

**MINUTES OF THE SPECIAL MEETING OF THE  
AMES CONFERENCE BOARD AND  
REGULAR MEETING OF THE AMES CITY COUNCIL**

**AMES, IOWA**

**MAY 11, 2021**

**SPECIAL MEETING OF THE AMES CONFERENCE BOARD**

The Special Meeting of the Ames Conference Board was called to order by Chairman John Haila at 5:31 p.m. on May 11, 2021. Present from the Ames City Council were Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Rachel Junck, and David Martin. Linda Murken, Lisa Heddens, and Latifah Faisal represented the Story County Board of Supervisors. Representing the Ames Community School Board, Sabrina Shields-Cook. Nevada School Board of Directors, United Community School Board and Gilbert School Board Community were not represented.

Mayor Haila stated that it was impractical to hold an in-person Council meeting due to the COVID-19 pandemic. Therefore, this meeting was 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.

**MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN CITY OF AMES AND STORY COUNTY REGARDING AMES CITY ASSESSOR BENEFITS ADMINISTRATION:** Assistant City Manager Brian Phillips explained that the Agreement is between the City and Story County to deal with how the benefits and payroll administration work. Since that is more a function of the Conference Board, this item is being presented to the Board for approval.

Story County Supervisor Lisa Heddens asked to clarify that the Memorandum of Understanding (MOU) was regarding the pay structure that had previously been discussed. Mr. Phillips confirmed that was correct. The MOU also provides some clarification about the facilities that are made available to the City Assessor's Office, and the use of the City's Human Resources staff, training resources, etc. He pointed out that there is a provision in the MOU regarding the City Assessor joining the Executive Leadership Team (ELT). Mr. Phillips noted that the previous City Assessor had already been involved in ELT as the items discussed during ELT relate to everyone in City Hall and other City facilities.

Council Member Martin mentioned he was unaware that the participation of the City Assessor in ELT had already been happening. He was concerned that it could give rise to the perception of some sort of improper collaboration between the City's internal budget development process and the Assessor's independent assessment of property values. Mr. Martin wanted to know if there was any need to add language to the MOU that those need to remain separate or if that has already been established through existing practice. Mr. Phillips explained that during the ELT meetings, the Department Heads are not going into any indepth conversations regarding the budget. Staff highlights what is going on in the City (eg. initiatives, organizational values).

Moved by Corrieri, seconded by Murken, to adopt RESOLUTION NO. 21-238 assenting to the

Memorandum of Understanding between the City of Ames and Story County regarding the Ames City Assessor benefits administration.

Ames Community School Board Representative, Sabrina Shields-Cook entered the online meeting at 5:38 p.m.

Roll Call Vote: 3-0. Resolution declared adopted unanimously, signed by the Chairman, and hereby made a portion of these Minutes

**CLOSED SESSION:** Council Member Gartin asked City Attorney Mark Lambert if there was a legal reason to go into Closed Session. Mr. Lambert replied in the affirmative, citing Sections 21.5(l)(i) and 21.9, *Code of Iowa*, to discuss candidates for the position of City Assessor.

Moved by Gartin, seconded by Heddens, to hold a Closed Session, as provided by Sections 21.5(l)(i) and 21.9, *Code of Iowa*, to discuss candidates for the position of City Assessor.

Vote on Motion: 3-0. Motion declared carried unanimously.

Moved into Closed Session at 5:41 p.m. and reconvened in Regular Session at 6:50 p.m.

Moved by Betcher, seconded by Heddens, to initiate negotiations with the selected candidate under the conditions that were discussed.

Vote on Motion: 3-0. Motion declared carried unanimously.

**CONFERENCE BOARD COMMENTS:** Council Member Betcher commented that she realized there were eight women elected officials during this meeting, and she thought that was something that Story County and the City of Ames should be proud of.

**ADJOURNMENT:** Moved by Heddens to adjourn the Ames Conference Board meeting at 6:54 p.m.

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

**CALL TO ORDER:** Mayor John Haila called the Regular Meeting of the Ames City Council, which was being held electronically, to order at 6:57 p.m. with the following Council members participating: Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Rachel Junck, and David Martin. *Ex Officio* Member Trevor Poundstone was also present.

Mayor Haila stated that it was impractical to hold an in-person Council meeting due to the COVID-19 pandemic. Therefore, this meeting was 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.

**PROCLAMATION FOR “ECONOMIC DEVELOPMENT WEEK,” MAY 9 - 15, 2021:** Mayor Haila proclaimed the week of May 9 - May 15, 2021, as “Economic Development Week” in

appreciation of all that the City's partners in the economic development field do to make the City of Ames the vibrant and thriving community it is today.

Accepting the Proclamation from the Chamber of Commerce were Dan Culhane and Brenda Dryer. Ms. Dryer commented that it is a privilege to work in a partnership with the City of Ames. There is much to celebrate and look forward to. She appreciated the opportunity to work on behalf of the citizens of Ames and is excited to look ahead at the advancement of infrastructure, continuing to support local industries, and to attract and retain a workforce in and around the City of Ames.

**PROCLAMATION FOR “PEACE OFFICERS’ MEMORIAL DAY,” MAY 15, 2021:** The Mayor proclaimed May 15, 2021, as “Peace Officers’ Memorial Day” in honor of the federal, state, and municipal officers who have been killed or disabled in the line of duty. This is done in recognition of the service given by the men and women who, night and day, stand guard to protect the City through enforcement of laws.

