

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

NOVEMBER 9, 2021

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on November 9, 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.

The Mayor announced that the Council was working off an Amended Agenda. A Closed Session was added to the Agenda.

PROCLAMATION FOR “HUNGER AND HOMELESSNESS AWARENESS WEEK,” NOVEMBER 15-22, 2020: Mayor Haila proclaimed the week of November 13 - 21, 2021, as “Hunger and Homelessness Awareness Week.” He encouraged all citizens to recognize that many people do not have housing and need support from citizens and private/public nonprofit service entities. Accepting the Proclamation were City Housing Coordinator Vanessa Baker-Latimer, Story County Community Services representative Karla Webb, The Bridge Home representative Linda Munden, Youth and Shelter Services representative Hope Metheny, and United Way representative Anneke Mundel.

Ms. Baker-Latimer thanked the Mayor and Council for the Proclamation. She noted that over the past year the agencies have worked together to try and get funding for the citizens along with trying to avoid duplication. Ms. Baker-Latimer added her appreciation for the continued partnership.

Ms. Mundel mentioned that housing and security needs have increased during the pandemic, and hunger has been a long-time issue. More than one in four kids are eligible for free and reduced lunches. About 9% of the populace is food insecure. United Way encouraged everyone to stop by the Ames Public Library to view the display that is set up there. The display will be shown from November 13 - 23, 2021, and will display statistics, resources, and have housing assistance information.

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 Special City Council Meeting held October 19, 2021, and Regular City Council Meeting held October 26, 2021
3. Motion certifying Civil Service candidates
4. Motion approving Report of Change Orders for period October 16 - 31, 2021
5. Motion approving premise update for Class C Liquor License, Catering Privilege and Sunday Sales - Hy-Vee Market Café, 3800 Lincoln Way
6. Motion approving premise update for Class C Liquor License, Catering Privilege and Sunday Sales - Hy-Vee Market Grille, 640 Lincoln Way
7. Motion approving new 5-day (Nov 11 - 15, 2021) Class C Liquor License for Thirsty Pigs at Comfort Inn & Suites, 603 S 16th Street

8. Motion approving ownership change for Class C Liquor License with Sunday Service - Red Lobster #0747, 1100 Buckeye Avenue
9. Motion approving ownership change for Class E Liquor License, Class B Wine Permit, Class C Beer Permit (Carryout Beer) and Sunday Sales - Kum & Go #7706, 2320 Lincoln Way
10. Motion approving renewal of the following Beer Permits, Wine Permits and Liquor Licenses:
 - a. Class E Liquor License - AJ's Liquor III, 2401 "A" Chamberlain Street
 - b. Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carryout Beer) and Sunday Sales - Neighborhood Liquor & Smokes, 3505 Lincoln Way Ste 105
 - c. Class C Liquor License with Outdoor Service and Sunday Sales - Outlaws, 2522 Chamberlain Street **Pending Dram Shop Insurance**
 - d. Class B Native Wine Permit with Sunday Sales - Chocolaterie Stam, 230 Main Street
 - e. Class E Liquor License, Class B Wine Permit, Class C Beer Permit (Carryout Beer) and Sunday Sales - Kum & Go #7706, 2320 Lincoln Way
11. RESOLUTION NO. 21-557 approving Supplemental Funding Agreement with Ames Convention and Visitors Bureau in the amount of \$35,000
12. RESOLUTION NO. 21-558 authorizing staff to reimburse Ames International Orchestra Festival Association (AIOFA) \$9,900 from the Local Option Sales Tax Fund balance for a claim under its FY 2020/21 COTA Annual Grant
13. RESOLUTION NO. 21-559 stating that terms of 1992 Development Agreement pertaining to 238 Alexander have been satisfied and releasing property from the Development Agreement
14. RESOLUTION NO. 21-561 approving Amendment to Ioway Creek Watershed Management Authority 28E Agreement to add Hamilton County Board of Supervisors as a member
15. 2020/21 South Dayton Improvement Traffic Signal Poles and Cabinets:
 - a. RESOLUTION NO. 21-562 awarding contract for Traffic Signal Poles to JTH Lighting Alliance of Apple Valley, Minnesota, in the amount of \$78,348
 - b. RESOLUTION NO. 21-563 awarding contract for Traffic Signal Cabinets to General Traffic Controls, Inc., of Spencer, Iowa, in the amount of \$80,360
16. RESOLUTION NO. 21-564 approving Change Order No. 2 with Jetco, Inc., for Ames Water Treatment Plant Remote Site Radio and PLC Upgrade Project in the amount of \$35,879
17. RESOLUTION NO. 21-565 accepting completion of 2019/20 Multi-Modal Roadway Improvements (Mortensen Road West of South Dakota Avenue)
18. RESOLUTION NO. 21-566 approving Plat of Survey for 4909 West 190th Street (Cackler property)

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

RENAMING SQUAW CREEK DRIVE TO STONEHAVEN DRIVE: Council Member Betcher explained that she pulled this item because ever since the renaming of Ioway Creek earlier this year, the Council has been asked why the City has not been renaming other locations within the City that involved "Squaw Creek." She felt this was an important item to bring forward so the public knows that the City is working on it.

Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 21-560 approving the renaming of Squaw Creek Drive to Stonehaven Drive and direct the City Attorney to draft the street name change.

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

PUBLIC FORUM: Mayor Haila opened Public Forum.

Paul Readhead, 1200 Ridgewood Avenue, Ames, stated his comments tonight would be about the Ames 2040 Plan, Climate Action Plan, and garbage service. He went to one of the public meetings for the Ames 2040 Plan and had asked about the housing density in certain areas in Ames. Mr. Readhead had recently attended the public meeting for the Climate Action Plan. He noted that part of the presentation stated that the CO₂ emissions would increase if the City of Ames continued as “business as usual.” He felt that the Ames 2040 Plan seems to continue the “business as usual” approach, at least as it relates to residential housing. Since the Ames 2040 Plan will be approved first, Mr. Readhead hoped that the 2040 Plan would be amended to conform with the Climate Action Plan goals. He pointed out that the Green Hill and NorthCrest communities are good examples of increased housing density in Ames that look nice and serve a great purpose. Mr. Readhead noted that he did an informal survey on garbage service for residents between the areas of 6th to 13th Street and Grand Avenue to Brookside Park. He found that there were eight garbage providers that came into the area out of the ten that are listed on the City website. Two of the garbage collection haulers are located in Ames, while the rest of the providers are located outside of the Ames city limits. He commented that four of the garbage haulers provide one-or two-day service. He explained this is causing a lot of increased traffic. Mr. Readhead stated that the worst situation was around Orchard Drive. In that two-block area, five garbage haulers pick up garbage on Thursdays. He had previously spoken with the City Engineer about streets. Orchard Drive is a cement street, where Brookridge/Ridgewood are asphalt streets, and there is a difference in the load-bearing capacity with the street. Mr. Readhead wondered if garbage services were costing the taxpayers additional money due to decreased street longevity and increased street maintenance. He explained that with several different garbage haulers it is also causing increased fuel consumption, noise pollution, and additional traffic. Mr. Readhead stated a better way would be if the City of Ames managed and regulated garbage service. He had collected more information, which he will provide to the Council later.

Merlin Pfannkuch, 1424 Kellogg Avenue, Ames, stated that in football too many delays of game penalties might cost a game. He felt that Chuck Winkleblack has been given too many delays of game penalties for his proposed hotel/retail area along Lincoln Way. He commented that Mr. Winkleblack has three times given the City information so late that the City has not been able to evaluate the proposal reasonably. Mr. Pfannkuch said that “even if Mr. Winkleblack is doing his best, it just isn’t good enough.” He stated that the proposed development would alter Downtown Ames forever, so it needs to be correct before any work starts. Mr. Pfannkuch mentioned that the Council might get the concept back on November 23, 2021, but there will not be any time to have a Developers Agreement in place by December 31, 2021. Mr. Pfannkuch stated he had very little

confidence that the Council will be able to review the proposal adequately. He felt that the consultant's figures claiming it could produce \$15 million in retail sales tax over 20 years was highly questionable as it was based on a square footage estimate given by Mr. Winkleblack. He asked how the City was going to get any decent financial estimates in a month. He thought of some alternatives for the December 31 deadline, and felt the staff had too, and wondered why nothing had been shared with the public. Mr. Pfannkuch felt that the City's practice of only including items on the Agenda when Council action is needed has dug the City into a hole. He commented that it is hard to comment and give input when no one knows what the final concept is. He thought the City should tell Mr. Winkleblack that his consistent lateness has caused him the \$25 million tax-break he was hoping to get and the City \$10 million for the Aquatic Center.

Christophe Petit, 1421 Douglas Avenue, Ames, stated that he has lived in Ames over the past five years and thought it was a great community. He noted that the community has been very welcoming, and he wanted to express his gratitude for the community having a positive attitude. Mr. Petit wanted to mention a business that had the audacity to impose their way of being onto him with healthcare. He explained that he was refused service by a business for not wanting to put a mask on in the examination room. It is his belief to not cover his face and will not go against his conscience. Mr. Petit mentioned he does not want to go against his god. He will be patient and hope that everyone obeys the law. He asked for help to make businesses respect and understand people's religious beliefs and treat people as human beings.

