing pattern).

Moved by Betcher, seconded by Martin, to approve the colors as proposed in the Staff Report, which are Cabernet Red, Onyx Black, and Mineral Ice.

Council Member Martin asked to verify that all the pavers are going to be replaced and not just a few here and there. Mr. Clausen stated that was correct; all pavers will be replaced from Clark Avenue to Burnett Avenue during the first phase and will continue with future phases all the way to Duff Avenue.

Council Member Gartin stated he is less concerned about the color and more about the durability of the pavers. Mr. Clausen stated they are expecting top-notch pavers due to multiple reasons. One would be durability because of what is being experienced on the west end. There are some high-grade chlorides that are being used for de-icing material. Mr. Clausen is talking to individual businesses to make sure staff understands access issues and to educate the business owners as to what is being used on the pavers. He noted that a lot of the pavers are being eaten away on the bottom side due to drainage issues. There are weep holes that drain the water, snow, ice, and salt away, and those have gotten plugged over time. Part of the project will be to clean out the weep holes and have better draining and to educate businesses about salting the ground in the winter.

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

MOTION SUPPORTING JOINT PROJECT WITH IOWA STATE UNIVERSITY FOR IMPROVING PUBLIC ENGAGEMENT WITH COMMUNITY RESIDENTS: City Manager Steve Schainker stated that one of the City Council's goals is to "Use the best communication engagement techniques and modern technologies to engage the community by reaching people in geographic areas using multiple channels." Mr. Schainker explained that due to COVID-19 they have fallen behind on keeping up with the Council's goals. He mentioned that Ms. Betcher had introduced him to some faculty members at Iowa State University with the Department of Community and Regional Planning and the College of Design. It was determined that a class could be designed to take the lead on the analysis as early as the fall semester, and depending on the status of COVID-19, a second class could be added in the spring semester.

The benefits of working with an ISU class for the task is three-fold. First, it frees up City staff to work on other goals of the City Council that have been delayed due to the pandemic. Second, it assists ISU in providing students with a real-world project on which to work. Third, there are minimal out-of-pocket costs associated with working with the students as opposed to a very costly consulting contract with a private entity.

A Request for Assistance (RFA) was put together to help ISU with their syllabus and the City to help outline the expectations for the class and also for the Council Members to know what will be happening. The students are to identify techniques that could be used to assure that impacted residents in the community and residents who are not currently engaged in the decision-making process. They will be given the opportunity to provide input and feel they have been heard, not necessarily agreed with, before the Mayor and City Council make a final policy decision or initiate

a project that affects residents.

Integral to the success of this project would be identifying the individual groups (e.g., retirees, racial or ethnic groups, international families, university students, low-and-moderate-income residents, etc.) that exist within the larger community and recommending which of the techniques for City-Initiated Engagement and Resident-Inspired Engagement would be the most appropriate and which engagement techniques are most appropriate for what categories of issues.

Mr. Schainker explained that he normally wouldn't bring this item to the Council for approval, but due to the Council's goal, he wants to make sure the Council's needs are met. There is also a small budget amount requested. The project would be accomplished in two phases over the fall semester in 2020 and the spring semester in 2021. The COVID-19 pandemic makes these plans, and especially, Phase 2, necessarily tentative.

Moved by Beatty-Hansen, seconded by Junck, to approve the project reflected in the attached RFA, along with the minimal budget request.

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

ORDINANCE REVISING MUNICIPAL CODE SECTION 17.33 PERTAINING TO SELLING, GIVING, OR SUPPLYING TOBACCO, TOBACCO PRODUCTS, OR CIGARETTES TO PERSONS UNDER 18 YEARS OF AGE: The Mayor opened public comment. There was no one wishing to speak.

Moved by Beatty-Hansen, seconded by Betcher, to pass on first reading an ordinance revising *Municipal Code* Section 17.33 pertaining to selling, giving, or supplying tobacco, tobacco products, or cigarettes to persons under 18 years of age.

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

ORDINANCE VACATING A PORTION OF CITY RIGHT-OF-WAY ADJACENT TO THE SOUTH EDGE OF 2400 SE 16TH STREET: Moved by Corrieri, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4417 vacating a portion of City right-of-way adjacent to the south edge of 2400 SE 16th Street.

