

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JUNE 8, 2021

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on June 8, 2021, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Gloria Betcher, Bronwyn Beatty-Hansen, Amber Corrieri, Tim Gartin, Rachel Junck, and David Martin. *Ex officio* Member Trevor Poundstone was also in attendance.

PROCLAMATION PROCLAIMING JUNE 19, 2021, AS “JUNETEENTH” IN THE CITY OF AMES: June 19, 2021, was proclaimed as “Juneteenth” by Mayor Haila. He urged all citizens to recognize this day, participate in dialogue with one another about its significance, and support efforts to advance inclusivity and equality in the Ames Community.

Accepting the Proclamation was Housing Coordinator Vanessa Baker-Latimer and Anita Rollins on behalf of the Ames branch of the NAACP. Ms. Rollins stated that “Juneteenth” or Juneteenth National Freedom Day,” as it has been designated by the State of Iowa, is a day of celebration. It is also an opportunity to reflect on the history of America. Ms. Rollins commented that it has been 150 years since the first celebration. After that action, there have been new laws and policies that have been put in place that continue to be instituted to keep black people and other groups at the bottom of America’s social order. She stated that there remains the issues of policing injustice, inequitable access to healthcare, and quality education. Ms. Rollins mentioned that while there are victories to celebrate, the battle is far from over. The NAACP remains committed to continuing to work to ensure racial and justice equality. As the Ames branch works toward creating an annual cultural festival and keeping with its push towards advocacy and education; they issue a challenge to invite everyone on June 19, 2021, to make everyday racial and social day, attend a “Juneteenth” community event, educate yourself or someone else, make a donation to an organization that fights for equity opportunities, volunteer, and find a way to make a difference.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Regular City Council Meeting held May 25, 2021
3. Motion approving Report of Change Orders for period May 16 - 31, 2021
4. Motion certifying Civil Service candidates
5. Motion approving renewal of the following Beer Permits, Wine Permits and Liquor Licenses:
 - a. Class C Liquor License with Catering Privilege & Sunday Sales - Texas Roadhouse, 519 South Duff Avenue, Pending Dram Shop Insurance
 - b. Class C Liquor License with Catering Privilege & Sunday Sales - Jethro’s BBQ, 1301 Buckeye Avenue, Pending Dram Shop Insurance
6. RESOLUTION NO. 21-299 adopting New and Revised Fees for the City of Ames to be effective July 1, 2021
7. Requests from Youth & Shelter Services for 45th Anniversary Celebration on June 10, 2021
 - a. Motion approving Blanket Vending License

- b. Motion approving Blanket Temporary Obstruction Permit
 - c. RESOLUTION NO. 21-300 approving waiver of fee for Blanket Vending License
 - d. RESOLUTION NO. 21-301 approving suspension of 7 parking meters
 - e. RESOLUTION NO. 21-302 approving closure of Kellogg Avenue between Main Street and Fifth Street from 3:00 p.m. to 6:45 p.m.
8. RESOLUTION NO. 21-303 approving contract with ServePro of Ames, Iowa, for Ames City Hall Custodial Services in the amount of \$56,525
 9. RESOLUTION NO. 21-304 awarding contract for Network Wireless Access Points to Carrier Access IT, LC, of Clive, Iowa, in an amount not to exceed \$113,464.70
 10. RESOLUTION NO. 21-305 approving contract renewal with Wellmark for administrative services, specific and aggregate excess insurance, and access fees for health insurance benefits effective July 1, 2021, through June 30, 2022
 11. RESOLUTION NO. 21-306 approving contract renewal with Delta Dental of Iowa to provide administrative services for dental benefits effective July 1, 2021
 12. RESOLUTION NO. 21-307 accepting quote and approving renewal of City's membership in the Iowa Communities Assurance Pool (ICAP) for certain casualty and liability coverages at a net cost not to exceed \$600,925
 13. RESOLUTION NO. 21-308 approving renewal Safety Services Contract with IAMU in an amount not to exceed \$66,000 for period July 1 through December 31, 2021, and renewal in an amount not to exceed \$66,000 for period January 1 through June 30, 2022
 14. RESOLUTION NO. 21-309 approving extension of the Insurance Broker Services Agreement for Liability Insurance with Knapp Tedesco in the amount of \$38,000 for a period beginning July 1, 2021, through June 30, 2022
 15. RESOLUTION NO. 21-310 accepting extension of Property Brokerage Agreement with Willis of Greater Kansas, Inc., for the period beginning July 1, 2021, through June 30, 2022, in the amount of \$50,000
 16. RESOLUTION NO. 21-311 approving renewal of property insurance program coverage with Willis of Greater Kansas, Inc., for FY 2021/22 at the combined quoted premium of \$814,143
 17. RESOLUTION NO. 21-312 accepting quote for Excess Workers' Compensation Insurance from Holmes Murphy & Associates for coverage with Midwest Employers' Casualty Company, at a renewal premium of \$121,601
 18. RESOLUTION NO. 21-313 approving Agreement with Iowa DOT for Maintenance and Repair of Primary Roads from FY 2021/22 through FY 2025/26
 19. RESOLUTION NO. 21-314 approving Iowa Department of Transportation STBG Federal-aid Swap Funding Agreement regarding 2021/22 Arterial Street Pavement Improvements (North Dakota - Ontario) in the amount of \$900,000
 20. RESOLUTION NO. 21-315 approving Iowa Department of Transportation STBG Federal-Aid Swap Funding Agreement regarding 2021/22 Concrete Street Pavement Improvements (Stange Road -24th Street) in the amount of \$1,600,000
 21. RESOLUTION NO. 21-316 approving the proposed 2021/22 through 2023/24 Intergovernmental Agreement with Metro Waste Authority (MWA) for operation of a satellite Household Hazardous Materials collection and disposal operation at an annual cost of \$82,580.88, and an annual increase for subsequent years based on CPI-U