Accepting the Proclamation was Commander Geoff Huff. He thanked the Council and the Mayor on behalf of all the staff in the Ames Police Department for helping recognize “Police Week” and “Peace Officers’ Memorial Day.” Commander Huff also wanted to thank everyone for recognizing one of their own, Sergeant Howard Snyder whose name does appear on the Memorial Wall in Washington, D.C., as well as the Iowa Peace Officer Memorial in Des Moines, Iowa. He stated that the officers are dedicated to service to all members of the community and appreciated the recognition.

**PROCLAMATION FOR “NATIONAL PUBLIC WORKS WEEK,” MAY 16-22, 2021:** Mayor Haila proclaimed May 16-22, 2021, as “National Public Works Week.” He urged all people to join with representatives of the American Public Works Association and government agencies in paying tribute to the public works professionals, engineers, managers, and employees, and to recognize the substantial contributions they make to protecting the national health, safety, and quality of life.

Accepting the Proclamation on behalf of the City of Ames Public Works Department were Public Works Director John Joiner and Municipal Engineer Tracy Peterson. Director Joiner thanked the Mayor and Council for helping celebrate “National Public Works Week,” as well as the hard work and dedication of the Public Works employees across the organization.

**PROCLAMATION FOR “EMS WEEK,” MAY 16 - 22, 2021:** The Mayor proclaimed the week of May 16 - 22, 2021, as “EMS Week,” with the EMS Strong Theme, “This is EMS: Caring for our Communities.” The Mayor encouraged the community to observe this week with appropriate programs, ceremonies, and activities.

**PROCLAMATION FOR “BUILDING SAFETY MONTH,” MAY 2021:** Mayor Haila proclaimed the month of May as “Building Safety Month.”

Accepting the Proclamation was Sara Van Meeteren, Building Official. She mentioned it was a great

opportunity to bring awareness to their field. Most people don't always understand the thought process and the provisions that are in place that are utilized every day. Ms. Van Meeteren encouraged future generations to consider going into inspections as a profession. She thanked the local architects, engineers, and contractors for working to comply with the City of Ames Codes,

Mayor Haila announced that the Council was working off an Amended Agenda. He noted that on Item 18, the bid due date and date of public hearing had changed. City staff had pulled Item No. 16: Resolution approving contract with WHKS & Co., of Ames, Iowa, for Water Pollution Control Facility Site Utility Mapping, due to staff needing to make adjustments to the Agreement, and Item No. 28: Resolution approving completion of public improvements and releasing security for Haynes Kenton Subdivision as it does not require Council approval. Council Member Betcher requested to pull Item 14: Resolution approving revised FY 2021/22 COTA Annual Grant awards and the Special Project Grant Reserve, for further discussion.

**CONSENT AGENDA:** Moved by Betcher, seconded by Martin, to approve the following items on the Consent Agenda.

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting held April 27, 2021
3. Motion approving Report of Change Orders for period April 16 - April 30, 2021
4. Motion approving temporary Outdoor Service for Tip Top Lounge, 201 E. Lincoln Way, for the following dates in 2021: **pending Dram Shop Insurance**
  - a. June 10
  - b. June 24
  - c. July 8
  - d. July 22
  - e. August 5
  - f. August 19
5. Motion approving a 5-day Special Class C Liquor License and Outdoor Service for Campustown Action Association (June 5) at 200 Welch Avenue
6. Motion approving ownership change for Class E Liquor License with Class B Wine, Class C Beer & Sunday Sales - Casey's General Store #2298, 428 Lincoln Way
7. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Special Class C Liquor License with Outdoor Service - Octagon Center for the Arts, 427 Douglas **pending Dram Shop Insurance**
  - b. Class E Liquor License with Class B Wine, Class C Beer & Sunday Sales - Casey's General Store #2298, 428 Lincoln Way
  - c. Class B Liquor License with Catering Privilege & Sunday Sales - Gateway Hotel & Conference Center, LLC, 2100 Green Hills Drive
8. RESOLUTION NO. 21-239 approving FY 2021/22 Outside Funding Contracts
9. RESOLUTION NO. 21-241 approving Professional Services Agreement with WHKS & Co., of Ames, Iowa, for 2020/21 Cherry Avenue Extension Design Project in an amount not to exceed \$209,000
10. RESOLUTION NO. 21-243 approving Amendment to Memorandum of Understanding between

