

**MINUTES OF THE MEETING OF THE AMES AREA
METROPOLITAN PLANNING ORGANIZATION (AAMPO)
TRANSPORTATION POLICY COMMITTEE AND
REGULAR MEETING OF THE AMES CITY COUNCIL**

AMES, IOWA

NOVEMBER 23, 2021

**AMES AREA METROPOLITAN PLANNING ORGANIZATION (AAMPO)
TRANSPORTATION POLICY COMMITTEE MEETING**

CALL TO ORDER: The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee meeting was called to order by Ames Mayor and voting member John Haila at 6:01 p.m. on the 23rd day of November, 2021. Other voting members present were: Bronwyn Beatty-Hansen, City of Ames; Gloria Betcher, City of Ames; Amber Corrieri, City of Ames; Tim Gartin, City of Ames; David Martin, City of Ames; Linda Murken, Story County Supervisor; Jacob Ludwig, Transit Board, City of Ames; Rachel Junck was brought into the meeting electronically. Bill Zinnel, Boone County Supervisor, and Jon Popp, Mayor of Gilbert, were absent.

SETTING DATE OF PUBLIC HEARING FOR DECEMBER 14, 2021, REGARDING AMENDMENT TO THE FFY 2022-2025 TRANSPORTATION IMPROVEMENT PROGRAM: Public Works Director John Joiner stated that the City of Ames had requested that the Ames Area Metropolitan Planning Organization (AAMPO) make modifications to the project limits of two projects listed in the FFY 2022-25 Transportation Improvement Plan (TIP). The proposed Amendment would change the limits of two projects as follows:

1. North Dakota Avenue Paving Project - new limits would be on North Dakota Avenue from south of Ontario Street north 0.20 miles to north of the Union Pacific Railroad tracks.
2. Stange Road and 24th Street Paving Project - new limits would be on Stange Road from Blankenburg Drive north 0.4 miles to 24th Street and on 24th Street from Pinehurst Road east 0.7 miles to Hayes Avenue.

The requirements to process an Amendment to the TIP include an opportunity for public review and comment as well as approval by both the Transportation Technical and Policy Committees of the Ames Area MPO. The AAMPO Technical Committee reviewed the proposed Amendment and unanimously recommended approval.

Council Member Gartin commented that the railroad crossing at 24th Street near Hayes Avenue has been a problem for the City for a long time, and he is excited to finally see the area being fixed.

Moved by Ludwig, seconded by Murken, to set the date of public hearing for December 14, 2021, regarding the Amendment to the FFY 2022-2025 Transportation Improvement Plan.

Vote on Motion: 9-0. Motion declared carried unanimously.

POLICY COMMITTEE COMMENTS: No comments were made.

ADJOURNMENT: Moved by Murken to adjourn the Ames Area Metropolitan Planning Organization Transportation Policy Committee meeting at 6:03 p.m.

REGULAR MEETING OF THE AMES CITY COUNCIL

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:04 p.m. on November 23, 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. Council Member Rachel Junck was brought into the meeting electronically. *Ex officio* Member Trevor Poundstone was absent.

The Mayor stated that the Council was working off an Amended Agenda. Under the Consent Agenda, a Motion had been added to approve the canceling of the Regular City Council Meeting on December 28, 2021, and Item No. 17 was corrected to say Change Order No. 2 and the amount of \$320,000 should also say “exclusive of sales tax.”

PROCLAMATION FOR “SMALL BUSINESS SATURDAY,” NOVEMBER 27, 2021: The Mayor declared November 27, 2021, as “Small Business Saturday.” He encouraged the residents of the community to support local small businesses and merchants on November 27, 2021, and throughout the year with their patronage.

