

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

SEPTEMBER 28, 2021

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on September 28, 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 present.

PROCLAMATION FOR “WATERSHED AWARENESS MONTH,” OCTOBER 2021: Mayor Haila proclaimed October 2021 as “Watershed Awareness Month.” He urged every Story County citizens to recognize the importance of the watershed in which they live and to commit to keep learning and identifying how to make a difference, even in their own backyard. Accepting the Proclamation was City of Ames Municipal Engineer Tracy Peterson, City of Ames Stormwater Resource Analyst Liz Calhoun, Prairie Rivers of Iowa Executive Director Penny Brown Huber, Prairie Rivers of Iowa Watershed Educator Dan Haug, and City of Ames Environmental Specialist Dustin Albrecht. Ms. Peterson explained that everyone lives in a watershed as every drop of water leads to a body of water. Unfortunately, with droughts, those loads are continuing to build-up, and when the City gets a heavier rain of an inch or more, it will all go down the storm sewer and into the streams.

A series of special events highlighting water quality and natural resources will be available. On September 30, 2021, Chad Pregracke, author of “*From the Bottom Up: One Man’s Crusade to Clean America’s Rivers*” will be giving a presentation in the Ames City Auditorium at 7:00 p.m.; Wild and Scenic Film Festival will be held on October 1, 2021, in the City of Ames Auditorium; and on October 2, 2021, is the river and stream cleanup.

PROCLAMATION FOR “FIRE PREVENTION WEEK,” OCTOBER 3 - 9, 2021: The week of October 3 - 9, 2021, was proclaimed by the Mayor as “Fire Prevention Week.” He encouraged all citizens of Ames to “Learn the Sounds of Fire Safety” for Fire Prevention Week 2021 and to support the many public safety activities and efforts of the Ames Fire Department. The Proclamation was accepted by Deputy Fire Chiefs Doug Allen and Thomas Hackett along with several members of the Fire Department. Deputy Fire Chief Allen stated the Fire Department has a robust smoke detector program where if a citizen calls for help a crew will go to the citizen’s house and help install and hardwire the system. Mr. Allen noted that during his career “fire prevention” has always been a big topic and the number of fires has gone down; he believed this is due to fire education. Mr. Allen mentioned that the Fire Department responds to fires, but also vehicle extrications, ice rescue, water rescue, hazardous material response, and EMS response.

CONSENT AGENDA: Mayor Haila announced that the amount for Item No. 23: Change Order No. 1 to Blade Runner Turbomachinery Services, LLC, for Unit 8 Turbine Generator Overhaul project should be \$607,678.37 (not \$564,300).

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

1. Motion approving payment of claims
2. Motion approving Minutes of Special City Council Meeting held August 31, 2021 and