- the Ames Community School District and the City of Ames regarding the Furman Aquatic Center parking lot, sidewalks, and paths
11. RESOLUTION NO. 21-244 approving preliminary plans and specifications for Prairie View Industrial Center Utility Extension Project; setting June 9, 2021, as bid due date and June 22, 2021, as date of public hearing
  12. RESOLUTION NO. 21-245 approving preliminary plans and specifications for 2018/19 Main Street Pavers (Burnett to Kellogg); setting June 16, 2021, as bid due date and June 22, 2021, as date of public hearing
  13. RESOLUTION NO. 21-246 approving preliminary plans and specifications for 2020/21 Multi-Modal Roadway Improvements (Vet Med Trail - S. 16<sup>th</sup> Street) project (Pedestrian Hybrid Beacon); setting June 2, 2021, as bid due date and June 8, 2021, as date of public hearing
  14. RESOLUTION NO. 21-247 approving contract and bond for 2019/20 Concrete Pavement Improvement Program (Douglas, 5<sup>th</sup> Street, E 3<sup>rd</sup> Street, E 2<sup>nd</sup> Street, Des Moines Avenue, and Center Avenue)
  15. RESOLUTION NO. 21-248 approving Change Order No. 2 regarding moving clay soil from Baker Subdivision site to the City of Ames Steam Electric Plant's Ash Site in the amount of \$5,350 (inclusive of taxes)
  16. RESOLUTION NO. 21-249 approving contract renewal with MPW Industrial Water Services, Inc., of Hebron, Ohio, for Bottle Exchange Program (Rental), Two-Bed Demineralizer and Related Services for Power Plant, for unit prices bid, from July 1, 2021, through June 30, 2022, in an amount not to exceed \$45,000
  17. RESOLUTION NO. 21-250 approving contract renewal with C.E.M. Solutions Inc., of Hernando, Florida, for Emissions Testing Services, from July 1, 2021 through June 30, 2022, in an amount not to exceed \$32,000
  18. RESOLUTION NO. 21-251 accepting completion of Water Pollution Control Facility Digester Cover Repairs
  19. RESOLUTION NO. 21-252 accepting completion of 2007/08 Shared Use Path System Expansion (Bloomington to Ada Hayden)
  20. RESOLUTION NO. 21-253 approving partial completion of public improvements and reducing security for Domani Subdivision, 1<sup>st</sup> Addition
- Roll Call Vote: 6-0. Motions/Resolutions declared carried/adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**REVISED FY 2021/22 COTA ANNUAL GRANT AWARDS AND THE SPECIAL PROJECT GRANT RESERVE:** Council Member Betcher commented that she pulled this item because of her discussions with the Management team; it was indicated that this was something that should be discussed and not on Consent as it involved a different way of allocating funds to the Commission on the Arts (COTA).

Assistant City Manager Brian Philips explained that it is a slight change from what the Council directed staff to do back in February 2021 during the Budget Wrap-Up session. The Council's direction, at that time, was to ask COTA for its opinion on the prospect of providing each COTA Agency with fully funded requests. In lieu of doing that, COTA recommended increases to the

COTA agencies, but not necessarily fully funding the requests. COTA had recommended increasing each award by 15.9%, but not to exceed the amount the agency had requested. This would result in two-thirds of the agencies getting their full requests and one-third receiving a substantial increase, but not the full request. This resulted in some funds being left over that will go toward the Spring and Fall Special Project Grants. The leftover amount of \$16,341 would go into the Special Project Grant Reserve. The additional funding would create an opportunity to award more grants, grants of a larger dollar amount, or to create a supplemental round of grant funding.

Council Member Martin stated that he had made the original motion in February and the way the motion was phrased was to increase the overall bucket amount by a certain number. While the number was computed by imagining everyone was awarded their full funding, that wasn't a constraint of the motion. He thought it was great the way COTA looked at the extra funding to support the arts in Ames. Mr. Martin approved of the recommendations.

Moved by Martin, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 21-240 approving revised FY 2021/22 COTA Annual Grant awards and the Special Project Grant Reserve.

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

**PUBLIC FORUM:** Merlin Pfannkuch, 1424 Kellogg Avenue, Ames, stated he took a good look at the Reinvestment District proposal and the Indoor Aquatic Center. He pointed out that it is very complicated, and he was sure he had a few details wrong, but he was convinced that the City should consider the Indoor Aquatic Center separately from the Reinvestment District proposal. Mr. Pfannkuch commented that he thought the Reinvestment District proposal seemed like a way for Hunziker to seek a subsidy to build a hotel and convention center along Lincoln Way. He saw the hotel's feasibility as suspect. He pointed out that the City may get some of the indoor pool paid for, but the City will still have to issue General Obligation Bonds. Mr. Pfannkuch stated that he thought the public had a poor understanding of the situation; everything was rushed to meet the February application deadline. He mentioned that the earlier materials staff had prepared for the Council said the Iowa Department of Economic Authority told the Ames Economic Development Commission that the Aquatic Center had to be included if the Reinvestment District proposal was going to get anywhere. He requested that the Council schedule a Special Meeting on just the Indoor Aquatic Center. Mr. Pfannkuch preferred the meeting to be held in-person in order to show the Plans. He questioned if the public was satisfied with the location, layout, and design of the area. The design of the building should be acceptable as it is a scaled down version of the Healthy Life Center proposal. If the public seems favorable, then he would ask the Council to put a bond referendum question on the November ballot. He mentioned that questions about the Indoor Aquatic Center have not been on the Resident Satisfaction Survey. Mr. Pfannkuch explained that maybe the voters may approve the scaled back aquatic center, and this would mean funding for the facility would be assured, almost four months before the Iowa Department of Economic Authority gives its final approval. If the bond proposal doesn't pass, then the City can go with the Reinvestment District idea. He stated a possible problem could be that Hunziker Companies won't get the financing for the new hotel or maybe Hunziker Companies or the City of Ames will walk. He disliked the bargaining

leverages the developer has with asking for the maximum subsidy of \$25 million in tax increment financing. He urged the Council to move forward with his suggestions.

Jon Strom, 5900 Hyde Avenue, Ames, stated he wanted to comment on the Master Plan for Hayden's Preserve, which is directly across the street from him. He explained that he had received the revised Plans and had some concerns about the traffic and what the additional load of vehicles to the development will bring to the intersection. He pointed out that there have been several accidents and near misses within the past year. Mr. Strom thought that a roundabout would be ideal for this area or at least stop lights. He mentioned that his preference would be for a roundabout to be put in to help slow down traffic. Currently, there is only a stop sign that is north to south only. He explained that the majority of traffic in the area is speeding and with the Gilbert school traffic, it is backed up several hundred yards to the south. There have been times where someone has tried to bypass the backed up of traffic and went through private property. Mr. Strom asked that before the development starts to take into consideration the additional load of vehicles that the development will introduce.