22. RESOLUTION NO. 21-317 approving change order increasing the Purchase Order in the amount of \$238,000 to cover the cost of additional tonnage of waste deposited in the Boone County Landfill for Resource Recovery in FY 2020/21
23. Electrical Maintenance Services for Power Plant:
 - a. RESOLUTION NO. 21-318 approving renewal of contract with Tri-City Electric Company of Iowa of Davenport, Iowa, from July 1, 2021, through June 30, 2022, in the amount of \$150,000
 - b. RESOLUTION NO. 21-319 approving Performance Bond
24. Power Plant Motor Repair Contract:
 - a. RESOLUTION NO. 21-320 approving renewal of contract with Electrical Engineering and Equipment Co., of Windsor Heights, Iowa, from July 1, 2021, through June 30, 2022, in the amount of \$35,000
 - b. RESOLUTION NO. 21-321 approving Performance Bond
25. Boiler Tube Spray Coating and Related Services and Supply Contract for Power Plant:
 - a. RESOLUTION NO. 21-322 approving renewal of contract with Whertec, Inc., of Jacksonville, Florida, from July 1, 2021, through June 30, 2022, in an amount not to exceed of \$360,000
 - b. RESOLUTION NO. 21-323 approving Performance Bond
26. Underground Trenching Contract for Electric Services:
 - a. RESOLUTION NO. 21-324 approving renewal of primary contract with Ames Trenching & Excavating of Ames, Iowa, from July 1, 2021, through June 30, 2022, in an amount not to exceed \$200,000
 - i. RESOLUTION NO. 21-325 approving Performance Bond
 - b. RESOLUTION NO. 21-326 approving renewal of secondary contract with Zoske Electrical Services, Inc., of Des Moines, Iowa, from July 1, 2021 through June 30, 2022, in an amount not to exceed \$100,000
 - i. RESOLUTION NO. 21-327 approving Performance Bond
27. Electric Meter Supply:
 - a. RESOLUTION NO. 21-328 approving renewal of Electric Meter Supply Contract to Vision Metering of York, South Carolina, for the purchase of electric meters in Groups 1, 3, and 4, in accordance with unit price bid
 - b. RESOLUTION NO. 21-329 approving renewal of Electric Meter Supply Contract to Van Wert Company, of Grundy Center, Iowa, for the purchase of electric meters in Groups 2, 5, and 6, in accordance with unit price bid
28. RESOLUTION NO. 21-330 approving partial completion and reducing financial security for Sunset Ridge, 10th Addition

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

PUBLIC FORUM: Richard Deyo, 505-8th Street, #2, Ames, asked the Council to raise their hand if they thought that he had a right, duty, and responsibility to speak. He stated he remembered that the previous Mayor had demanded that someone raise their hand in order to allow him to speak, and since no one raised their hand, he had asked to speak at the end of the meeting.

Kenneth Mills, 1415 Arthur Drive, Ames, explained that he will be out of town next week and will be unable to attend the Proposed Property Maintenance Workshop and wanted to make a few comments. Mr. Mills mentioned he wanted to speak about two of the proposed regulations. The first one was regarding “Dense growth of vegetation.” He read the description from the Staff Report on May 25, 2021, that stated “dense vegetation may cause issues with ingress/egress from a structure, can be a fire hazard, provides concealment for criminals, and may be aesthetically displeasing to neighbors.” Mr. Mills commented that the term “dense” is not defined and is left to subjective interpretation. If there is impaired ingress/egress to a structure, he thought it would be better to address the issue with an Ordinance, specifically addressing that issue and not foliage in general. He also felt the issue of the fire hazard could be addressed specifically. Mr. Mills pointed out that when it comes to concealment of criminals this can be done by any building or structure as well; thought that argument was meaningless. The last point of being aesthetically displeasing to neighbors is what Mr. Mills thought the main reason was for regulation. He noted that aesthetic appreciation is subjective, as what pleases one neighbor may not please another. He gave an example of someone who had painted their house purple and he did not find it aesthetically pleasing, but he would not also wish to forbid that person from painting their house purple.