Accepting the Proclamation was Sarah Dvorsky, Ames Main Street Executive Director. Ms. Dvorsky mentioned that she was excited to have the support of the City Council and the community. Downtown Ames is home to several businesses, whether it is retail, restaurant, or service. By supporting a small business in Downtown Ames between \$.52 to \$.70 of every dollar goes back to the local economy. She noted that while “Small Business Saturday” is only one day a year, everyone was encouraged to shop small, shop local, and support the Ames community year-round. To learn more about the businesses that are in Downtown Ames, Ms. Dvorsky recommended everyone to check out amesdowntown.org.

CONSENT AGENDA: Mayor Haila requested to pull, for further discussion, Item No. 13: Resolution awarding contract to Siemens Industry Inc., of Buffalo Grove, Illinois, for purchase of CyRide Battery Electric Bus Charging Equipment in the amount of \$96,000.

Moved by Beatty-Hansen, seconded by Corrieri, to approve the following items on the Consent Agenda.

1. Motion approving payment of claims
2. Motion canceling Regular City Council Meeting of December 28, 2021
3. Motion approving Minutes of Regular City Council Meeting held November 9, 2021
4. Motion certifying Civil Service candidates
5. Motion approving Report of Change Orders for period November 1 - 15, 2021

6. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor License with Outdoor Service, Sunday Sales and Catering Privilege - The Café, L.C., 2616 Northridge Parkway
 - b. Class C Liquor License with Outdoor Service and Sunday Sales - Aunt Maude's, 543-547 Main Street
 - c. Class C Liquor License with Outdoor Service and Sunday Sales - Thumbs Bar, 2816 West Street
 - d. Class C Liquor License with Outdoor Service and Sunday Sales - Tip Top Lounge, 201 E Lincoln Way **Pending Dram Shop Insurance**
7. RESOLUTION NO. 21-573 accepting Abstract of Votes for November 2, 2021, Regular City Election
8. RESOLUTION NO. 21-574 approving FY 2020/21 Annual Street Financial Report
9. Main Street Iowa Program:
 - a. RESOLUTION NO. 21-575 of support for Ames Main Street
 - b. RESOLUTION NO. 21-576 approving Main Street Iowa Program Continuation Agreement with Iowa Economic Development Authority and Ames Chamber of Commerce (d/b/a Ames Main Street)
10. RESOLUTION NO. 21-596 approving the 2021 Urban Renewal Report:
 - a. RESOLUTION NO. 21-577 approving certification of TIF Debt for Campustown and annual appropriation of Kingland TIF Rebate
 - b. RESOLUTION NO. 21-578 approving certification of TIF Debt and appropriating payment of a rebate of incremental taxes for the Barilla TIF District
11. RESOLUTION NO. 21-579 approving amendment to Purchasing Policies & Procedures to include an "Unallowable Purchases Classification for Fleet Vehicles and Equipment"
12. RESOLUTION NO. 21-580 awarding contract to NOVA Bus of Plattsburg, New York, for purchase of one 60-foot CyRide Articulated Bus in an amount not to exceed \$850,000
13. RESOLUTION NO. 21-582 awarding contract to JTH Lighting Alliance of Apple Valley, Minnesota, for Traffic Signal Poles for the 2021/22 Traffic Signal Program (University Blvd. & S. 4th Street) in the amount of \$58,359
14. RESOLUTION NO. 21-583 approving Change Order No. 1 to General Electric Steam Services, Inc., of Midlothian, Virginia, for additional Technical Field Advisor Services for Unit 8 Overhaul in an amount not to exceed \$91,000
15. RESOLUTION NO. 21-584 approving Change Order No. 4 to Blade Runner Turbomachinery Services, LLC, of Navasota, Texas, for Unit 8 Turbine Generator Overhaul Project in the amount of \$123,843.27
16. RESOLUTION NO. 21-585 approving Change Order No. 2 to Plibrico Company LLC, of Omaha, Nebraska, for Power Plant Boiler Maintenance Services Contract in an amount not to exceed \$320,000 (exclusive of sales tax)
17. Ada Hayden Heritage Park Fishing Pier Renovation Project:
 - a. RESOLUTION NO. 21-586 approving Change Orders 1, 2, and 3 in the amount of \$9,091 to Woodruff Construction, Inc., of Ames, Iowa
 - b. RESOLUTION NO. 21-587 accepting completion