- Regular City Council Meeting held September 14, 2021
3. Motion approving Report of Change Orders for period September 1 - 15, 2021
 4. Motion certifying Civil Service candidates
 5. Motion approving new 12-Month Class C Liquor License with Outdoor Service and Sunday Sales - Sips and Paddy's Irish Pub, 126 Welch Avenue
 6. Motion approving ownership update for Class C Beer Permit with Class B Wine Permit and Sunday Sales - Aldi, Inc. #48, 108 South 5th Street
 7. Motion approving renewal of the following Beer Permits, Wine Permits and Liquor Licenses:
 - a. Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carry-Out Beer) and Sunday Sales - Hy-Vee Food & Drugstore #2, 640 Lincoln Way
 - b. Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carry-Out Beer) and Sunday Sales - Hy-Vee Food Store #1, 3800 W Lincoln Way
 - c. Class C Liquor License with Sunday Sales - Bullseye Restaurant Group LLC, (Boulder Tap House), 114 South Duff Avenue
 - d. Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carry-Out Beer) and Sunday Sales - CVS/Pharmacy #10452, 2420 Lincoln Way #104
 - e. Class C Beer Permit with Class B Wine Permit and Sunday Sales - Aldi, Inc. #48, 108 South 5th Street
 - f. Class B Beer with Sunday Sales - Macubana, 116 Welch Avenue **Pending Dram Shop Insurance**
 - g. Class B Beer with Sunday Sales - Chica Shack Ames, 131 Welch Avenue **Pending Dram Shop Insurance**
 - h. Class C Beer Permit with Sunday Sales - Docs Stop 5, 2720 E 13th Street
 - i. Class C Liquor License with Class B Native Wine Permit, Outdoor Service, and Sunday Sales - AJ's Ultra Lounge, 2401 Chamberlain Street **Pending Dram Shop Insurance**
 8. RESOLUTION NO. 21-527 authorizing the Mayor to sign Certificate of Consistency with City's 2019-2023 CDBG Consolidated Plan on behalf of ACCESS for funding from Iowa Finance Authority
 9. Motion approving request from ISU Homecoming Central Committee for Fireworks Permit for display from ISU Central Campus at midnight on Friday October 22, for Mass Campaniling.
 10. RESOLUTION NO. 21-506 approving Encroachment Permit Agreement for Sign at 316 Main Street
 11. RESOLUTION NO. 21-507 approving and adopting Supplement No. 2021-4 to *Municipal Code*
 12. RESOLUTION NO. 21-508 approving update to City Sick Leave Policy
 13. 2021 Symposium on Building Inclusive Organizations event in partnership with the Ames Chamber of Commerce and Iowa State University Office of Diversity, Equity, and Inclusion:
 - a. RESOLUTION NO. 21-509 authorizing the expenditure of \$5,000 (\$2,500 Council budget, \$1,500 Council Contingency, and \$1,000 Ames Human Relations Commission)
 14. RESOLUTION NO. 21-510 approving Police Department's participation in the Governor's

- Traffic Safety Bureau Nighttime Seat Belt Enforcement Grant Program
15. RESOLUTION NO. 21-511 approving Service Agreement between City of Ames and Cornerstone Government Affairs, Inc.
 16. Flood Mitigation - River Flooding:
 - a. R RESOLUTION NO. 21-512 approving Purchase Agreements for land acquisitions:
 - i. Parcel 3: Kenneth and Marjory Howe Trust - \$85,050.92 (partial acquisition)
 - ii. Parcel 3: Jim Howe - \$9,400 (tenant compensation)
 - iii. Parcel 5: RL Enterprises LLC - \$196,134.48 (partial acquisition)
 - iv. Parcel 5: Red Lobster - \$84,944 (tenant compensation)
 - b. RESOLUTION NO. 21-513 approving preliminary plans and specifications for Ioway Creek Restoration and Flood Mitigation Project; setting November 3, 2021, as bid due date and November 9, 2021, as date of public hearing
 17. RESOLUTION NO. 21-514 approving Amendment to Financial Assistance Award through Economic Development Administration for Prairie View Industrial Utility Extension
 18. RESOLUTION NO. 21-515 awarding upfitting of two Public Works/Traffic trucks to Truck Equipment of Des Moines, Iowa, in the amount of \$67,622
 19. RESOLUTION NO. 21-516 awarding Contract for CyRide 2022 HVAC Improvement Project to Stein Heating and Cooling Inc., of Webster City, Iowa, in the amount of \$499,600 (base bid and bid Alt. 2)
 20. RESOLUTION NO. 21-517 approving contract and bond for Tahira and Labh Hira Park Concrete Work
 21. RESOLUTION NO. 21-518 approving Change Order No. 1 to Blade Runner Turbomachinery Services, LLC, of Navasota, Texas, for Unit 8 Turbine Generator Overhaul project in the amount of \$607,678.37
 22. Homewood Golf Course Clubhouse Project:
 - a. RESOLUTION NO. 21-519 approving Change Order No. 1 to R. H. Grabau Construction, Inc., of Boone, Iowa, in the amount of \$14,309.01
 - b. RESOLUTION NO. 21-520 accepting completion of Contract
- 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: Mayor Haila opened Public Forum.