The second concern of Mr. Mills was the proposal for “turf grasses exceeding 12 inches on private property.” He read from the Staff Report that the explanation was for “excessive height.” “Turf grasses can create a habitat for vermin, can be a fire hazard, and may be aesthetically displeasing.” Mr. Mills mentioned he already addressed the fire issue and felt that could be addressed separately. He again noted that aesthetically displeasing is subjective. He wanted to know what constituted turf grass. It was pointed out that he recently seeded his lawn with pasture grass and wanted to know if this would be considered turf grass or a different breed. He inquired if the grass height limit would be applied to the yards in Ames where the yard is primarily flowers. Overall, he felt that these regulations would be similar to regulations of a Homeowners Association and not a City. Mr. Mills commented that it appears to be Municipal Government overreach. He was not sure what the primary motivation is, but it does seem to fit with what he has observed in Ames over the past few years in terms of development of the City. He commented that several small businesses have been demolished and Campustown used to be a charming, relaxed, and friendly area with local businesses, but now it is all high-rises with partially destroyed buildings. When the high-rises go up, the only businesses that can afford to go into these buildings are big chain companies. Mr. Mills felt the City is losing its hometown feel and small businesses.

Mayor Haila closed public forum when no one else came forward.

PROGRESS REPORT FROM SUSTAINABILITY COORDINATOR REGARDING FY 2020-21 ACTIVITIES: Merry Rankin, Sustainability Coordinator, stated the Council had already received a report on the various contract items. She highlighted a few items from the Report.

Climate Action Planning - They had the completion of foundational benchmarking documents for Climate Action Planning. There was the selection of Sustainability Solutions Group (SSG) for completion of the greenhouse emissions reduction goal-setting and Community Action Plan. Ms.

Rankin was excited to say they have already kicked off bi-weekly project team meetings to work on data collection and public engagement is underway.

Food Waste Diversion - This is a program that has been successful in the community. It was originally started as a pilot project to look at beneficial ways to keep non-beneficial waste out of the waste stream and into a beneficial use by composting. Since the start of the program there have been over 17 tons of food waste collected. Due to the success of the program it was determined to continue to offer the Food Waste Diversion program. Through the support of the Resource Recovery Plant, the collection bin has been moved to the outside of the Plant to allow more convenience for citizens to drop off their items, 24 hours a day, along with glass recycling.

Smart Business Challenge - Ms. Rankin mentioned this program had a great year. Currently there are 37 Challenge participants and 26 of those are certified. There were six new members and four new certifications. It was noted that there were more certifications pending. Of the four new certifications, one business had to leave the Challenge. A re-certification initiative process was kicked-off. After a business has been certified for three years, the business is contacted to make sure the recertification reflects what the business has done. There were four businesses that were recertified.

Community Engagement - A number of items took place virtually, but still very robust. They did an Earth Day Appreciation radio broadcast in partnership with KHOI; monthly sustainability segments on KHOI and KASI, community presentation, events participation, and connection to sustainability resources and expertise.

Rummage RAMPage - Ms. Rankin commented that they are excited to host this event this year considering it was unable to be held last year due to the pandemic. The event will be held this year from July 30, 2021, through August 7, 2021. Currently, she is accepting registrations from agencies that wish to volunteer and share in the proceeds. So far, there have been 26 agencies that have commented that they would be interested in taking part in this event. After June 21, there will be opportunities for the general public to volunteer to help. They are going to continue to partner with ROAR (Rehoming our Animals/Aquariums Responsibly).

Council Member Martin mentioned that during budget time the Council had heard about a project that dealt with digestion of organic waste at the Water and Pollution Control Facility and wanted to know if there were any updates. Resource Recovery Plant Superintendent Bill Schmitt explained that the Water and Pollution Control Facility just received a technical assistance grant from the Environmental Protection Agency (EPA). This is a 40-hour grant where the EPA will give technical assistance to the project. The EPA will look at the loading of the digester, how much material it can take, the retention time of how long it needs to be in the digester, and what the amount of solids would be for the product coming out. The goal is to start adding material to the digester by the end of July. The material will be added a little bit at a time and will gradually work their way up and see how everything progresses. Mr. Martin asked if it was the hope to be able to handle all of the organic food waste. Mr. Schmitt confirmed that was correct. Council Member Beatty-Hansen wanted to

know if the solids that are produced would have to be field-applied and wanted to know if those solids would be able to be distributed to other people for fertilizer. Mr. Schmitt commented that he was not sure as he is not an expert on the biosolids.