Sue Ravenscroft, 455 Westwood Drive, Ames, explained that she reviewed the Reinvestment District proposal and had some concerns. She pointed out that she was concerned about the Aquatic Center because of the two previous negative votes. The entire success for the Aquatic Center rests on projections that were made on page 20 of the application. Ms. Ravenscroft stated that the estimated hotel/motel tax revenues and sales tax revenues have to be right for this to work without the public being continuously liable for paying off the General Obligation bonds. She was surprised and disappointed when she read that the independent feasibility study was the developer telling DIS how many square feet they planned to build and using an estimated number. She stated that by building a big hotel it doesn't mean it is going to be filled, and it is not an independently derived analysis of the feasibility of the project. Ms. Ravenscroft mentioned there was an Appendix in the Report that showed financial statements for each element of the Reinvestment District proposal and that was more distressing for her as a retired Accounting Professor. She explained when reviewing the financials, they were incorrect and described each error that she found. Ms. Ravenscroft urged the Council to probe more deeply into the supporting documentation and do some due diligence. She also asked the Council not to hire the company that did the financials as it was completely "sloppy" work.

Council Member Gartin mentioned in the Public Forum section the Council continues to receive comments that he felt were pushing the envelope of being accusatory of Council and staff of wrongdoing. He wanted to know if there was an appropriate place to have the Council or staff respond to the comments. Mr. Gartin would like to see if there could be an opportunity for staff to respond and he is unsure of how to do that procedurally. The Mayor stated that if any staff would like to respond to the comments, it will be discussed during Council Comments.

**CAMPUS AND COMMUNITY COMMISSION:** Assistant City Manager Deb Schildroth stated that participating in this meeting were Campus and Community Commission (CCC) Members: Eric Abrams, Karin Chitty, Pete Englin, Debbie Lee, and Warren Madden. She mentioned that CCC

members have been working on landlord/tenant relations for a little over two years. Commission Members have met with landlords, talked with ISU students, analyzed analytics from the Rent Smart Ames website, and did a survey. In addition to the Rent Smart Ames website CCC has been in contact with individuals with the Story County mediation project.

Commission Member Eric Abrams explained that as of March 2019, CCC had reached out to multiple landlords and students about different rent and leasing issues within the City. There have been multiple meetings with landlords. And members have attended student housing events. CCC Members met with ISU legal services for student leasing issues and to obtain more information on the history of the Center of Creative Justice (CCJ) mediation. Based on research the Campus and Community Commission is recommending simplifying the Rent Smart Ames website for best practices and leasing along with promoting the site with ISU or other organizations. The other recommendation was to have a mediation program. He commented that this topic came up several times during research. It was recommended to explore the feasibility of re-setting up mediation to help with the tenant/landlord disputes and hopefully keep them out of court.

Council Member Betcher stated that she found the Report interesting and it struck her that one of the problems is communication and how to get the word out about a City resource that would be useful to students. It was pointed out that this topic keeps coming up and no one has found a way to ensure that information that the City produces is obvious to students. Ms. Betcher liked the recommendations and could see the usefulness of bringing back the mediation aspect along with paring down what is available on the website as it is hard to keep it updated. Mr. Abrams mentioned that Ms. Schildroth had pulled some stats from the website and was surprised that there were very few items that were popular on the site. Ms. Schildroth commented that the data she pulled was from 2019-2020. The top information that was pulled from the website was the Noise Ordinance, CyRide, landlord information, tenant responsibilities, and tenant information.

The Mayor asked for more information on the recommendation for mediation. Mr. Abrams mentioned it goes back to the CCJ concept where there was an arbitrator. If someone wasn't getting their deposit back or something similar, they could go to the arbitrator instead of going to small claims court. He noted that there was some funding associated with the mediation. Board Member Warren Madden mentioned that at one time some of the ASSET funding supported CCJ. Mr. Madden stated that the Campus and Community Commission is recommending a similar program to what CCJ was.

*Ex-Officio* Trevor Poundstone mentioned that for promotion, the Student Government could publicize the information on its website and social media. He explained that the Student Government is always looking for ways to work with the City to provide different options. He believed the students would find the mediation services to be a popular option and would be happy to see about working on this project in the future. Mayor Haila asked if Mr. Poundstone would be able to bring this idea back to the Student Government for input. Mr. Poundstone stated he would. Council Member Betcher commented that if possible, it would be helpful to link City information into the

MyState app, which the students seem to rely on a lot. Mr. Poundstone explained that he would look into that as well.

Ms. Schildroth pointed out that there are two Student Government representatives serving on the Campus and Community Commission and they have been helpful with trying to come up with more effective ways to reach students. Board Member Madden added that the environment today is different in the housing market than it was two to three years ago, just in terms of occupancy.

Moved by Betcher, seconded by Beatty-Hansen, to accept the Report regarding Landlord/Tenant Relations including the revamp and promotion of Rent Smart Ames website and expansion of Story County mediation group as presented.

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

Moved by Betcher, seconded by Beatty-Hansen, to direct staff to review the Rent Smart Ames website to pare it down in the ways that have been recommended by the Campus and Community Commission.

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

Motion by Betcher, seconded by Beatty-Hansen, to encourage the *Ex-Officio* to work with the Student Representatives serving on the Campus and Community Commission to discuss available options for distribution of information.