Richard Deyoe, 505-8th Street, #2, Ames, Iowa, stated THAT about a month ago he had spoken with the Mayor outside of City Hall regarding the motto for Ames. Mr. Deyoe had recommended having the motto be “Name Ames Home,” but it was named “Smart Choice.” He commented that he was very hurt by the process of choosing a new motto. Mr. Deyoe mentioned that he was previously outside City Hall opening the door for employees and was offering to take people out for lunch and someone called the police. He said he was told by the Police Department that if he took someone out to lunch, they were going to take him to prison. Mr. Deyoe commented that he was not sure why the cops were called on him. He explained that he was upset about the letter he received that barred him from being at City Hall as he considered opening the door as his job.

The Mayor closed Public Forum when no one further came forward to speak.

STAFF REPORT ON SIDEWALK INFILL/COMPLETE STREETS FOR UPCOMING STREET IMPROVEMENT PROJECTS (TOP-O-HOLLOW AND OPAL DRIVE):

Municipal Engineer Tracy Peterson advised that the City is working on the design for next year's construction projects. She stated that the Asphalt Street Pavement Improvement Program (Multiple Locations) needed Council direction regarding sidewalk infill.

Public Works Engineer Hafiz Ibrahim mentioned that most of the streets in this Program have sidewalks on both sides of the street except for Top-O-Hollow Road and Opal Drive. These two streets have a sidewalk on only one side of the road. A map showed that there is an existing sidewalk on the south side of Top-O-Hollow. Per the Complete Streets Plan, it is recommended sidewalks be installed on both sides of the streets. Mr. Ibrahim noted that there were a few issues with putting the sidewalk on the north side of Top-O-Hollow. The infill of sidewalk on the north side of Top-O-Hollow Road will increase the cost of the Top-O-Hollow Road project by 24% or an additional \$307,000, and this exceeds the 22% cost increase threshold indicated in the Complete Streets Plan. There are also several issues with the design that interfere with implementation of the infill of the sidewalk. These included removing mature trees, relocation of existing electric overhead poles/lines, and replacing all existing driveways to meet ADA requirements. Ms. Peterson noted that the \$307,000 does not include the cost to relocate the five electric poles. On Opal Drive, there is existing sidewalk connectivity on the entire east side of the street. To include infill of sidewalk on the west side of Opal Drive will increase the cost of the Opal Drive project by 32% or an additional \$67,200. There are also several issues with the design that would interfere with the implementation of the infill of sidewalk. This would include replacing all existing driveways to meet ADA requirements and changing the existing driveway slope at 220 Crystal Street from 8.6% to an unacceptable 21%.

Council Member Gartin explained that some Residential streets don't have any sidewalks (i.e., Ross Road) and wanted to know about the prioritization of infill. Municipal Engineer Peterson explained that in previous years, staff had come before the Council for areas that were not fully connected on one side of the street, and connectivity was done. On this project, there is connectivity on both Top-O-Hollow Road and Opal Drive, and this would be adding infill if the Council wanted it. Other locations, such as Ross Road, would come forward in the Capital Improvements Plan to do road improvements. Mr. Gartin clarified that what is driving certain areas is because the street in this area is being redone. It was confirmed that was correct.

Ms. Peterson explained that staff will hold public information meetings for these projects with all the residents/businesses to discuss the scope of the project.

Council Member Betcher inquired what the condition of the sidewalk was on the other side of the street where there is connectivity. Ms. Peterson noted that they had driven through the area earlier and did not see any areas that were clearly vaulted, missing panels, or causing an obstruction. She explained that if there are one or two faults while working on the project the City can fix those or identify the area and notify the property owners.