Council Member Betcher inquired how much of the 17 tons that was brought in last year was related to the derecho. Mr. Schmitt mentioned that as bad as the derecho was for the community, it shed a bright light on the Food Waste Diversion Program. They received a lot of calls during that time wanting to know what to do with all the spoiled food. He noted that staff has seen an increase in the Program since derecho.

Council Member Betcher mentioned that in the Staff Report it noted that a pre-event drop-off option would be offered and wanted to know how this was being advertised to citizens. She pointed out that for Rummage RAMPage she had seen some questions regarding this showing up on social media. Public Relations Officer Susan Gwiasda noted that they have started to do some advertising. A customer does have the opportunity at Resource Recovery to drop-off an item and pay the disposal fee. If the material warrants it, staff will save the item in a trailer that will later be transported to the event. Mr. Schmitt mentioned that this can be done when the Resource Recovery Plant is open.

Council Member Gartin explained that the 24-hour Food Waste Diversion drop-off is convenient, but wanted to know if another location could be opened on the west side of town to make it more convenient. Mr. Schmidt commented that staff is looking into having another location.

Moved by Beatty-Hansen, seconded by Betcher, to accept the progress report from the Sustainability Coordinator regarding FY 2020-21 Activities.

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

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

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 21-331 approving the Contract with Iowa State University for Sustainability Advisory Services from July 1, 2021, through June 30, 2022, in an amount not to exceed \$34,000.

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

ORDINANCE ESTABLISHING A NEW PLANNED UNIT DEVELOPMENT (PUD) OVERLAY ZONE WITHIN THE ZONING ORDINANCE ALONG WITH PRIVATE STREET STANDARDS IN THE SUBDIVISION ORDINANCE: Moved by Corrieri, seconded by Martin, to pass on third reading and adopt ORDINANCE NO. 4440 establishing a new Planned Unit Development (PUD) overlay zone within the Zoning Ordinance along with private street standards in the Subdivision Ordinance.

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

HEARING ON AMENDMENTS TO SERIES 2017A AND SERIES 2018A BOND ISSUANCE RESOLUTIONS: The public hearing was opened by the Mayor. He closed the hearing after no one asked to speak.

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 21-332 approving Amendments to Bond Issuance Resolutions.

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

HEARING ON ADA HAYDEN HERITAGE PARK FISHING PIER IMPROVEMENTS: The Mayor opened the public hearing and closed it after there was no one wishing to speak.

Moved by Martin, seconded by Corrieri, to adopt RESOLUTION NO. 21-333 reallocating funding in the amount of \$20,753 from Emma McCarthy Lee Park Bridge Project.

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

Moved by Martin, seconded by Corrieri, to adopt RESOLUTION NO. 21-334 approving the final plans and specifications and awarding a contract to Woodruff Construction Inc., of Ames, Iowa, in the amount of \$201,130 for the Base Bid and Alternate #1.

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 MULTI-MODAL ROADWAY PROGRAM (VET MED TRAIL - S 16TH STREET) - PEDESTRIAN HYBRID BEACON: Mayor Haila opened the public hearing and closed it when no one came forward.

Moved by Beatty-Hansen, seconded by Junck, to adopt RESOLUTION NO. 21-335 approving the final plans and specifications and awarding a contract to Voltmer, Inc., of Decorah, Iowa, in the amount of \$66,436.66.

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

HEARING ON MASTER PLAN AMENDMENT FOR 5571 HYDE AVENUE (HAYDEN'S PRESERVE - FORMERLY KNOWN AS ROSE PRAIRIE) [CONTINUED FROM MAY 11, 2021, AND MAY 25, 2021]: Planning and Housing Director Kelly Diekmann mentioned that the developer intends to rename the project from Rose Prairie to Hayden's Preserve. He noted that it is a 170-acre site that was rezoned to Suburban Residential Low Density (FS-RL), Suburban Residential Medium Density (FS-RM), and Commercial General Service (CGS) as part of prior actions. Director Diekmann pointed out that staff is not asking to change the district boundaries or to change the allowed uses in terms of the allowable number of dwelling units or the allowed range of commercial uses, but will be looking at the change to the Master Plan, which relates to the arrangement of those uses within the zoning district boundaries.