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

Council Member Martin wanted to know what needed to be done to pursue mediation possibilities. Ms. Schildroth mentioned that the Story County Court system had received a grant, and this was something that City Attorney Mark Lambert had worked on. The grant is to help offer an online dispute process for evictions. Her understanding is that the implementation of the program has been delayed. Ms. Schildroth commented that the new online program was for evictions only, and CCC would like a mediation service to discuss multiple issues. City Attorney Mark Lambert commented that there is an effort in Story County to come up with an online alternative dispute resolution for evictions. Mr. Lambert had attended some of the meetings discussing the implementation of this service and doesn't believe the system will be up and running any time soon. He will report back when there is more progress. Attorney Lambert stated that the Program is primarily going to deal with evictions only, and he had raised this issue with the committee. Regarding the other kinds of disputes, he was not sure what to do with those.

The Mayor asked Board Member Englin if there was anything on Campus that the City could partner with to help with mediation. Board Member Englin stated that when CCJ was open it was successful and this no longer exists at Iowa State. He explained that the environment in which renting, and leasing is taking place is a lot different than a few years ago, and there seems to be a greater interest in trying to reconcile, support, and hear each other. It was discussed that citizens thought it was helpful to have someone that did not have a stake in the game and talk through what obligations belonged to whom.

Board Member Madden commented that CCJ was a valuable community service and believed the program ended due to funding. The Mayor stated that since it seemed the program was previously successful and inquired if several agencies could come together to help with the funding. Mr. Englin and Mr. Madden commented that landlord/tenant issues are not just students, but all citizens of Ames.

Council Member Martin inquired if CCJ would be open to re-establishing its services if funding became available. He believed there would be other agencies that would be willing to help provide funding to help the community.

Council Member Gartin asked if there was a sense of the utilization when the program was in place for evictions. Ms. Schildroth stated she would have to reach out to see if those numbers were available as she believed the service stopped in 2007. Mr. Gartin stated the vast majority of evictions were for non-payment of rent and in most situations the tenant does not appear in court. Mr. Gartin noted there were other situations that he could see the mediation service being very helpful.

Board Member Englin commented that students had raised the concerns about the lack of repairs in a timely manner and the return of deposits. Another concern with students was the amount of money deducted from their deposit for items. The students would like to have open dialogues with someone to help them understand the charges.

Moved by Martin, seconded by Betcher, to ask staff to reach out to the Center for Criminal Justice to see if they would be interested in reestablishing a mediation service, information on what sort of funding would be required, and for quantitative and qualitative information about how it was previously utilized.

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

**AMES ON THE HALF SHELL:** Parks and Recreation Director Keith Abraham stated that this is a great event for the residents of Ames along with any visitors.

Moved by Gartin, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 21-254 approving the waiver of enforcement of the *Municipal Code* Section 17.17 related to alcohol consumption in City parks with respect only to Bandshell Park from July 9 - July 30, 2021.

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

Moved by Gartin, seconded by Beatty-Hansen, to approve the 6-month Class B Beer Permit with Outdoor Service - Ames on the Half Shell, Bandshell Park.

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

**WAIVING SUBDIVISION AUTHORITY IN THE AMES URBAN FRINGE PLAN FOR PROPERTIES ALONG 229<sup>TH</sup> PLACE, BOONE COUNTY:** Planning and Housing Director Kelly Diekmann stated that there is an existing covenant related to Special Assessments for this area.

Staff did not have any interest in the re-subdivision of this partial development.

Council Member Gartin inquired if there were any long-term concerns regarding this property and if there was anything the Council should be thinking about in terms of setting a precedent in the way in which the Council waived the requirement. Director Diekmann stated he didn't feel the City needed to change anything. Staff would normally get three covenants instead of just the Special Assessment, but this property is on the very edge of the west growth area. When looking ahead at future Policies it would follow the current model for sewer/water systems, Special Assessment protections, and Voluntary Annexations. Director Diekmann mentioned that staff is following the Ames Urban Fringe Plan. Mr. Gartin stated he was concerned that as Ames grows the City would have to absorb the costs of infrastructure.

The Mayor opened public comment. It was closed when no one came forward.

Moved by Gartin, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 21-255 waiving the requirement for approval of a Subdivision Plat by the City of Ames for the division of Lots 5, 6, 7, 8, and 10 of Westwood, Plat 3, subject to the current 2002 covenant related to Special Assessments. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**JOINT USE PARKING PLAN FOR 414 LINCOLN WAY AND 119 WASHINGTON AVENUE:** Planning and Housing Director Kelly Diekmann explained that staff had incorporated the changes that were discussed at the last City Council meeting. The Report indicated how the banquet hall will be benefiting from the Agreement on most days of the month; the funeral home will have more restrictions.

Council Member Martin commented that he liked the improvements. He pointed out that the Agreement states that there is going to be designated spaces for use by the banquet hall and will have signs stating the times the spaces are reserved. Mr. Martin wanted to know what the signs would look like. Director Diekmann explained that the City will not be involved in the signage as the owner will be responsible for putting them up. The property owner has the right to pick which 20 spots they want to designate.

Mayor Haila opened public comment.

Tim Grandon, 2851 Monroe Drive, Ames, thanked Director Diekmann and his staff for working with him. He mentioned he planned on putting out temporary parking signs, similar to what he uses for funerals, and the spaces will be clearly marked.