Council Member Martin mentioned that it sounded like it was currently not part of the process to look at the condition of the existing sidewalks. Ms. Peterson explained that the existing sidewalks are the responsibility of the adjacent property owners, and the City is looking at accessibility. Mr. Martin wondered if the Council would want to make it a priority to check the condition of existing sidewalks when there is a major road reconstruction project. The Council could formally say “let’s make sure all the sidewalks are in good condition, even the ones that are not formally part of the project.” He commented that it may just be having a staff member walk through the area and make notes and have a letter sent to the property owner. Ms. Peterson noted that with that suggestion, staff would need some direction to start incorporating that into the Capital Improvements Plan or start including the appropriate staff to do a walk-through of the area and to notify property owners.

Council Member Betcher questioned who sends out the letters to notify homeowners. Ms. Peterson stated it would be done between the Public Works Operations Department and Inspections Division. Council Member Beatty-Hansen noted that currently it is a complaint-based system only.

Mayor Haila opened the public hearing. It was closed when no one came forward to speak on the item.

Moved by Gartin, seconded by Corrieri, to approve Alternative 1, which was to direct staff to design both projects with no new sidewalk infill.

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

Moved by Martin, seconded by Corrieri, to ask staff in future planning stages, to review the existing sidewalk quality in addition to the ADA compliance, and report it as part of the investigation of the project in the Staff Report.

Council Member Gartin asked if that should be part of the Complete Streets Program. Mr. Martin stated he was not asking to make a change to the Complete Streets Program. Ms. Peterson mentioned that collecting data for a while is always helpful before changing any policies. She felt that staff could incorporate Mr. Martin’s motion more informally, and if it started to impact project costs, they might need to look at doing something different. She noted that staff is already doing walk-throughs of the area and could incorporate walking the sidewalks as well.

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

APPLICATION AND CRITERIA FOR ARTS CAPITAL GRANT PROGRAM: Assistant City Manager Brian Phillips stated that the Council allocated \$200,000 for a one-time Arts Capital Grant Program. Feedback was received from the Public Art Commission (PAC) and the Commission on The Arts (COTA) as to what the program would look like. He mentioned that it was important to note that the concept for this Program does not necessarily mean someone would have to be an “art organization” to take advantage of it. The criteria have been written broadly so any organization that might have arts, performance, or an entertaining function could submit an application for possible funding. Staff had provided a series of questions for the applicants to help determine what the project

would create/do that would offer something different for the community. Mr. Phillips stated that it is important to provide ample time for the individuals/organizations that are intending to apply to: 1) develop a well-thought-out proposal, and 2) implement a “fully cooked” project. In order to achieve those two items, staff proposed to have the application period be approximately two months to provide applicants time to prepare their proposals. He noted that the period of time that the organization, individual, or entity would have to complete the improvements would roughly be a year and a-half.

Council Member Corrieri commented that she thought she had read somewhere about the spend-down requirement, and asked what the time requirement was for the funds to be spent. Mr. Phillips stated that the project would need to be completed by June 30, 2023, however, he didn't think that date was on the criteria form. He explained that the next step would be to develop a contract and that information would be included along with any other terms needed to be compliant with accounting standards.

Council Member Betcher asked if the spaces had to be permanent (fixed) spaces or could the spaces be mobile. She said she was asking because of the new “Music on the Move.” Mr. Phillips stated that when thinking of capital, you think about something that is lasting, and not necessarily a brick-and-mortar structure. The criteria that were created stated to “create, renovate, or improve a space for arts or artists.” He mentioned that a stage that could be parked in a garage and taken out regularly over a period of five years could be interpreted to count, but it would be up to the evaluation committee to make that determination. Mr. Phillips cautioned that there are a lot of Capital Grant Programs that exclude vehicles because those can cause additional issues. He encouraged the Council to avoid vehicles for an agency or an organization. Council Member Corrieri pointed out that the Council had excluded vehicles in the Human Services Capital Program. Ms. Betcher explained that she was trying to think of things that people might propose that the Council may not necessarily want to fund. Council Member Beatty-Hansen stated she would encourage everyone to apply. Ms. Corrieri noted there could be potential challenges; anytime anyone is applying for a Capital Grant, vehicles are often excluded from any type of funding because it could cause a lot of challenges. Mr. Phillips explained there are multiple issues with vehicles, but a mobile music stage is a unique idea. He felt it was important to note that nothing is going to be awarded without approval by the City Council first. The Council will see the recommendations, and it will be up to the Council to determine if the project meets their interests.