Director Diekmann highlighted two items on the current Plan. The first change was related to streets. The developer proposed to eliminate the single east/west street connection through the site from Hyde Avenue to the main north/south side spine road of the development. The second change was in correlation to where the City park would be located. The developer had requested to remove the east/west road connection due to the cost of crossing the central waterway. It was noted this was the most significant waterway through the site; it goes through the Sturgis property to the south, wraps around, and then comes back to the east to enter into the Ada Hayden lake area. The change would provide a considerable savings for the road connection and would also allow for more space with the design regarding open space. One of the other features that was discussed was the neighborhood park. With the proposed changes, staff had asked that a greenway be created that would become City property. This was in response to the Forward 2045 Transportation Plan that was adopted. Phasing of the project was discussed in order to meet the growing needs of the area. The park would need to be put in a lot sooner than 2031. The greenway will stay in the center of the project; however, the neighborhood park will move to the north. The neighborhood park is intended to have approximately nine acres of land, but not all of it would be improved. A park of this size would still be a neighborhood park, but will provide space for both passive park space and a programmed area with the possibility for athletic fields and play structures. The 2021 Development Agreement Addendum stipulates the parkland will be dedicated at the time street improvements are done across the frontage of the park site concurrent with the development of Parcel 6 or 7, or by July 1, 2028, whichever occurs first. The rest of the changes to the Master Plan were adjustments to the ranges of housing types. There will be a few less multi-family housing units, more single-family detached homes, and the street layouts are a little different.

Director Diekmann reviewed the Addendum to the Pre-Annexation Agreement. In this case, there has been a long history of Development Agreements on the property. There is a Pre-Annexation Agreement that laid out a lot of the requirements for the repayment of connection fees, street assessments, obligations for certain improvements, expectations for conservation subdivision conflicts, and other expectations. To change the Master Plan and update some of the timelines of the project, an Addendum must be done to the Pre-Annexation Agreement. Mr. Diekmann noted that he had laid a sheet on the dais for each of the Council Members to see that indicated a small change to the trail description along Hyde Avenue. When the Staff Report went out on Friday staff had described the trail as two segments. The trail is still two segments, but it was decided that there was clearer language that could be used. Director Diekmann commented that the signed Developer's Agreement that was received did incorporate the different language of the trail. Because the project has not started, the developer has asked for extensions on the timeline regarding repayment of connection fees to 2031, updated references to the neighborhood park, and updated language regarding the trail segment along Hyde Avenue. The developer had originally agreed to build the extra quarter-mile to the south across the Sturgis frontage as part of its 2016 entitlement; however, the developer is asking for that to be deferred if there is no connection made to the south; so the developer would build it in segments with the first part being done in the first two years of the project and the last segment at a later date. Director Diekmann explained that the new element of the greenway is included in the Addendum. To facilitate the greenway happening, staff felt the City needed to participate in the cost of doing the waterway crossing. The language in the Agreement

stated that the developer will dedicate 20 feet of land to the City and the paving of the trail will be done at their expense. The City will take on the future cost of making a crossing over the waterway.

The last issue is the sanitary sewer extension. When the original Agreement was approved staff had based their idea of connection districts on different trunkline sewers for a variety of properties in the North Growth Area. The City invested in water, sewer, and street improvements along Hyde Avenue, but expected the developer to extend the connections. In this case, the east/west sewer segment is an oversized sewer pipe that will eventually allow for service to the west of the Borgmeyer property. The Development Agreement required the developer to install the oversized sewer at their cost, and the City had the option to create a connection district and to possibly reimburse the developer if it was feasible. The developer asked for more leeway in regard to taking on the obligation of the oversized sewer and to not have it be a concrete obligation. The language in the Addendum will adjust some of the obligations to the developer for the sewer. The developer will build the line as planned from Hyde Avenue to the spine road, and then from the spine road at a later date. During a Preliminary Plat, will figure out how to route the last segment.

Council Member Gartin inquired about the implications for traffic by removing the east/west road. Director Diekmann mentioned that back in March when staff looked at making the changes, the Traffic Division analyzed what the effects would be. In the future it is anticipated that Hyde Avenue will carry around 5,000 cars a day with a full build-out in the north growth area. The spine road was predicted to carry about 1,600 cars. The linkage between the spine road and Hyde Avenue was not a high-volume connection. He noted that Traffic Engineer Damion Pregitzer had said that due to environmental constraints, he did not see an impact on the overall operations of the area by losing the east/west road.

Council Member Gartin mentioned that Chuck Winkleblack had asked the question regarding the possibility of him having to take on additional costs for the Auburn Trail development due to this project and Mr. Gartin wanted to know if there would be any additional costs to Auburn Trail. Director Diekmann stated that staff had only done a preliminary review of the Auburn Trail project, and one of the requirements from the Public Works Department was to do a traffic assessment for the turn lane. Mr. Diekmann felt that based on previous discussions, a turn lane was going to happen in the area no matter what.

Mr. Gartin asked if nine acres was a normal size park for Ames. He felt that was a significant amount of land to ask the developer to dedicate to a park, especially when Ada Hayden Heritage Park is across the street. Director Diekmann commented that he would defer to the developer on how they shaped that piece of land, as the City had only asked for five acres.