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

ORDINANCE REVISING THE PARKING REGULATIONS ON WESTBROOK DRIVE: Moved by Betcher, seconded by Beatty-Hansen, to pass on third reading and adopt ORDINANCE NO. 4418 revising the parking regulations on Westbrook Drive.

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

HEARING ON PROPOSED CONVEYANCE OF A PORTION OF VACATED CITY RIGHT-OF-WAY ADJACENT TO THE SOUTH EDGE OF 2400 SE 16TH STREET: Mayor Haila opened the public hearing and requested to have the hearing continued to August 11, 2020.

Moved by Betcher, seconded by Junck, to continue the hearing on August 11, 2020, the conveyance of a portion of vacated City right-of-way adjacent to the south edge of 2400 SE 16th Street.
Vote on Motion: 6-0. Motion declared carried unanimously.

HEARING ON EMMA MCCARTHY LEE PARK PEDESTRIAN BRIDGE REHABILITATION: Council Member Martin stated that this bridge washed out in 2018. It has taken a long time to get the bridge repaired, and he wanted to know if the Council could have done anything to speed up the process to get the bridge repaired earlier. City Manager Steve Schainker stated there was nothing the Council could have done as they were trying to get federal funding based on the flood. The City was trying to get \$100,000 in federal funding for the project, but only got \$29,000. Mr. Schainker mentioned, in retrospect, if they had known there were going to only get \$29,000, they may have moved forward with the project without the federal funding. It was noted that once the money was received, they had to go through the approval of the DNR permits etc. Council Member Martin suggested that if a situation like this comes up again, maybe the Council could decide to not wait on the funding. City Manager Schainker stated he would caution the Council in taking that approach, but it would depend on how big the project is.

Council Member Gartin commented that he didn't appreciate how heavily this bridge was utilized, and what a connecting mechanism this is for many neighborhoods. He explained that the Council received a lot of feedback, and he is excited to get the bridge put back into place.

Council Member Martin mentioned he believes the bridge is a huge boost to the quality of life for the citizens of Ames.

The public hearing was opened by the Mayor. He closed the hearing after no one asked to speak.

Moved by Junck, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 20-412 approving the final plans and specifications and awarding a contract to Henkel Construction Co., of Ames, Iowa, in the amount of \$179,272.75.

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

HEARING ON 2019/20 CLEAR WATER DIVERSION: The Mayor opened the public hearing and closed it after there was no one wishing to speak.

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 20-413 approving the final plans and specifications and awarding a contract to Keller Excavating Inc., of Boone, Iowa, in the amount of \$102,240.

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

HEARING ON 2020/21 US HIGHWAY 69 IMPROVEMENTS (SOUTH DUFF AVENUE AND US HIGHWAY 30 EASTBOUND OFF-RAMP): Mayor Haila opened the public hearing and

closed it when no one came forward.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 20-414 approving the final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$1,019,942.60.

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

HEARING ON UNIT 8 CRANE RENOVATION: Mayor Haila stated that it was his understanding from staff that more time was needed to review the bids.

The public hearing was opened by the Mayor. He asked for a motion to continue the hearing on the Unit 8 Crane Renovation until August 11, 2020.

Moved by Martin, seconded by Junck, to accept the report of bids only.

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

Moved by Martin, seconded by Betcher, to continue the hearing to August 11, 2020, on the Unit 8 Crane Renovation.

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

DISPOSITION OF COMMUNICATION TO COUNCIL: Mayor Haila indicated there were six items to be addressed. The first item was an email from Dan Craig regarding charges incurred due to a broken water meter. City Manager Steve Schainker suggested the Council ask for a memo from staff on the issue.

Moved by Gartin, seconded by Betcher, to request a memo from staff for more information on the email from Dan Craig regarding the charges he incurred due to a broken water meter.

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

Mayor Haila explained that Item 2 is a letter he received from Luis Rodriguez, Director, Engineering and Modeling Division, Federal Insurance and Mitigation Administration/FEMA, about the modified Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report. He noted he routinely gets these letters, and he was passing it on for information purposes only.

The third item was an email from Hector Arbuckle requesting to have a study done to determine if there are plots of public land suitable for “food forests.”