Mayor Haila mentioned that under the Arts Capital Grant Program, under “Eligible Projects, Item No. 7 states “include matching funds of at least 25% from the recipient. Matching funds must be in the form of cash. In-kind contributions are not eligible for use as matching funds.” He wanted to clarify that “cash” was something that could be borrowed and thought it would be beneficial to include a definition. Mr. Phillips explained that they will ask for a budget submittal that will differentiate between in-kind contributions and various cash loans. If there were any questions from the applicants, the committee would be happy to answer them.

The Mayor noted that sometimes there are pre-conference meetings where someone can ask

questions, and he wanted to know if this could be done. Mr. Phillips stated he didn't believe the feedback from PAC and COTA made that kind of recommendation, but it was something that could be done. It was noted that typically there are not many questions upfront.

Mayor Haila opened public comment. It was closed when no one came forward to speak.

Moved by Junck, seconded by Corrieri, to approve the Arts Capital Grant Program outline and application.

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

MINOR AMENDMENT TO THE AMES URBAN FRINGE PLAN FRAMEWORK AND LAND USE CLASS MAP TO CHANGE THE LAND LOCATED AT 2105 AND 2421 DAYTON AVENUE FROM AGRICULTURAL & FARM SERVICE TO PLANNED INDUSTRIAL: City Planner Justin Moore explained that this was a request for a Minor Amendment to the Ames Urban Fringe Plan Framework and Land Use Class Map. He noted that the property is located on the west side of Dayton Avenue between BASF and the Eagles Loft Daycare directly across from the USDA labs. The property owner plans to eventually annex the property to the City for a smaller scale industrial development. In order to begin the process, the Land Use Designation outside of the City limits, in Story County, has to fit an Urban Service category. Planned Industrial in the Urban Services category is what the current Land Use Plan requires for an Annexation to be considered.

Mr. Moore noted that there is a small portion of Natural Area on the northwest corner of the property that will remain as a Natural Area designation, but both properties will fall under the Urban Services category. The change from the Rural Service and Agricultural Conservation Area to the Urban Services category follows the intent of the Draft Ames 2040 Future Land Use Plan, which designates the area for future development categorized as Employment. While the Ames 2040 is not yet officially adopted, the initial findings for including it in the draft Plan apply to this ad hoc consideration of a Fringe Plan Amendment at this time as it was not predicated on any other specific improvement or land use change in the area. It is anticipated the Plan would be adopted later this winter, shortly after annexation. Approval of the Amendment is required by both the City Council and the Board of Supervisors per the cooperative 28E Agreement. This will be brought to the Board of Supervisors in October 2021.

Council Member Beatty-Hansen asked how this request was different from the small area along South Bell that is currently under a Tax Increment Financing (TIF). City Manager Steve Schainker commented that the location on South Bell is at capacity and more areas are needed. He explained this project may request to become a TIF project sometime in the future, and the City would recommend it to be a competitive type approach. The property owner needs the Land Use change in order to develop the property regardless of TIF.

Council Member Betcher wanted to know if the Natural Area would always be an Overlay Designation. Mr. Moore stated that in this case the Natural Area is a Land Use Class Designation

or Framework Designation. The City does have an environmentally sensitive overlay and that applies to the Cities Floodplains and Floodways. Once annexation and rezoning occur, the entire property will be rezoned, but will still have the Framework of the Natural Area. Ms. Betcher asked if the rest of the area had an underlying Natural Designation. Mr. Moore answered that there may be something within the County, but the City does not have anything that applies to this area.

Mayor Haila opened the public hearing. The Mayor closed the hearing after no one requested to speak.