Council Member Gartin inquired about the timing for the bike trail that was going to be along the east side of the property. Mr. Diekmann mentioned that what was agreed upon was that within two years of the first Final Plat that had development on it, the first 2,600 feet of the path (190th Street to the planned crossing to the Ada Hayden parking lot and trailhead on the west side of the park) would be completed. The south segment will also be done in two years if Auburn Trail moves ahead

and builds its trail segment. The Agreement allows that if Auburn Trail doesn't move forward, Hayden's Preserve doesn't have to have the expenditure for another quarter mile of trail that doesn't lead or connect to anything to the south, until the City notifies them there is something to connect to. The developer will then have 150 days to get the trail done.

Council Member Betcher stated the Council had received an email from the Friends of Ada Hayden and one of their questions was regarding the neighborhood park and where it was being moved to. The new location has steeper grades that could cause more run-off and soil disruption and she wanted to know if that was discussed with the developer. Director Diekmann mentioned that a discussion was not had regarding the tradeoff of a grade perspective that housing would be moving to a 5% slope area where a park was originally planned. The developer moved some private open space around to make the park work. He commented that the tradeoff is that housing is moving south about 150 feet and some will have backyards that will have more of a slope to it, but staff doesn't view that as causing a run-off or water quality issue; as that is why there is the extension of open spaces throughout the project, different detention features, and different treatment terrain features.

Ms. Betcher stated that another question that came from the Friends of Ada Hayden was if there was any discussion about placing a requirement on the convenience store space that it won't have any underground tanks and only utilize charging stations for electric vehicles. Mr. Diekmann mentioned that underground tanks have been discussed before on different occasions and staff's opinion is (including Water and Pollution Control Facility Director John Dunn) that there are no extraordinary issues with underground tanks related to water quality in this area. Staff would not be supportive at this time about adding a restriction as they have not seen any evidence that a gas station would be detrimental to the water quality issues of the watershed.

Council Member Gartin stated that there is anticipated further development to the north and asked if additional traffic was taken into consideration. Mr. Diekmann mentioned that staff had done scenario planning for Plan 2040, and it was determined that north of 190th Street (Tier 3) would not be in the Plan for the next 20 years.

The Mayor inquired about the flow lines for the sewer line and wanted to make sure it is deep enough to handle the Borgmeyer property. Director Diekmann stated in 2010, when the Pre-Annexation Agreement was done a connection point, was set when the City put in the trunkline. Mr. Diekmann showed overhead where the flow lines would be. When speaking with the City's Municipal Engineer, staff is aware of the pipe diameter along with the depth necessary to make the service work. This was built into the original service Agreement and the developer understands they have to meet the depth and oversized pipe agreement during construction. When the Preliminary Plat is presented to staff, Public Works will make sure everything is what it is supposed to be.

Mayor Haila inquired about the green lines on the waterway going east to west on the overhead map indicating these were areas to slow the flow of water and to allow sedimentation to happen. He wanted to know the process for when staff would look at that. Director Diekmann mentioned that it would be reviewed at the Master Plan level when the Conservation Ordinance comes into play.

There are two different water issues through the property: the waterway that is going north/south and wraps around the Sturgis property is carrying water from a broad area to the north, and the new water or the runoff generated by development. The developer is obligated to treat the runoff from the water that they create. The Mayor inquired what would happen to the stormwater when the Borgmeyer property is brought into the City. Director Diekmann explained that he was not able to say at this time, but he knew that the Northridge Heights detention has a pipe under the railroad tracks and goes through the Auburn Trail property, but he is not sure how the rest of the Borgmeyer site would drain.

The Mayor opened the public hearing.

Jake Becker, 1360 NW 121st Street, Clive, with McClure Engineering, explained he was representing the developer. He mentioned that the property has been difficult to develop and there have been a lot of challenges. Mr. Becker commented that the intent of the renegotiation of the Master Plan and Development Agreement was to address some of the challenges and to take away some of the problems that have stalled development over the past ten years. He believes McClure Engineering has a plan that meets the intent of the Conservation Subdivision Ordinance and enhances the Ada Hayden watershed. Mr. Becker commented that right now the area is an agricultural cornfield that has silt and fertilizer runoff. He stated that with the development coming in and them being intentional about some of the water quality treatments they could provide a better quality of water.