Moved by Betcher, seconded by Martin, to adopt RESOLUTION NO. 21-242 approving the Joint Use Parking Plan for 414 Lincoln Way and 119 Washington Avenue.  
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON ZONING TEXT AMENDMENT TO ESTABLISH A NEW PLANNED UNIT DEVELOPMENT (PUD) OVERLAY ZONE WITHIN THE ZONING ORDINANCE ALONG WITH PRIVATE STREET STANDARDS IN THE SUBDIVISION ORDINANCE:** Planning and Housing Director Kelly Diekmann stated that on December 8, 2020, the City Council directed staff to proceed with preparing a Zoning Text Amendment that would add a Planned Unit Development (PUD) Overlay Zone as a new zoning tool for the purpose of expanding options for development of housing as well as to add private street standards to the *Subdivision Code*. The proposed ordinance is designed to allow for variability in zoning standards and housing types, but within the density limits of the zoning district. Staff also tried to place in the ordinance some priorities related to certain design features that staff didn't want to get lost in the discussion. Director Diekmann mentioned that the Council received an email from Justin Dodge, Hunziker Companies, that mentioned the Pre-Application Conference step that is in the Ordinance. He stated that one of the important things that staff and the developer would like is to have some assurance and direction before they invest in the project about what is necessary. The Pre-Application Conference is a vital step to have both staff and the developer be able to talk through the main issues before the Master Plan is put together for the City's review. The Pre-Application Conference asks for changes in infrastructure extensions and design requirements. Director Diekmann commented that he was not opposed to altering the Pre-Application Conference application requirements. Staff's intent is to have a good understanding about where water, sewer, and road extensions are planned, along with some intent about design character. Staff is not expecting to have engineered plans or architectural drawings at the first Pre-Application meeting.

Council Member Martin questioned under "G" in the Staff Report as it states, "Findings for approval of a Master Plan with a PUD Overlay rezoning may be deferred, when the City Council initiates a property rezoning." He wanted to know when a case would be deferred and if there was a scenario that could be provided to the Council. Director Diekmann explained there have been a few situations where a piece of property has a couple different options on how it should be developed; maybe it has environmental resources on it or maybe it is a significant piece of land. He didn't want to get stuck in a procedural requirement that the City Council's normal legislative power about zoning was restricted if they thought a PUD overlay was important to go with a base zone. Mr. Diekmann commented that with "G" staff is saying that if the Council thought a PUD was necessary to address the specifics of the property it could be done even if there was not a Master Plan. Subsequently, the applicant would have to come back with a Master Plan in the future.

The Mayor mentioned that in the Report, staff noted that there was limited participation or lack of interest in outreach. He inquired if staff had any concerns about adopting a new Ordinance with very little feedback. Director Diekmann stated that not getting any feedback does make staff concerned; however, having Justin Dodge, Hunziker Company, on board during the process has been helpful as a sounding board for the development community. Mayor Haila commented that the Staff Report indicated that staff had made several attempts to reach out to the community.

Mayor Haila opened the public hearing.

Justin Dodge, 105 S. 16<sup>th</sup> Street, Ames, Hunziker Companies, Ames, stated that this will be an exciting tool and believed it will be a valuable tool. He was supportive of the Ordinance. Mr. Dodge mentioned that, as he recommended in his email to the Council, he made a few small recommendations for amendments. He noted that a lot of times developers start out during the first meeting thinking a street is going to connect in one spot and lots are going to look a certain way, etc., and they wouldn't have the infrastructure plans yet or design elements. Mr. Dodge pointed out that with Auburn Trail they have already been through two Development Review Committee meetings and neither one of those details are done yet as it is too preliminary. He is looking forward to utilizing the new tool.

Council Member Gartin asked for clarification about the recommendations that Mr. Dodge had made and what the pros and cons were of making the recommended changes. Director Diekmann stated Mr. Dodge was referring to Section 29.1114 "PUD" Planned Unit Development Overlay District, Number 2: Pre-Application Conference, under "E" and "G." Director Diekmann gave a comparison of Planning Staff doing a "kick-off" meeting where a piece of paper is turned in that identifies the property that the person is interested in and staff discusses how any zoning would work on the property. The Pre-Application Conference is a little different, they want to invest a little more time up-front, items "E" and "G" are helping staff to understand the intent of the developer. Mr. Diekmann stated that the two things that are important with "E" and "G" are the items you normally wouldn't see on a Master Plan. The Master Plans are currently like a bubble diagram and you get a big "glob," but with a conceptual meeting it is to get some idea of where the lot layouts may be. Staff is looking for some context as to where the developer is going and what deviations are being requested from the normal standards. Having some of the information available in the beginning would be helpful. Director Diekmann pointed out that they could change the language a little by changing the word "conceptual" to "proposed" on "E" and "G."

Moved by Gartin, seconded by Corrieri, to amend the proposed ordinance in Section 29.1114 "PUD" Planned Unit Development Overlay District, Number 2: Pre-Application Conference, under "E" and "G" to substitute the word "conceptual" for "proposed."

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

Moved by Beatty-Hansen, seconded by Betcher, to pass on first reading a Zoning Text Amendment to establish a new Planned Unit Development (PUD) overlay zone within the Zoning Ordinance along with private street standards in the Subdivision Ordinance as Amended.

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

**HEARING ON MASTER PLAN AMENDMENT FOR 5571 HYDE AVENUE (HAYDEN'S PRESERVE -FORMERLY KNOWN AS ROSE PRAIRIE):** Mayor Haila stated that he made the comment earlier that this item was a public hearing and would take comments. He didn't realize that the recommendation was to continue the hearing. Given that he had already told Scott Saienga that he would be able to comment, he will allow him to do so. Director Diekmann commented that staff is recommending continuing the hearing until May 25, 2021, to allow the developer time to address two more details about the Development Agreement.