18. RESOLUTION NO. 21-588 accepting completion of 2019/20 Clear Water Diversion
19. RESOLUTION NO. 21-589 accepting completion of 2020/21 Seal Coat Street Pavement Improvements (East 8th Street)
20. RESOLUTION NO. 21-590 accepting completion of 2020/21 Traffic Signal Program (S. Duff & S. 5th Street)
21. RESOLUTION NO. 21-591 accepting completion of 2020/21 US Highway 69 Improvements (South Duff Avenue and US Highway 30 Eastbound Off-Ramp)
22. RESOLUTION NO. 21-592 accepting completion of 2019/20 Traffic Signal Program (Lincoln Way & Beach Avenue)
23. ISU Research Park IV project:
 - a. RESOLUTION NO. 21-593 approving Change Order No. 4 in the amount of (\$123,778.99)
 - b. RESOLUTION NO. 21-594 accepting completion

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

AWARDING CONTRACT TO SIEMENS INDUSTRY INC., OF BUFFALO GROVE, ILLINOIS, FOR PURCHASE OF CYRIDE BATTERY ELECTRIC BUS CHARGING EQUIPMENT: Mayor Haila explained that he had pulled this item because he had a question about the criteria list in the Staff Report. He noted that in the criteria for serviceability, maintenance, and maintainability, Siemens Industry Inc., had a lower rating than the other two companies that was submitted a proposal for the purchase of CyRide battery electric bus charging equipment. The Mayor wanted to know if staff had any concern about the lower rating and buses potentially being out of commission.

CyRide Director Barbara Neal stated Siemens was scored lower in that criteria because the other two companies that bid were modular units where Siemens didn't have that feature. She explained that the reason Siemens was chosen was because they have a proven track record with NOVA buses. The main difference would be if there were any issues, Siemens would have to come onsite to fix the issue. The other company that bid, ChargePoint, had come in under bid, but had not previously worked with NOVA buses, and staff was unsure of the reliability. The mechanics at CyRide are looking into getting a charging unit; this way they could charge a bus at CyRide if for any reason a charging station went down, and Siemens had to come out and fix one.

Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 21-581 awarding a Contract to Siemens Industry Inc., of Buffalo Grove, Illinois, for the purchase of CyRide Battery Electric Bus Charging Equipment in the amount of \$96,000.

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

PUBLIC FORUM: Mayor Haila opened Public Forum.

Richard Deyoe, 505-8th Street, #2, Ames, stated that when he received the notice that he couldn't be at City Hall for a year, it reminded him of a poem that he had written when he first moved to Ames. Mr. Deyoe read the first couple of lines of the poem that he had given each Council Member.

Mayor Haila closed Public Forum when no one else came forward to speak.

PRESENTATION BY AMES MAIN STREET REGARDING ITS VISION FOR THE FUTURE: Steve Goodhue, Ames Main Street Program Chair and Sam Stagg, Ames Main Street (AMS) Vice-Chair were present for the presentation. Mr. Goodhue commented that Ames Main Street was established in 2009 and is one of 54 Main Street communities in Iowa. They operate on four principles: organization, promotion, design, and economic vitality. The City of Ames supports the efforts of Ames Main Street financially, but AMS are largely dependent upon investor revenue and investor contributions. Mr. Goodhue pointed out that they had increased investor contributions to the Program by over 50%. He mentioned that Ames Main Street is working through a long-term financial plan and remarketing of Main Street along with expanding its promotional calendar with new promotions designed to bring people Downtown. Ames Main Street had also hosted focus groups with Downtown stakeholders to discuss future needs for Downtown. Another few accomplishments that Ames Main Street had completed were facilitating a \$75,000 Main Street Iowa Challenge Grant to assist the Nelson family with rehabilitating the building at 5th Street and Burnett, secured a Grant through Story County for new directional signage and furniture in the District, and supported the Lincoln Way revitalization and redevelopment. The next step for Ames Main Street contained two elements: 1) to look at future initiatives and strategic visioning; and 2) streetscape improvements.