The Mayor closed public forum when no one else came forward to speak.

PRESENTATION OF RESULTS OF “PLAY AMES: IMAGINE YOUR CITY”: Giving the presentation was Alenka Poplin, Associate Professor at Iowa State University and Team Leaders: Natalie M. Jacobson, Fatema Nourin, and Vishnu Priya Sairames. Professor Poplin mentioned that Stella Schroader was also a Team Leader for this project; however, she was unable to attend the meeting. Besides the Team Leaders, there were 26 students from the Smart and Sustainable Cities class. In January 2020, the City of Ames and Iowa State University agreed on a collaboration, which was summarized in the Request for Assistance (RFA) document. The main focus was to study community engagement, focus on underrepresented and marginalized groups, develop engaging methods, strategies, and technologies to engage the community. The ISU students found that two main findings were: 1) bring participation into the neighborhoods; meet the residents where they are at, and 2) offer mixed-methods of participation to reach different audiences/communities. The students came up with the idea to organize a festival. The festival was held on September 25, 2021, at four different locations with planned engagement activities. The locations were at Reliable Street, Franklin Park, East 7th Street, and 5th Street and Burnett.

On Reliable Street, there were guerilla gardens, origami, and Urban Planning board games. Franklin Park had a breathing game, barefoot path, and yoga. East 7th Street did digital mapping, paper mapping, and had a pop-up van. Also 5th Street and Burnett Avenue was where you could help paint a wall mural. Two evaluation methods were utilized: Photo ethnography and engagement survey. Additionally, a kid-friendly survey was added to gain responses from the kids. There were about 250

participants with the majority of the participants being females.

The following were recommendations that could be done differently if another festival were to be held:

- Fewer locations at one time. This would give the students the opportunity to enjoy all the locations and it would be easier to organize.
- Concentrate on one neighborhood with several “stations” of activities in the same neighborhood
- Advertise the event earlier, more extensively, and utilize social media more
- Create specific street posters that can be reused for several years, but big and visible to everyone
- A whole class needs to be dedicated to place-making and the festival. Possibly create a dedicated course/studio for the festival
- More funding is needed for the festival
- Involve schools and other organizations and form partnerships with them

Council Member Betcher asked the group what the role of the City should be going forward. Ms. Nourin mentioned that the students could be the bridge between City officials and citizens. Ms. Jacobson said she would like to see more collaboration with the City as to what areas the students should focus on for the community. By getting direction from the Council the students would be able to create activities and facilitate the next festival. Ms. Sairames felt the festival could be bigger. There are a lot of issues that the City and the community want to address, and the students want to help make sure everyone’s voice is heard. It was noted that this was the first time having the festival and everyone learned a lot about what worked and what didn’t work.

Council Member Martin commented about the low interaction of City officials. He noted that he is an introvert and needs a role, otherwise he doesn’t know what to do. Mr. Martin asked the students what they hoped for when scheduling the next event. Professor Poplin stated the festival required a lot of preparation. It required some continuity planning and a budget. Ms. Poplin commented that the students planned all summer, and going forward, a vision would be needed as to how to proceed. She noted it could be a class at ISU or a collaboration with the City.

Council Member Gartin thanked the students for their investment in the community. He inquired if there were other things the City could be doing besides the festival. Mr. Gartin mentioned that some cities will have the Mayor or Council Members hold a coffee event in a neighborhood and wanted to know if there were other ideas that would help City officials become more engaged with the community. Ms. Sairames recommended having a community center that could hold different events and different City officials could be present for those events. She noted when there is consistency, there will be more engagement from the community. It was suggested to have a booth at the Farmers’ Market for City officials to be available to answer questions and engage with the community. Ms. Nourin commented that everyone likes to play games, and these helped bring engagement. It was recommended that any informal gathering with food would be the best way to help engage City officials with the community.

The Mayor noted that in the future they don't want to assume that the students will do all the work, and the City will need to work with ISU to see what can be done going forward.

STAFF REPORT REGARDING DOWNTOWN PLAZA UPDATE: Present to answer any questions were Parks and Recreation Director Keith Abraham, Fleet Services Director Corey Mellies, Planning and Housing Director Kelly Diekmann, and Confluence representatives Matt Carlile and Katelyn Heckman. Director Mellies mentioned that they were at a point where they needed some feedback from the Council. They have a layout designed and wanted to present that to the Council before moving forward.