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 21-521 approving a Minor Amendment to the Ames Urban Fringe Plan Framework and Land Use Class Map to change the land located at 2105 and 2421 Dayton Avenue from Agricultural & Farm Service to Planned Industrial. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON LEASE AGREEMENT BETWEEN THE CITY OF AMES AND YOUTH AND SHELTER SERVICES FOR PARKING LOT P: The public hearing was opened by Mayor Haila. No one came forward to speak on this topic, and the hearing was closed.

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 21-522 approving the Lease Agreement between the City of Ames and Youth and Shelter Services for Parking Lot P in a term of ten-years. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON REQUEST TO VACATE EXISTING PEDESTRIAN EASEMENT LOCATED ALONG THE EASTERN TEN FEET OF 4901 WALLER STREET: Municipal Engineer Tracy Peterson noted that the property owner had contacted the Planning & Housing Department and requested a Pedestrian Easement be vacated in order to expand his driveway. The purpose of the easement was to provide access from the properties along Waller Street to the future Edwards Elementary School. The pedestrian easement has not been paved or used as an access to Edwards Elementary School since it was first established by the Final Plat. The Site Plan for the school was approved in 2013 and included a stormwater detention basin near the rear of the property. The basin obstructs any future pedestrian path from Waller Street to the school building.

Mayor Haila opened the public hearing. There was no one wishing to speak, and the Mayor closed the hearing.

Moved by Gartin, seconded by Junck, to adopt RESOLUTION NO. 21-523 vacating the existing Pedestrian Easement located along the eastern ten feet of 4901 Waller Street. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON SE 16TH STREET AND SOUTH DUFF AVENUE TRANSMISSION MODIFICATIONS: Mayor Haila declared the public hearing open. He closed the hearing after no one came forward to speak on this issue.

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 21-524 approving final plans and specifications and awarding a contract to IES Commercial of Holdrege, Nebraska, in the amount of \$529,140.38 (inclusive of sales tax).

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

DISPOSITION OF COMMUNICATION TO COUNCIL: Mayor Haila asked the Council to take a moment to deviate from the Agenda to address one of the items under Dispositions. The Mayor explained there was a memo from Electric Services Director Donald Kom regarding Retail Solar Net Metering Revenue. Council Member Martin noted he liked the proposal in the Memo, and was grateful that staff will be doing further investigating in the Fall. He asked that when staff started to investigate the rebate only model, if it would be possible to investigate if there were any improvements that could be made to that application, permitting, and/or approval procedures. Electric Services Director Don Kom mentioned that staff could look at that; however in 2018/19, staff had reviewed all the processes from Inspections to Electric to Planning and Housing. Mr. Kom stated that the Electric Utility Operations Review and Advisory Board (EUROAB) has been looking at net metering and looking at how the Program is being used. Staff wanted to look at ways to create programs that work towards allowing everyone in the community the opportunity to set up solar panels. He noted that the Solar Farm still has SunSmart Power Packs available for purchase.

Council Member Gartin asked if the City should be looking at Net Metering in the context of climate action planning. Director Kom mentioned they are looking at different models and the pros and cons of each model.

HEARING ON NUISANCE ASSESSMENTS: The Mayor noted that the sidewalk repair/replacement was paid in full by the property owner, and the only assessment the Council would be considering is the snow/ice removal.

The Mayor opened the public hearing and closed it after there was no one wishing to speak.

Council Member Gartin wanted to know if any of the parties had contacted the City to offer an explanation as to why they haven't paid the bill. Finance Director Duane Pitcher commented that no one had contacted the City.