Mr. Stagg noted that Ames Main Street was excited to fund/support an existing project, initiative, or institution (Reinvestment District, Downtown Plaza, Octagon, Ames History Museum, Facade Grants, Lincoln Way Development), and to fund/support a new project or initiative (public art installation, new signage/gateway, parking garage, retractable bollards, extension/improvement of Tom Evans Plan). The next steps for Ames Main Street would be to: 1) start with the big picture regarding the Mission and Vision; 2) determine Strategic Goals to accomplish the Mission and Vision; 3) brainstorm projects and initiatives with stakeholders and investors, 4) narrow those projects into a few viable options; and, 5) create an Action Plan with a timetable to accomplish projects. A few examples were shown of what streetscape items needed to be fixed or replaced. Mr. Stagg noted that Ames Main Street would be coming before the Council during budget time to ask for financial assistance.

Council Member Gartin noted that he had the idea of re-imaging Ames Main Street to facilitate parking on one side of the street and allow the sidewalks to be built-out to create a bigger space for restaurants and other public usage. Another idea he had was the way that the Downtown of Coralville had created a way for entrepreneurs. The City of Coralville had partnered with the developer to give opportunities to entrepreneurs that would never have been able to afford the space. Mr. Gartin mentioned that space has been lost in Campustown and the Downtown area would be a good place to offer a feature for entrepreneurs.

Council Member Betcher asked what the timeline was for the next steps that were presented. Mr. Stagg stated that over the next couple of months, the Ames Main Street Board will work on the Mission, Vision, and Strategic Goals, and in January 2022, they would start with inviting additional stakeholders and investors to meetings to begin the brainstorming process. Mr. Stagg was hopeful that everything could be wrapped up by June 2022. Ms. Betcher mentioned that the City Council had received some requests from residents for more tables in Downtown.

Mr. Goodhue thanked the Council for its ongoing event and financial support, Main Street Iowa reaccreditation, continued investment into the District (Downtown pavers and Downtown Plaza), future streetscape improvements, and continued partnership.

Mayor Haila wanted to know if Ames Main Street was going to develop the Strategic Goals. Mr. Stagg stated that they already have a few ideas and are going to refine the Goals. The Mayor inquired if Ames Main Street's stakeholders included shoppers and people who use the space. Mr. Stagg mentioned that on a broad level the goal is to bring more people Downtown and those people are consumers, families, kids, parents, students, etc., and they would canvas each of those demographics to bring them into the meeting. Mayor Haila asked about the possibility of a Self-Supported Municipal Improvement District (SSMID) in Downtown. Mr. Goodhue explained that was discussed at their Board meeting, but did not have any other information they could provide at this time.

PRESENTATION OF UPDATE REGARDING THE LINCOLN WAY MIXED-USE PROJECT FOR THE DOWNTOWN REINVESTMENT DISTRICT: City Manager Steve Schainker reminded the Council that the Lincoln Way Project is between Clark and Kellogg Avenue and is a priority area for redevelopment as part of the Downtown Gateway Focus Area within the Lincoln Way Corridor Plan. Mr. Schainker stated the presentation is information that is intended to be an update from the development team on its intended plans for the site and it is not a formal proposal for approval of the project. Planning and Housing Director Kelly Diekmann explained that the location is critical to the City. Staff has been working on this site and project for the past three years. When looking through the Corridor Plan it highlights how the City wants to amplify Downtown and have a synergy with how things are done on the south side of the tracks that will bring energy to the north side of the tracks as well. There will be a lot more details that will come later, but staff needs to know if the project is on target to move forward.