Scott and Vicki Saienga, 2218 Audubon Drive, Ames, stated that traffic in this area is a concern. Mr. Saienga mentioned while looking at the Master Plan it showed three outlets onto Hyde Avenue. His house backs up to the back side of the top parking lot for Ada Hayden. There is a lot of traffic coming in and out of the parking lot during all times of the day. Mr. Saienga pointed out that if he looked at the Master Plan correctly, there are going to be around 68 houses put on Parcel 5 and Parcel 8, and he is concerned about the amount of traffic. His other concern was if there were going to be other covenants that would be put against homeowners to control run-off and what is going to be allowed to be applied to lawns. Mr. Saienga noted that he loved the idea of the walking paths and wanted to know if the paths would be put in while the subdivision was being developed or after it was developed.

Director Diekmann addressed the traffic concerns stating that the City did a traffic study a long time ago, which led to the paving of Hyde Avenue. The City has identified that it needs to study the intersection at 190<sup>th</sup> and Hyde for future improvement. The Metropolitan Planning Organization is the one that would take on that study. Once the study is done, staff would look to see if a roundabout or a signalized intersection would need to be implemented. Mr. Diekmann pointed out that the City does not expect the developer to address that intersection and it has been viewed as more of a regional traffic area. The Rose Prairie project itself does not have any improvements proposed at that corner.

Regarding the trails, Director Diekmann commented that there will be a number of phases that will happen. Some of the trails will be done upfront, the Shared Use Path is one that the City has an obligation with the developer to do during Phase 1, the east/west greenway (will become a City trail) will be done in either Phase 2 or 3, and the smaller trails will be put in with each addition. He stated that the paths will be a little bit “piece-meal,” and there will be connections made as growth happens in the area. With each Final Plat the developer has to have the Municipal Engineer agree that there is an appropriate stormwater management plan and that covenants are adopted with each Final Plat addressing specific issues about maintenance, specifically how pesticides and fertilizers are used.

Mayor Haila asked for further information on the conservation overlay. Director Diekmann stated that it is more than just a covenant; it is a design element where the overall management of the water will go through more natural treatment features. The Master Plan will show how the developer intends to keep the open spaces protected from development.

Moved by Betcher, seconded by Beatty-Hansen, to continue the hearing to May 25, 2021.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**ORDINANCE NAMING THE ACCESS ROAD ON SOUTH RIVERSIDE DRIVE “AVIATION WAY”:** Moved by Betcher, seconded by Junck, to pass on third reading and adopt ORDINANCE NO. 4438 naming the access road on South Riverside Drive “Aviation Way.”  
Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**DISPOSITIONS OF COMMUNICATIONS TO COUNCIL:** The Mayor mentioned that there

were only two items to review tonight. The first item was a letter from Karin Chitty, Campustown Action Association Executive Director, suggesting revisions to the Campustown Facade Grant Program. City Manager Steve Schainker recommended obtaining a memo from staff.

Moved by Beatty-Hansen, seconded by Betcher, to refer the letter from Karin Chitty, Campustown Action Association Executive Director, regarding her suggested revisions to the Campustown Facade Grant Program to staff for a memo.

Vote on Motion: 5-1. Voting Aye: Beatty-Hansen, Betcher, Corrieri, Junck, Martin. Voting Nay: Gartin. Motion declared carried.

The second item was a memo from Damion Pregitzer, Traffic Engineer, in response to the mixed-use trail extension and crosswalk study request from Kyle Poorman. Mr. Schainker stated that there were two parts to the request. The first part was a request for a mixed-use trail extension across ISU Recreation Complex. That area is outside of the City's jurisdiction, but Mr. Pregitzer did forward Mr. Poorman's letter on to Iowa State staff. The Mayor asked if it would be appropriate for staff to forward Mr. Pregitzer's memo to Mr. Poorman in a way of explanation regarding his requests.

Moved by Betcher, seconded by Beatty-Hansen, to direct staff to forward the memo from Mr. Pregitzer to Mr. Poorman letting him know what will be done.

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

**COUNCIL COMMENTS:** Council Member Martin wanted to discuss the Face-Covering Ordinance as it is set to expire on June 30, 2021. He felt that the City is in a much better place than when the pandemic started. Mr. Martin felt it would be a good time to check in with medical advisors to see if there is any further input.

Moved by Martin, seconded by Beatty-Hansen, to ask staff to remind the established advisors (Story County Board of Health, ISU, MGMC, and McFarland Clinic) of the current Sunset Clause and to solicit any last-minute input from them about the Face-Covering Ordinance.

Vote on Motion: 5-1. Voting Aye: Beatty-Hansen, Betcher, Corrieri, Junck, Martin. Voting Nay: Gartin. Motion declared carried.

Council Member Martin explained that the way the City's Face-Covering Ordinance is written has a Sunset Clause, yet the Ordinance will remain in the *Code*, and there is an interplay between the Story County Face-Covering Ordinance that has a different effect depending on whether the City has a Face-Covering Ordinance or not. He pointed out that the Sunset Clause confused him in this situation.

Moved by Martin, seconded by Betcher, to ask the City Attorney to write a memo explaining what happens after June 30, 2021, considering both the City's sunset-setting Face-Covering Ordinance and Story County's Face-Covering Ordinance.

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

Council Member Gartin stated there have been a number of years where the Public Forum was an occasion to talk about general things of interest in the community, but in the last couple of months the tone has shifted. He was concerned that accusations were being made at the front part of the meeting and that Council and staff were not able to give a response to the accusations. Mr. Gartin was concerned that if people are making accusations that fall into the category of inaccuracies, it would be appropriate for the Council or staff to bring corrections to those inaccuracies. Mr. Gartin wanted to start with Mr. Pfannkuch's comments regarding the financial basis for the Reinvestment District proposal. He asked City Manager Steve Schainker if there were any inaccuracies in Mr. Pfannkuch's statement that would be important to address to the public. Mr. Schainker mentioned that he would have to read the minutes to see what the actual questions were as there were a lot of questions brought up. Mr. Schainker asked Mr. Gartin which statement from Mr. Pfannkuch he concerned about. Mr. Gartin questioned Mr. Pfannkuch's statement regarding the model of funding that if the hotels were not at certain levels, the City would ask the taxpayers to subsidize the bond payments.