James Pease, 3840 Stage Coach Road, Ames, explained that he is the President of the Friends of Ada Hayden Heritage Park. He commented that the Council received an email from him the other day regarding their concerns regarding this property. Mr. Pease noted that all of the water from this property runs off onto Ada Hayden. The goal of the Friends of Ada Hayden Heritage Park is to protect the water quality, biodiversity, and the experience that Ada Hayden Park has to offer. He noted that if this area is “screwed up” by development, the citizens of Ames will not be very forgiving. The Plan that McClure Engineering had submitted had several items that the Friends of Ada Hayden liked; however, they were concerned about the number of homes being put in. Mr. Pease stated that removing the east/west road over the primary drainage was a great idea. The idea of the bike trail going across the bridge was a great idea. It was noted that the proposed Master Plan was an improvement over the 2016 version. The Friends of Ada Hayden recommended reducing the housing density along the north/south waterway. Mr. Pease noted that Lots 4, 5, 7, and 8 are along the north/south waterway and are the steepest slopes on the property. He liked the idea of having a number of detention basins added. It was stated that, per the Plan that was submitted to the Council in April, it was recommended to add some shallow water wetlands that could detain water for short periods of time so some nutrients and other contaminants could be removed. They would like staff and the developer to consider this option. Mr. Pease commented that even though Water and Pollution Control Director John Dunn didn’t think it would be a problem for underground tanks, they would be happy to put him in contact with people at the DNR that are underground storage tank inspectors around the state of Iowa to discuss how many of them they have found to have leaked. He felt that only having electric charging stations would be a benefit to the City and the developer. Mr. Pease commented that their last concern is the park. They appreciated that it will be nine acres

instead of five, which is wonderful, but would ask the Parks and Recreation to look at maybe putting houses on the flatter land and rethink about what recreation is really needed in the area. They recommended placing the park where Parcels 9, 12, and 13 were on the proposed Master Plan.

Erv Klaus, 2200 Hamilton Drive, Apt. 508, Ames, stated that all of the Council had been well versed by Mr. Pease by what the Friends of Ada Hayden's concerns were. Mr. Klaus commented that he is not sure what the City is going to "preserve" in Hayden's Preserve as the renaming didn't do anything. He preferred to call this area the "Lost Addition." Mr. Klaus went on to say that there will be no biodiversity on this site or Dickcissels nesting in the area. He noted that there will be no sequestration of carbon. There is going to be a need for places in order to sequester carbon. The waterway in the area is a small creek. Mr. Klaus has been in the area after heavy rains and the creeks are flooded over. He commented that he has been a part of this property since 2001. He noted that he suspects the Council will approve the next steps, but they will be sorry.

Jeri Neal, 916 Ridgewood Avenue, Ames, commented that this was hard to discuss as she cares a lot about this area. She appreciated that the Council and staff were keeping the non-motorized trails and paths a priority. Ms. Neal was encouraged that the trails and paths were being prioritized and not simply being tacked on for some vague future investment. She was thrilled to have a larger park space and she hoped it would get developed sooner rather than later. Ms. Neal hoped that with the new park location, it would be able to function robustly in managing the quality and quantities of water that are moving through the development and down to the Lake. She noted that she read through Dr. Pease's letter and felt there were some good options presented regarding how to improve the ecosystem. Ms. Neal commented that she has previously spoken about how strongly she felt this area should be a fully green space investment. She hoped for more of a nature preserve than a human preserve. Moving forward into a climate-challenged future, Ms. Neal would like to see the City continue to increase the prioritization of conservation design and aggressive green space practices in this project.

Hector Arbuckle, 515 Oliver Circle, Ames, wanted to know if the City will be responsible for the maintenance of the streets and infrastructure of the new development. He also inquired if the property tax revenues from this development would be enough to cover the cost of the infrastructure.

Shelli Orngard, 928 Burnett Avenue, Ames, stated she didn't come prepared to speak, but wanted to make some general comments. She felt that the City was fortunate to have some local experts. Ms. Orngard mentioned that the City has great staff, but felt it should listen to the local experts and look at the research they have done. She felt that Mr. Pease and Mr. Klaus have decades of experience and recommended that the Council take their concerns seriously. Ms. Orngard stated that both Mr. Pease and Mr. Klaus speak for themselves as well as for many others. She normally doesn't like to speak, but there is a growing trend of citizens who have values and ask the City to care for the ecosystems, biodiversity, and to think about the climate future. She stated after the South Duff Flood Mitigation destruction of a lot of trees, it galvanized people's feelings who felt it was important to keep these values and these types of environment thinking in mind when moving forward with this piece of

land.

Mayor Haila closed the public hearing when no one else spoke up.

Mayor Haila asked if Director Diekmann could address Mr. Arbuckle's questions. Director Diekmann stated that the majority of the roads in this development would be public roads, but there may be some private roads in the single-family detached areas. The water and sewer mains are all covered by the City. The other component is within the stormwater management, depending on the final design elements, smaller features are the responsibility of the Homeowner's Association (HOA) to maintain while larger features for long-term purposes will belong to the City. City Manager Steve Schainker mentioned that as a practice the City does not try to perform a cost analysis benefit on every development in the City as it would be difficult to do. Mr. Schainker stated that the City could estimate when the payback would be, but would have to make some major assumptions; however this is not done for developments.