Mr. Carlile mentioned that this process started back in January 2021. The Plaza will include an ice loop, water runnel, splash pad, site support building, seating locations, food trucks, maintained column monument, street and parking improvements, and drop box relocation. Mr. Mellies noted that in the Staff Report it mentioned the new parking lot on 6th Street north of City Hall. He stated that the City will lose some spaces, but there will be better parking on Clark Avenue. The drop box space will no longer be a drive through, but instead it will be a dedicated space for drivers to pull in and drop off utility bills in an angled parking spot along Clark. Mr. Carlile noted that the ice ribbon will have a natural ice system with a removable dasher board and railing system. The ice rink is a continuous loop with a spin-off zone. The size of the ice ribbon was considered to make sure that it was not too big or too wide. The water runnel will have a one to two inch flow of water where you could walk and play in the feature with a 1% slope. There will not be a lifeguard on duty as it is shallow. The boulders will have water running out of them to make them interactive. Mr. Carlile noted that some mist nozzles have been added with some colored lights to make it active at night time as well as during the day. Director Abraham pointed out that the runnel is accessible for anyone that has a mobility device. The site support building will be approximately 1,500 square feet with a skate rental space, ice and water mechanical room, Zamboni garage with drainage, two restrooms with security control, and a canopy overhang in the seating area. The site furnishings will have seating, two passive nooks along the runnel path, tables and chairs under the building canopy, moveable summer seating within the ice ribbon paving, and options for swinging benches or standard benches along walkways. It was noted that lighting will be a key component to the Plaza so it can operate during the evenings.

Director Mellies showed the current cost estimate for the Plaza at \$4,350,496.82 and noted that the project is currently over budget. Some of the cost differences were the natural ice and the recirculating system. Several photos were shown for possible layouts of the Plaza with summer and winter options.

Council Member Gartin asked where bike parking would be located. Mr. Carlile said there would be two areas along 5th Street that would have the bike racks. Mr. Gartin also inquired what the hours of the Plaza would be. Director Abraham noted that all parks are open from 6 a.m. to 10:30 p.m., and if the Council wanted to follow those same rules, those would be the hours of the Plaza.

Council Member Betcher said that the amount of green space seemed small to her and wanted to know how much there was. Mr. Carlile noted that the City of Ames has a lot of green space with its other parks, and in order to have all kinds of events in the Plaza it will need to cut down on some green space. Ms. Betcher stated that during the pandemic people have looked for spaces where they are not next to other people and it seemed that green spaces were more flexible opposed to benches. Mr. Carlile said that there will be removable furniture to allow the flexibility.

City Manager Steve Schainker asked what the length of the ribbon would be. Mr. Carlile replied it would be 14 feet. Mayor Haila asked how it was compared to some of the images that were shown. It was noted that the ribbon in Caldwell, Iowa, was 20 feet, and when speaking with the ice consultants the size was discussed regarding the speed of the skaters and the consultants were more than comfortable with the 14 feet dimension.

Council Member Junck asked for more information on the stage feature. Mr. Carlile explained it is intended to be used as a secondary feature. It is a raised area that can be used for special events.

Council Member Martin asked why staff was recommending the back-in parking along 5th Street. Director Diekmann explained this was a chance to pilot back-in angled parking without having to negatively impact anyone else. It was also the idea that, if going to the Park, citizens would be able to back-in and unload whatever they have in the back of the vehicle. It is considered a safer version of angled parking.

Council Member Martin noted that when reviewing the seating options, there were a few choices that did not have backs on the. He recommended having some seating available with backing. Mr. Martin asked the consultant to do whatever they could to make sure any umbrella that is put in are actually serving its purpose.

Council Member Betcher inquired if any of the seating options would have solar charging stations available similar to what is at Tedesco Park. Director Abraham explained that it is possible to add solar charging stations into the design, but it will depend on the budget. Mr. Mellies stated they have talked to Engineering to see if the charging station feature could be added later. He noted that if there was a charging bench, it would not be easily moved, while the solar option would be easier to incorporate into the design.

Council Member Gartin mentioned that he had seen a couple other ice arenas that have music playing while skating and wanted to know if that was something that would be available. Director Abraham said that would be an option. Staff is looking at putting a sound system into the skate rental building to play music or make announcements. He noted that there has been some money set aside in the budget for Furniture, Fixtures, and Equipment (FF&E) and a sound system was included. Mr. Mellies explained these would be options that would be done separately and not part of the bid. Mr. Carlile explained that there will be a mixture of benches in the Plaza where some will have backs and some won't.

Council Member Martin asked if the stage area could be enhanced in the future if needed. Mr. Carlile stated it could, but what they heard so far during the process was there are a lot of other venues that already offer that feature, and they don't want to take away from those venues.