Chuck Winkleblack, 105 S. 16th Street, Ames, stated this project has been a long time coming. Hunziker Company started about three years ago by obtaining property in the area, and unfortunately, the pandemic got in the way and slowed a few things down. Early on, Hunziker knew this was a project that is beyond the scope of anything that they have done before. Mr. Winkleblack said that representatives from ISG Inc., and Christensen Development were in attendance to help with the presentation.

ISG Executive President Derek Johnson mentioned that Architect Cody Vanasse and Project Manager Art Baumgartner were also present to help answer questions. Mr. Johnson briefly explained

to the Council what ISG does and the types of projects they have done. He noted that ISG is currently working on a project in Sioux Falls similar to what the City is planning.

Christensen Development President Jake Christensen explained that the majority of their work is in Des Moines, but they have also worked in Grinnell, Newton, and Omaha, Nebraska. Christensen Development is currently working with ISG on other projects. He noted that the Zombie Burger building was one of their projects. The company has worked with municipalities and parking for a long time.

Mr. Vanasse explained that the site is a great location, right along the Lincoln Way Corridor, and part of the intercontinental highway system. The conceptual design plans showed redevelopment of the site along Lincoln Way with a northerly extension of a pedestrian bridge from the site over the Union Pacific Railroad to a new public parking garage within the CBD Parking lot. The site consists of all the property between Gilchrist and Lincoln Way from Clark to Kellogg, with the exception of the corner properties along Gilchrist and Kellogg. The public parking garage would be on City property, but the pedestrian bridge would require additional acquisition of easement rights or property for its construction north of Gilchrist. The plan showed a ten-story hotel with a top-floor restaurant, an eight-story office building with ground-floor commercial, and mixed-use residential buildings that are four to six stories. The layout included some on-site parking to meet the needs of residential, office, and hotel-users with a goal of meeting additional office parking needs with parking in the public parking garage north of the tracks. Primary access to the site will be from Gilchrist with a hotel drop-off area accessed from Lincoln Way. The Plan included a ground-level open space and amenity space for use by commercial customers, residents, and office users. Several renderings were shown from different views of the site. Mr. Vanasse noted that the proposed layout would have 33,200 square feet in retail space and 27,400 square feet for restaurant. He noted that the design is proposed and is flexible with changing the square footage if needed.

Council Member Beatty-Hansen asked for more information about the 34,500 square feet of amenity space. Mr. Vanasse stated that could be used for amenity space for the residential property or commercial property.

Council Member Martin inquired about access to the pedestrian walkway. Mr. Vanasse noted they want the pedestrian walkway to be as accessible as possible and there are several connection points on the south side of the site; however, on the north side, there is just a single stair tower. Mr. Martin noted that he liked the way it is set up so people don't have to go through a commercial space in order to get to the walkway.

Council Member Betcher stated there was a little bit of confusion between the Staff Report and the rendering shown. The Staff Report mentioned that the office building was eight stories, but on the renderings, it was labeled as six stories and wanted to know how tall the building would be. Mr. Vanasse clarified that there are six levels of proposed commercial office space plus street level retail, plus top-level condo for a total of eight stories. Ms. Betcher explained that she had heard that the City of Des Moines had agreed that they would not build any new parking ramps unless they were

able to be retrofitted as apartments. She wanted to know if the parking ramp for the City of Ames is going to be at an angle or flat. Ms. Betcher would like to see the City of Ames parking ramp be retrofitted if possible. Mr. Christensen stated that parking ramps, no matter how they are designed, are exceptionally difficult to retrofit. The ceiling height for a parking structure is different from what is expected for a commercial or residential dwelling. In an effort to keep parking ramps as efficient and cost-effective as possible the building will be different. The usual life of a parking ramp is 50-60 years, and it is difficult to know what the future is for cars. Mr. Christensen explained that there are portions that could be retrofitted, but there would be a litany of challenges. Ms. Betcher also wanted to know what materials would be used for the pedestrian bridge. Mr. Vanasse stated that they are not at that level yet to determine what is going to be used, but understands there are some power lines above the tracks that will need to go above the walkway, which will require some kind of barrier above the pedestrian bridge for protection. Ms. Betcher commented that she had heard of concrete bridges that are over railways that have to keep getting repaired due to the vibrations from the trains.