Council Member Betcher asked if the developer had seen the email from Mr. Pease with the suggestions and the willingness of the Friends of Ada Hayden to contribute their expertise to future development. She noted she would love to see some of the ideas passed on to the developer. Director Diekmann mentioned that he did share Mr. Pease's comments with the developer. Ms. Betcher liked the idea of installing all electric charging stations.

Council Member Gartin commented that he was interested in Mr. Pease's proposal regarding the small water basins. He noted he doesn't have the kind of expertise that Mr. Pease had, but would be interested in knowing more about the benefit of having the small water basins. Mr. Diekmann stated that discussions regarding small water basins or any other concerns would be best discussed during the Preliminary Plat phase.

Mayor Haila stated they don't want to micro-manage and start redesigning, but there is now a proposed park that is larger than anticipated and wanted to know if it would be feasible to move some lots to be on the east side of the park to free up more drainage area. Director Diekmann explained that there would be ramifications to exploring that option. First the Developer's Agreement states that the developer is going to give nine acres of land and if there was an adjustment or change in the future, the Agreement would have to be amended again. He commented that the developer would be hesitant to go through this process again.

Moved by Gartin, seconded by Beatty-Hansen, to ask staff to explore the proposed shallow water basins as presented by Dr. Pease and bring those back as part of the platting process.

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

Moved by Corrieri, seconded by Martin, to adopt RESOLUTION NO. 21-336 approving the Addendum to the Pre-Annexation Agreement for 5571 Hyde Avenue with the changes that were presented.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby

made a portion of these Minutes.

Moved by Corrieri, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 21-337 approving the Master Plan Amendment for 5571 Hyde Avenue.

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

DISPOSITION OF COMMUNICATIONS TO COUNCIL: The Mayor mentioned that there were two items on Dispositions. The first was a letter from Jennifer Ellis, Executive Director for Friendship Ark Homes and Community Services, who expressed concerns about the safety of the intersection of Fletcher Boulevard and Bloomington Road.

Moved by Beatty-Hansen, seconded by Corrieri, to ask for a memo from staff regarding the safety concerns at the intersection of Fletcher Boulevard and Bloomington Road.

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

The second item was an email from Steve Burgason requesting to pursue a PRD Zoned Development for land south of Oakwood Road that was recently annexed by the City.

Council Member Corrieri questioned if the requested Text Amendment would be premature or would it need to be investigated further. Planning and Housing Director Kelly Diekmann mentioned that staff had recommended to Mr. Burgason to proceed with the request. It is a small piece of property.

Moved by Corrieri, seconded by Martin, to refer to staff for a memo on Mr. Burgason's request to pursue a PRD Zoned Development.

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

COUNCIL COMMENTS: Council Member Martin stated that most of the neighborhoods in Ames have access now to acceptable broadband service under the FCC designation. There is one neighborhood that does not have access to any qualifying broadband service, which is the Dartmoor neighborhood. Mr. Martin commented that he had become aware of a federal funding program that was passed within the last year called the State and Local Fiscal Recovery Funds. This may provide a way for the City to create enough infrastructure so that the Dartmoor neighborhood could be served by private providers.

Moved by Martin, seconded by Beatty-Hansen, to ask for a memo on possibilities for funding that could improve internet services in the Dartmoor neighborhood.

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

Council Member Junck stated that she had attended the Ames Economic Development Committee (AEDC) "See Yourself in Ames" event today that focused on diversity, equity, and inclusion in Ames. There were about 100 interns in attendance. The Ames Human Relations Commission was

there to represent Ames and did a great job.

Council Member Betcher mentioned that she had sent an email to the Council regarding an email that she had received asking if the Council would be interested in looking at artistically painting fire hydrants. She forwarded the request onto the Council to see if staff should look into painting fire hydrants while they are looking at other experimental painting, i.e., sewer inlets, and electrical boxes.

Moved Betcher, seconded by Beatty-Hansen, to direct staff to explore the possibility of painting the fire hydrants in artistic ways as part of the community art efforts. By exploring she meant contacting the Fire Department, Water Services, and working with the Public Art Commission to identify potential challenges for doing the project.

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

The Mayor mentioned that there will be a City Council Workshop next week regarding the Proposed Property Maintenance Code. He mentioned that there will be a presentation by staff first and then public comment. Mayor Haila stated as he had previously shared this on the radio, but wanted to state again that the Property Maintenance Code is not a proactive but complaint-driven ordinance. If someone complains about something that is when staff will get involved, it will not be staff driving around looking for problems with properties. The idea is to give staff some avenues by which to enforce the accumulation of large deposits of trash or overgrown.

ADJOURNMENT: Moved by Corrieri to adjourn the meeting at 8:00 p.m.

Amy L. Colwell, Deputy City Clerk

John A. Haila, Mayor

Diane R. Voss, City Clerk