The Mayor wanted to know what the thought process was for the orientation of the building to make sure that when people sit down there is some protection from the wind during the winter. Director Diekmann stated that the layout was one of the first things discussed and primarily looked at north to south, as going west seemed too shallow to accomplish the goals needed. The center of the Plaza is the activity center for the majority of the use. Staff felt they did the best they could with the space. Mr. Carlile noted that another thing to look at was functionality and the small Zamboni machine coming in and out of the rink was discussed as well. Mr. Abraham pointed out that it will not be a full Zamboni, but will be more of a tractor with an ice resurfer on the back of it. Mr. Diekmann noted that the seating and the restrooms are on the north side and this was different from the original concept. Mr. Abraham explained that the restrooms will be gender neutral and were designed similar to the restrooms at Inis Grove.

Mayor Haila asked about the canopy being translucent and what material would be used to make the canopy. Mr. Carlile said that had not been discussed yet. Director Diekmann noted that the building has been designed to have minimal maintenance.

The Mayor inquired if different filtration systems had been discussed for the runnels. Director Abraham noted that based on previous conversations, the runnel and the spray system will all be one system where the water will be recirculated. There will be a 4,000-gallon water tank underground and all the rest of the equipment will be in the building.

Mayor Haila wanted to know more about the drop box being moved and how staff has handled the relocation regarding customer satisfaction. Mr. Mellies stated that you can still drop off utility payments in the drop box, but instead of being a drive-through, you would have to pull into a parking spot, roll down your window and put your payment in the box and then back out. Staff has noticed that more people are doing online bill pay and not utilizing the drop box as often.

The Mayor asked about the dasher boards being added and removed throughout the year and if there were going to be sleeves to put them in or are they going to be bolted. He also wanted to know where the boards would be stored when removed and how much staff time and maintenance would be required. Director Abraham explained that the dasher boards will either be put onto pallets or boxes and stored at another Parks and Recreation facility. Mr. Carlile stated that they have not finalized whether the dasher boards are going to be installed by sleeves or bolted.

Mayor Haila wanted to know if the City will own the skates to rent and sharpen. Mr. Abraham mentioned that the City will own the skates and staff has discussed owning a small skate sharpening machine that would be in the building. He stated that the hours have not been finalized, but they are not looking at renting skates 12 hours a day. Staff will come up with a schedule for the weekdays and weekends as to when skate rentals would be available.

The Mayor asked about the string lights and how to avoid the birds migrating to the lights. Mr. Carlile explained that as long as the lights aren't tight, they will sway a little bit and birds will not stay on the line. Mayor Haila inquired about the benches being able to be moved around and how to avoid vandalism, maintenance, and theft. Director Abraham thought with this design, they may need more flexible chairs and tables. A security system will be placed in the Plaza, and it is the hope that with the lighting and the location of the Plaza across from the Police Department, it will deter vandalism and theft.

The question arose if the design will have some "Add Alternates" to help with the cost. Mr. Carlile explained that the budget is over right now and they are working with all the consultants to finalize pricing, but what is in the Staff Report is the current best guess. There were a few items that could be taken away from the project to be added on later or as an "Add Alternate."

Council Member Gartin asked about parking and noted that if he worked for the First National Bank next door, he would be nervous that people would park in their parking lot and come over and use the Plaza. Mr. Gartin wanted to know if any conversations have been had with the Bank. Mr. Mellies stated that they have not had specific conversations, but the Bank is aware of the project and what is going to happen to the parking. Director Diekmann mentioned that staff had shared the design of the Plaza with the Bank about a week ago and the Bank did not have any comments.

It was asked when the parking lot on 6th Street will begin to be constructed so the Plaza lot can be vacated. Director Mellies mentioned that the 6th Street Parking Lot plans will come before the Council in December for approval in order for it to go out for bid. The 6th Street parking lot will be done by June 1, 2022, and then the Plaza construction can begin. City Manager Steve Schinker stated that tonight staff wanted to show the Plaza concept to the Council to get approval. The Plaza project is over budget and the Council needed to either tell staff to cut back on features or recommend a way to find the money for the project. Mr. Schinker explained that he will come back before the Council in December and give recommendations on where the funds will come from.

Moved by Beatty-Hansen, seconded by Corrieri, to proceed with the Downtown Plaza, as presented in the Staff Report.

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

RENAMING SQUAW CREEK PARK TO IOWAY CREEK PARK: Parks and Recreation Director Keith Abraham noted there were a number of different ideas provided, but staff's recommendation was to rename Squaw Creek Park to Ioway Creek Park.