Council Member Gartin noted that this is an amazing project and he hopes the citizens are happy with the renderings shown. He explained that the City is also in the process of working on its Climate Action Plan, and he wanted to know if there would be opportunities to think about this project in terms of sustainability goals; an example was given of solar panels on rooftops. Mr. Christensen gave an example of the City Hall parking structure that is directly east of Des Moines City Hall as it is a Net-Zero parking structure, which has LED lighting with a solar array on the top of the structure. Mr. Christensen stated that parking structures are great locations for solar arrays. Mr. Vanasse commented that they are going vertical with all the buildings and this will give clear access to sunlight on all the rooftops. Mr. Gartin explained that they would want multiple ways to access the amenities. He noted that Lincoln Way is a poor transit area for bicyclists and asked for more information regarding access for multi-modal transportation. Mr. Vanasse explained that at this stage, there are still a lot of design elements to be done; however, an additional parking lane may be beneficial or a wider easement for pedestrian traffic may also be helpful. The main improvement is to connect north to south and the site will start considering traffic for pedestrians from Lincoln Way to Duff Avenue. Mr. Gartin stated that everyone is fascinated by the pedestrian bridge, and he wanted to know if the bridge would be open or closed. Mr. Schinker asked if the pedestrian bridge would be climatized. Mr. Vanasse stated that would probably not be done; however, there may be some protective elements that could be used for the space.

Council Member Beatty-Hansen pointed out that the Downtown Gateway Zone is one of the few areas in Ames that does have a minimum bicycle standard. She asked where the bicycle racks would be located. Mr. Vanasse indicated there is a lot of green space on the site, and he doesn't see any issues with having several bicycle racks throughout the area.

Council Member Betcher asked if anything was going to be done on Gilchrist. Mr. Vanasse stated that the pedestrian bridge landing is fronting Gilchrist, the residential building is fronting Gilchrist, and towards Gilchrist will be the back of the parking garage, which will have some greenery. Mr. Christiansen pointed out that there is a significant portion of Gilchrist that is outside of the developer's control, but there is four-sided architecture on all the structures that will set the tone for

what else should happen adjacent to the site. Planning and Housing Director Kelly Diekmann indicated that Gilchrist is a public street, but it is not a right-of-way that is normal for a street. This is a detail that will need to be worked through for setbacks for a sidewalk, but it will not be a traditional street.

Council Member Gartin asked if the buildings would be condos or rentals. It was noted that there are some condos being proposed, but the majority will be rentals.

Mayor Haila wanted to know if the area is going to be built all at once or in phases. Mr. Vanasse stated that he believed it would be a phased approach. Mayor Haila wanted to know if one building would be built and then five years later the next one or would it be one right after the other. Mr. Christensen noted that he would love to say it would be 100% pre-leased and built all at one-time, but there will be phases with milestones that need to be met. Mr. Christensen explained that working from one side of the site and working across will be a lot easier sequence from a constructability standpoint, but they will gauge the market to see where more interest lies with either the commercial or hotel component. The Mayor stated that the Staff Report mentioned that the City would own the north parking ramp and the pedestrian bridge. He wanted to know if that was correct. Mr. Winkleblack stated that those details have not been worked out yet, and he didn't want to speculate on that, but the intent is for the City to be heavily involved in the parking. Mayor Haila inquired what kind of renters the developer would be targeting as there were very few three-bedroom apartments. Mr. Christensen mentioned there would be studios, one-to two-bedroom units, and a few three-bedroom units. The apartments being proposed are market-rate, workforce-type housing; and would be very different than a student housing development.