Moved by Beatty-Hansen, seconded Betcher, to delegate the request to staff to bring back when they have the community garden discussion.

Council Member Gartin commented that one concern for staff would be the maintenance of a “food forest;” there is a lot more commitment required. It would be valuable if there was a group that

would be a partner with the City to assist with some of the maintenance.

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

Item 4 was a request from Lisa Hovis, Ames Historic Preservation Commission, requesting \$2,600 for two new designed signs in Downtown Ames. The intent of the new signage is to promote the history and evolution of the Downtown architecture.

Council Member Betcher stated that she is in favor of the request, but not sure what the motion needs to be. She asked if they need to allocate funds from Council Contingency or asking Mr. Schainker to identify funds. Mayor Haila mentioned it would also be a policy discussion: Would Council want to accept requests during the year for items as this or should they be deferred to the normal budget cycle. Council Member Martin explained he would prefer to stack requests like this one against other interested Commissions etc., that could also use funds for projects. City Manager Schainker explained that the first decision the Council would need to make is whether to allocate the funds now or wait until the normal budget cycle. Mayor Haila noted if the Council were to approve funds tonight for the Historic Preservation Commissions it would be setting a precedent for other Commission to come forward. It was noted that everyone liked the idea of the project, but preferred to have the Commission wait to submit its request during the normal budget cycle.

Moved by Martin, seconded by Junck, to ask the Historic Preservation Commission to bring its request back at the appropriate time, which would be during the Town Budget Meeting. Council Member Martin withdrew his motion.

Moved by Martin, seconded by Junck, to encourage the Historic Preservation Commission and like entities to bring budget requests along these lines to the Council during the Town Budget Meeting. Vote on Motion: 6-0. Motion declared carried unanimously.

Mr. Schainker explained that Item 5 was a memo outlining the process that was used with bar owners to ensure their compliance with social distancing and other public health measures established by the Governor's Proclamation. He noted he was little distressed to read the article in the *Ames Tribune* today about social distancing in bars. Council Member Beatty-Hansen inquired if the letter was sent to bars only or all liquor license holders. City Attorney Lambert stated that any restaurant that included food was sent the letter, except for grocery stores. Council Member Beatty-Hansen commented that she was surprised about the article in the *Tribune* stating there is nothing they can do and wondered if the article was before the letter was sent out. Mr. Schainker stated no follow-up was needed as it was information only.

Mayor Haila mentioned that the last item was a letter from Chad Schneider, Attorney with Hastings, Gartin, & Boettger, LLP, requesting to change the zoning of the property located at 27107 Timber Road, Kelley, Iowa. City Manager Schainker recommended the Council request a memo from staff to clarify the issue.

Moved by Betcher, seconded by Martin, to get a memo from staff to clarify the issue for the Council. Vote on Motion: 5-0-1. Voting Aye: Betcher, Beatty-Hansen, Corrieri, Junck, Martin. Voting Nay. None. Abstaining due to conflict of interest: Gartin. Motion declared carried.

COUNCIL COMMENTS: Moved by Betcher, seconded by Beatty-Hansen, to ask the Mayor to re-engage with Leon Andrews with the National League of Cities, Base Equity and Leadership Team, as soon as possible, to begin discussions about assisting the City in determining what can be done to improve the diversity, equity, and inclusion efforts in regard to policies.

Council Member Martin asked if any contact had been made with Mr. Andrews within the past year. Mayor Haila mentioned that he had met with Mr. Andrews in February 2020, and he did contact Mr. Andrews about a month ago. Mayor Haila explained that he had indicated to Mr. Andrews that the City would be back in contact later in the summer.

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

Council Member Betcher stated she is honored to be representing the NAACP as one of their representatives at the National Conference. She is looking forward to seeing how the organization operates at the National level. Ms. Betcher let the Council know if any of them were interested in participating in Leon Andrews training sessions for the International Town & Gown Association in September, they should let her know so they can be part of the team cost. Ms. Betcher commented that she had already signed up as an individual and anyone else that signs up can do the two-day training for only \$50.00.

ADJOURNMENT: Moved by Betcher to adjourn the meeting at 8:11 p.m.

Amy L. Colwell, Deputy City Clerk

John A. Haila, Mayor

Diane R. Voss, City Clerk