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

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 21-567 approving the renaming of Squaw Creek Park to Ioway Creek Park.

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

ALLOCATION OF COUNCIL CONTINGENCY FUNDS FOR COMMUNITY GARDEN DEVELOPMENT FOR THE ADDITIONS TO THE CARR PARK COMMUNITY GARDEN AND THE NEW COMMUNITY GARDEN AT THE DELAWARE AVENUE SITE: Parks and Recreation Director Keith Abraham mentioned there had been multiple conversations with the Council regarding the community gardens. At the March 9, 2021, meeting, staff reminded the Council that the components necessary to complete the expansion at Carr Park and the new gardens at the Delaware site were not budgeted. Staff asked for Council approval to allocate \$22,837 in Council Contingency Funds to the project.

Moved by Corrieri, seconded by Junck, to adopt RESOLUTION NO. 21-568 approving the allocation of Council Contingency Funds for the Community Garden Development for the additions to the Carr Park Community Garden and the new Community Garden at the Delaware Avenue site in the amount of \$22,837.

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

REVIEW OF DRAFT REQUEST FOR PROPOSALS FOR SMALL LOT INDUSTRIAL DEVELOPMENT: City Planner Justin Moore mentioned that before the Council was a draft Request for Proposals (RFP) to solicit for a developer for a small lot industrial development that will involve Tax Increment Financing (TIF). At the July 27, 2021, City Council meeting, the City Council reviewed a Staff Report on the City's inventory of small industrial lots. City Council directed staff to proceed with developing an RFP. The Draft Proposal was structured similarly to the last RFP done for Bell Avenue, which is now almost full. Mr. Moore noted that there are a few items that are different on this Draft Proposal. The most notable change is the proposed 18-month speculative building construction timeline. This new proposal indicates a preference for the developer to construct a new speculative building to a minimum of a shell building standard every 18 months regardless of the status of the previously built speculative building. Staff believed this will ensure a regular construction schedule to achieve build-out of the Subdivision, create more options for businesses to locate, and a predictable increase in valuations for repayment of the TIF debt. Additionally, the minimum evaluation for spec buildings is now higher than it was in 2008, and this is intended to reflect current building values. Staff had proposed a minimum assessment on the value of land. Any new lots below 1.5 acres that do not contain speculative buildings will also have a minimum assessment value.

The Mayor opened public input.

Chuck Winkleblack, 105 S. 16th Street, Ames, asked if the RFP were to be approved tonight, would staff only accept submissions that were consistent with every line item in the RFP. Planning and Housing Director Kelly Diekmann explained that Section 3 in the draft RFP are the mandatory submittal components and are not negotiable. He pointed out that in Section 2 are the application requirements. Section 4 ties in some of the submittal requirements. Mr. Diekmann mentioned that the idea was that what is listed is what staff thinks they want, but if there is some other element that is slightly different, staff will still review the proposal. The scoring criteria were not weighted or

quantified, but will be brought back to the Council with what staff believes the City is looking for. Mr. Winkleblack pointed out that developers could go upside down easily if only they are able to sell lots for a certain price. He was trying to understand if a developer doesn't specify why they bought the land, he was not sure what the relevance would be. Director Diekmann stated that the basis of the land is a requirement. Regarding valuation, those are addressed in Section 4, letters G & H. It doesn't say what the minimum values are, but does state that those issues will be addressed in a Development Agreement.

Council Member Betcher mentioned that Director Diekmann called out Section 4G and 4H, and she wanted to know if Section 4E was also part of the same concern. Mr. Diekmann confirmed it was as it states that the developer is committed to building speculative buildings for the City, and the initial building must be completed within 12 months of the final Plat and any subsequent speculative building shall be constructed and completed to at least a final building occupancy level of shell building. The \$850,000 amount was based on current evaluations. If a proposal comes in and states other amounts and items, staff will still consider the proposal. City Manager Steve Schainker stated that building price is important as they want to make sure the developer recoups the land price, while the City is putting in all the infrastructure. There is a starting price and inflation price in order to negotiate.

Mr. Winkleblack stated that the Proposal discusses the types of uses and excluded uses. He would argue that there are some industrial users that are not large employers, but still enhance the tax base. Director Diekmann said that in the application requirements the developer has to propose the uses and/or excluded uses. He gave an example that a developer could say they want to have everything as General Industrial (GI) or don't want to allow other items. Staff specifically noted that an acceptable industrial use does not include principle uses of warehousing, mini-storage, salvage, and other types of low intensity employment uses.