Mr. Schainker stated that the incentive that is being offered under the Reinvestment Program is not an upfront grant, but based on the actual sales; hotel/motel tax that has been generated over 20 years in the district; this is the amount that would normally go to the State. He gave an example that if the project is going to cost \$31 million and hopes to get between \$7-10 million in donations, the difference will need to be done by issuing Essential Corporate Purpose bonds that will guarantee the full faith and credit of the City. Regardless of how much money is going to be reimbursed by the State, the City is going to have to make the interest and principal payments. The hope is that the company that was hired did conservative calculations. Mr. Schainker pointed out that there are always risks as the financials were based on a projection. The City is not going to pursue the project, even if it is approved by the State, until there is confirmation that the hotel will be built and there is a signed Developer's Agreement. It was mentioned that the economy could fall apart, and revenue could dry up. He emphasized that the estimates are based just on the projects the City knows are happening in the first year. An Amendment can be asked for later in the project to help increase the revenue. Mr. Schainker reminded the public about the Campustown area after one or two projects started; there was a lot more investment. Any projections that were made will have to be redone over the next year when more details become available; everything is conceptual at this point.

Council Member Gartin commented that he would invite Mr. Pfannkuch or any other citizen if they have questions to write an email or letter to the City to give the City an opportunity to respond. Mr. Gartin mentioned that he was concerned about Ms. Ravenscroft's allegations that the City used "unreliable supporting information and documents and that the accounting was done improperly." Finance Director Duane Pitcher mentioned that he had met with Ms. Ravenscroft early in the day and she had a few questions. He did contact the consultant and is working on getting some of her questions answered. Director Pitcher stated that the consultants were economists, not accountants. The Reports that were included in the Reinvestment District proposal were not accounting documents. They were economic analyses that don't meet the same standards. This is a Pre-Application process only and Director Pitcher stated he pointed that out to Ms. Ravenscroft.

Council Member Gartin explained that he had sent an email to the Council regarding an ongoing challenge on 24<sup>th</sup> Street. Where there is a railroad crossing that doesn't have a walkway on the north side. Staff had reached out to Union Pacific numerous times to reach a resolution on this problem with no success. Mr. Gartin suggested a different approach by approaching the City's Legal Counsel to see whether there is an existing easement that would allow the City to finish the walkway. He wanted to get this done so pedestrians do not have to go out into the street because there is no other way to cross the railroad. It was pointed out that this was a big safety issue, because it is a high pedestrian and traffic area. Due to the complexity, it was recommended by City Attorney Mark Lambert to refer the request to his Department to review.

Moved by Gartin, seconded by Junck, to refer the issue of a sidewalk connection on 24<sup>th</sup> Street in regards to an active easement to the Legal Department for review.

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

Council Member Gartin mentioned that in July 2020, the Council had asked staff for a memo on the status of the possibility of using City funds to assist with developing pioneer infrastructure for housing developments. Given the extreme shortage of buildable lots, Mr. Gartin would like to move the conversation along a little faster. He explained he understood that nothing would impact the 2021 building season, but this would be a benefit in 2022. Mr. Gartin suggested having a Workshop on this topic. He felt this topic was not one that could be discussed during a Regular City Council meeting as there would need to be a more robust conversation.

Moved by Gartin, seconded by Corrieri, to set a Workshop (staff to figure out when) that would allow the opportunity to discuss the merit of the City providing pioneering infrastructure for residential developments.

Mayor Haila inquired if it would be more appropriate to get a memo from staff to review and then determine if a Workshop was in order. Mr. Gartin mentioned that this was asked for in July 2020, and pointed out that the communities around Ames are competing for housing and are aggressively using city funds to contribute toward the infrastructure of developments. He was not sure what the right approach would be, but felt that by having a Workshop they would have the opportunity to look at the pros and cons. Mr. Gartin stated he would like to hear from the development community and the public as to the propriety.

Council Member Martin stated he didn't think it would be wise for the Council to agree to schedule an entire Workshop on that topic without having reviewed some initial response on the concepts. Mr. Martin commented that he would prefer to wait for a memo. He stated he didn't feel that well informed.

City Manager Steve Schainker commented that the request is going to be more complex than just a memo. Staff is already working on putting a memo together. He explained that one of the most important ways to solve the problem is the availability of land. The Land Use Policy is a major change to the City's current Plan. The Land Use Policy Plan will give a lot of different options to

buyers. Once the Land Use Policy is done, he will have a lengthy report to provide the Council. Mr. Gartin stated he doesn't want to force an issue and wasn't suggesting the Workshop happen within the next couple of months. Mr. Schainker commented that he believed Mr. Martin would like to have the Report out before holding a Workshop.

Council Member Gartin withdrew his motion.

Council Member Gloria Betcher wanted to congratulate all students who graduated from ISU and hoped all students have a great summer.

Mayor Haila reminded the public that there will be a Mental Health Forum on May 20, 2021, that will be in the City Auditorium, but will be streamed online as well.

**ADJOURNMENT:** Moved by Gartin to adjourn the meeting at 9:17 p.m.

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Amy L. Colwell, Deputy City Clerk

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John A. Haila, Mayor

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Diane R. Voss, City Clerk