Moved by Corrieri, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 21-525 approving assessing costs of snow/ice removal and certifying the assessments to the Story County Treasurer. Roll Call Vote: 5-0-1. Voting Aye: Beatty-Hansen, Betcher, Corrieri, Junck, Martin. Voting Nay: None. Abstaining due to Conflict: Gartin. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON AMENDMENTS TO FISCAL YEAR 2021/22 ADOPTED BUDGET FOR CARRYOVERS FROM FISCAL YEAR 2020/21: Finance Director Duane Pitcher stated all the projects and associated budgeted expenditures and funding sources were approved by City Council as part of the fiscal year 2020/21 budget, but were not completed during the year. This Amendment provides formal Council authority to carry forward the appropriation for projects and other work that will not be spent until fiscal year 2021/22.

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. 21-526 to amend the FY 2021/22 Budget for carry-over amounts for FY 2020/22.

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

ORDINANCE REMOVING ALL PARKING REQUIREMENTS FOR AUDITORIUMS, THEATERS, STADIUMS, AND ARENAS WITHIN THE DOWNTOWN SERVICE CENTER AND CAMPUSTOWN SERVICE CENTER ZONING DISTRICTS: Moved by Beatty-Hansen, seconded by Corrieri, to pass on second reading an Ordinance removing all parking requirements for auditoriums, theaters, stadiums, and arena within the Downtown Service Center and Campustown Service Center Zoning Districts.

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

ORDINANCE, AS PREVIOUSLY AMENDED, CREATING THE RESIDENT POLICE ADVISORY COMMITTEE: Moved by Beatty-Hansen, seconded by Junck, to pass on second reading an Ordinance, as previously amended, creating the Resident Police Advisory Committee.

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

DISPOSITION OF COMMUNICATION TO COUNCIL: The Mayor mentioned there was one item remaining under Dispositions. It was an email from Ashley Terrell requesting a speed study to be conducted on Ridgetop Road. City Manager Steve Schainker stated that, rather than requesting a memo, he would recommend directing the Traffic Engineer to put this project on the list to perform a speed study. He mentioned that this would be added to other projects.

Moved by Beatty-Hansen, seconded by Junck, to direct the Traffic Engineer to put Ridgetop Road on the list to complete a speed study sometime in the future.

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

COUNCIL COMMENTS: *Ex officio* Trevor Poundstone stated that he will be talking to the Student Government Senate about the Ames Plan 2040 and the Climate Action Plan at its next meeting. He is also working on setting a date for the Joint Student Government/City Council meeting.

Council Member Gartin congratulated the Octagon Center for the Arts for its success on the 50th

Anniversary of the Octagon Art Festival. He explained that the program he mentioned at the last meeting on recidivism was held on September 23, 2021, and is now available on the Ames NAACP *Facebook* site or on *YouTube*. He encouraged everyone to take a moment and watch the presentation.

Council Member Betcher noted that last Saturday was the first “Engagement Festival - Play Ames - Imagine Your City.” She thanked everyone who came out to help and felt everyone enjoyed the day. There is now a new mural on the side of the building at the corner of 5th and Burnett. Ms. Betcher mentioned the most exciting thing for her was seeing the City’s Small Arts Grant Program in action at both the Engagement Festival and the Octagon Art Festival.

Mayor Haila noted that on October 6, 2021, at noon, is the “Healthiest State Walk,” in Ames and encouraged citizens to join.

CLOSED SESSION: Council Member Martin asked City Attorney Mark Lambert if there was a legal reason to go into Closed Session. Mr. Lambert replied in the affirmative, citing Section 21.5(1)c, *Code of Iowa*, to discuss matters presently in or threatened to be in litigation. Roll Call Vote: 6-0. Motion declared carried unanimously.

Moved by Martin, seconded by Junck, to go into Closed Session.

The City Council entered into a Closed Session at 7:06 p.m. and reconvened in Regular Session at 7:09 p.m.

Moved by Betcher, seconded by Martin, to approve the settlement with Anna Ernst in the amount of \$20,000.

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

ADJOURNMENT: Moved by Beatty-Hansen to adjourn the meeting at 7:10 p.m.

Amy L. Colwell, Deputy City Clerk

John A. Haila, Mayor

Diane R. Voss, City Clerk