Council Member Gartin wanted to be reminded why the Council was looking at doing an RFP. Director Diekmann stated that Mr. Winkleblack asked for a referral to look at adding more small industrial lots into the market for the City to be developed. The Council then referred that request to staff to evaluate. Staff concluded that there are a minimal number of existing developable lots within the one-to ten-acre range. The Council at that time indicated a willingness to utilize the Tax Increment Financing (TIF) to assist in paying for the cost of constructing infrastructure in support of a small industrial development in a manner similar to the Ames Community Development Park. Mr. Schainker explained that the City wants to be fair and the Council can offer the TIF rather than give it to the first person that asks for it. If the Council were to just give the TIF to the first person, that property is going to become more competitive than anyone else's. To be fair, the City wants to allow anyone who is interested a chance to compete for the subsidy.

Council Member Gartin inquired if the Agreement was a standardized Agreement. Director Diekmann explained that the Agreement was a compilation of three different Agreements throughout the years. Mr. Gartin asked if what the City of Ames is doing was similar to what other cities are doing. Mr. Schainker noted that there is not a best practice. Mr. Gartin mentioned his goal is to make

sure there are no unintended consequences as Mr. Winkleblack had brought up some good concerns. Mr. Winkleblack stated that the challenge is that there will likely not be another lot that is the same size, same shape, etc. to compare an RFP to. The process has to be opened to the public, but he just wants to know about some of the numbers that are different from what had been brought up before. Mr. Winkleblack commented that he doesn't have a problem with the minimum assessments, but when a developer doesn't know how long it will take to sell the properties, the developer still has to pay the taxes regardless if the lot is sold or not. Mr. Winkleblack would like to see some flexibility, so a developer doesn't end up upside down on this project. He noted that the RFP process was fine; it is just some of the details that need to be clarified.

Mr. Diekmann commented that staff is requiring a ten-acre site size, so if an RFP was submitted for under ten acres, it would be considered a non-responsive RFP. There are not a lot of ten-acre parcels in the City. City Manager Schainker explained the Council could delay the RFP, but if it did that it would be another year before the infrastructure could be added. Staff is looking to have this project added before the budget is finalized.

Public input was closed when no one else came forward to speak

Moved by Corrieri, seconded by Gartin, to direct staff to proceed with issuing a Request for Proposals to identify a developer for an industrial park targeted at small scale lots.

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

HEARING ON VACATING UTILITY EASEMENT ACROSS RED LOBSTER PROPERTY LOCATED AT 1100 BUCKEYE AVENUE (CONTINUED FROM OCTOBER 26, 2021): The Mayor inquired if the Council needed to continue the hearing. Municipal Engineer Tracy Peterson stated that staff had closed on the property and have received all the signed paperwork.

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

Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 21-569 approving the vacation of the Utility Easement across the Red Lobster property located at 1100 Buckeye Avenue. Roll Call Vote: 6-0. Resolution declared carried/adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON IOWAY CREEK RESTORATION AND FLOOD MITIGATION PROJECT: Municipal Engineer Tracy Peterson explained this project has been a long time coming. A design consultant was hired in 2015, and the City had applied for a Federal Emergency Management Agency (FEMA) Grant and was finally awarded the Grant in 2020. Trees were dropped earlier this year and some of those trees will be mulched and incorporated into the stabilization. Construction bids have now been received. She noted that there were four more properties to close on, but everybody has signed the documents. The City has received all the necessary permits from the Army Corps of Engineers and the Iowa Department of Natural Resources (DNR).

Mayor Haila opened public input.

Jim Howe, 912 Clark Avenue, Ames, noted that he owns Howe's Welding and Metal Fabrication on South Duff Avenue. He mentioned that he has had a hard time getting a hold of anyone from the City regarding this project. Last month when the bids were coming out, he noted that a few people were coming to him and asking him questions about access to Ioway Creek. Mr. Howe commented that he was concerned about how to reach someone when he has questions and he is unable to get answers quickly. He is at the shop from 6:30 a.m. until 9:00 p.m., and he keeps calling the City to get answers to his questions, but he is not able to get a hold of anyone. Mr. Howe noted that he is not sure he will ever agree with this project. He used to be able to walk his dog in the woods to the back of his shop and it was nice wooded land, but now the area is barren. There should be someone from the City present at the site every day to answer questions, if needed. He commented that he hoped this project does work and that more trees are put back in.

Public input was closed by the Mayor when no one else came forward.

Ms. Peterson noted that there have been times that she and Mr. Howe have been unable to connect by phone and there have been times that Mr. Howe has not been present when she came by his office. There was just a disconnect. She has done everything she could to make sure he had the answers to his questions. All the landowners will be notified of the inspectors contact information, and this information will be available on the Public Works website as well. There will be two inspectors assigned to this project along with Ms. Peterson. The Mayor asked Ms. Peterson to meet with Mr. Howe to make sure he has all the alternative phone numbers to contact the inspectors. Ms. Peterson indicated she would. The Mayor asked Ms. Peterson to address Mr. Howe's statement about trees being replanted. Ms. Peterson explained that there will be revegetation going into some areas, and they can't replant the area with trees again as that would be counter to the flood mitigation. There will be some trees lining the area, but it will look differently than what it previously was.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 21-570 to approve the final plans and specifications and awarding a contract to Keller Excavating, Inc., of Boone, Iowa, in the amount of \$3,327,523.50.

Council Member Betcher indicated that she will be voting against the motion as she has voted against the project since the beginning. She hoped that this project does solve some of the City's flood issues and that the restoration does what it is supposed to do with returning some natural habitat and making the Creek better.

Roll Call Vote: 5-1. Voting Aye: Beatty-Hansen, Corrieri, Gartin, Junck, Martin. Voting Nay: Betcher. Resolution declared carried/adopted, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Corrieri, seconded by Gartin, to adopt RESOLUTION NO. 21-571 authorizing up to \$700,000 in unallocated G.O. Bonds for the Ioway Creek Restoration and Flood Mitigation Project. Roll Call Vote: 5-1. Voting Aye: Beatty-Hansen, Corrieri, Gartin, Junck, Martin. Voting Nay: Betcher. Resolution declared carried/adopted, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Gartin, seconded by Corrieri, approving the contract and bond for the Ioway Creek Restoration and Flood Mitigation Project.

Roll Call Vote: 5-1. Voting Aye: Beatty-Hansen, Corrieri, Gartin, Junck, Martin. Voting Nay: Betcher. Resolution declared carried/adopted, signed by the Mayor, and hereby made a portion of these Minutes.

ORDINANCES: None.

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Mayor Haila mentioned there were three items to review. The first item was a letter from Douglas C. Harr, Vice President, Big Bluestem Audubon, opposing any future development plans along Worrell Creek that threaten the water quality and natural landscaping.

The Mayor noted that the Council will take Mr. Harr's letter under advisement when working on the Ames 2040 Plan.

The second item was a letter from the Iowa State University 2021/22 Student Government thanking the Council for their time and engagement at the first Joint City Council-Student Government meeting of the year. It was noted that no follow-up was needed for this item.

The last item was a letter from Angie DeWaard, Chair of the Public Art Commission, requesting the Council's permission to change the meeting format of the Commission to allow participation via Zoom.

Moved by Beatty-Hansen, seconded by Gartin, to direct staff to send a letter to the Public Art Commission declining the request.

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

Council Member Beatty-Hansen stated the Council had received a letter from Cameron Gray about art in the park. Mayor Haila mentioned that Mr. Gray's letter will be placed under Dispositions at the November 16, 2021, City Council Workshop meeting.

COUNCIL COMMENTS: Council Member Betcher indicated that she was happy to see the partners from the Iowa Community and Regional Planning Program present the results of the "Play Ames: Imagine your City" event, and hoped there was a way to create a stable and consistent relationship and pursuit for a continued way to engage the community more effectively.

Council Member Gartin noted that Thursday, November 11, 2021, is Veterans Day. He invited everyone to attend the Veteran's Day Program that would be held in the City Auditorium at 11:00 a.m. He noted that Daniel Oh will be the featured speaker, the ISU Air Force ROTC will be the color guard, and the Ames High School Concert Choral will be performing along with the Heart of Iowa Senior band.

Council Member Martin congratulated Anita Rollins, who will be sworn in as the new Ward 3 City Council representative in January. Ms. Rollins has been attending City Council meetings, and he wanted to thank her for taking on the responsibility of the office. He also congratulated the other Council Members who were re-elected.

Ex officio Poundstone mentioned that he is working with Student Government on some of the ideas that were discussed during the Joint Meeting with the City Council. He will be bringing those back to Council soon.

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 Section 20.17(3), *Code of Iowa*, to discuss collective bargaining strategy.

Moved by Gartin, seconded by Corrieri, to go into Closed Session.
Roll Call Vote: 6-0. Motion declared carried unanimously.

The City Council entered into a Closed Session at 8:51 p.m. and reconvened in Regular Session at 9:11 p.m.

ADJOURNMENT: Moved by Beatty-Hansen to adjourn the meeting at 9:11 p.m.

Amy L. Colwell, Deputy City Clerk

John A. Haila, Mayor

Diane R. Voss, City Clerk