The Mayor opened public comment.

Ryan Davis, 4201 Crestmoor Avenue, Ames, advised that he owns two of three lots north of Gilchrist. Mr. Davis wanted to know what would happen if the project failed either before, during, or after construction. He noted that Fort Dodge is a good example as there are many multi-story buildings in Downtown Fort Dodge and a lot of them are sitting vacant, abandoned, or run-down. Mr. Davis explained that developers have been brought in with tax breaks to revitalize the buildings, but the developers took the money and left without doing anything. He asked what the failure plan was specifically would the City give tax dollars to build it, tax dollars to refurbish, or tax dollars to do both. Mr. Davis stated when looking at Sheets 5 and 6 of the proposal, it showed loss of sunlight during the winter months. On the north side of Gilchrist, they use normal ice melt and solar heating, and with the proposed building, it now gives shade over the tracks; this will require more chemicals to be placed on the roads. The major sticking point for him was the pedestrian bridge. He commented that he will not allow any easements over his property. Mr. Davis said on September 28, 2017, Mr. Winkleblack came to his office and made a lower-than-market value offer for his property and he turned it down. In the Winter of 2020, his lawyer had reached out to Mr. Winkleblack to see if another offer could be put on the table and was told by the lawyer that Hunziker Development did not need his property for the project, and if they did, it would be lower than the original offer. He pointed out that when his property was rezoned in 2017, the City made it illegal, according to *City*

Code, to sell one of his properties without selling the other one. The only solution Mr. Davis could come up with to make all parties happy would be to relocate his businesses and properties.

The Mayor closed public comment when no one else came forward.

City Manager Steve Schainker stated that now that the Council Members have seen the basic concept, the Council would need to let staff know to proceed with a Developer Agreement and a Major Site Plan, if so a motion would need to be made. Mr. Schainker explained that there is not a lot of time as staff would like to have that done by the end of February when the City has to submit the Reinvestment Plan.

Moved by Gartin, seconded by Beatty-Hansen, to proceed with negotiations for the Lincoln Way Mixed-Use Project for the Downtown Reinvestment District.

Council Member Betcher stated that when this property was first rezoned, she had voted against it as she was not in favor of the scale of the buildings that would be allowed in the area. She will be voting for the motion and hopes the project does succeed, but knows there will be some challenges.

Council Member Martin commented that when thinking back to the Lincoln Way Corridor Plan and what is being seen now along with the effort it took to create the Downtown Gateway Zone, he felt that is what all the work was for and this project has the potential to bring the density to Downtown.

Council Member Beatty-Hansen noted that this project met a lot of the Council's Goals. Increasing density in the Core is important for a greener City and has more of an abundance for housing options. She liked the increase in the residential units and the density is exciting.

Council Member Gartin mentioned that another aspect that he thought of is how this project provides connectivity to the community. He can see people from all over the community spending time in this area and connecting. Mr. Gartin felt this is going to be a great project for the community.

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

HEARING ON REZONING OF 3709, 3803, 3807, 3811, 3815, 3819, 3905, 3911, AND 3917 TRIPP STREET FROM SUBURBAN RESIDENTIAL MEDIUM-DENSITY (FS-RM) TO SUBURBAN RESIDENTIAL MEDIUM-DENSITY PLANNED UNIT DEVELOPMENT (FS-RM PUD): Planning and Housing Director Kelly Diekmann pointed out that staff had placed around the dais an updated Contract Rezoning Agreement for the Council to review.

City Planner Ray Anderson stated that the proposed Rezoning included two platted lots: Lots 1 and 2 of the South Fork Subdivision. Lot 1 (3709 Tripp Street) included a three-story 61-unit structure, which was approved as an Independent Senior Living Facility, known as Brighton Park, through the granting of a Special Use Permit by the Zoning Board of Adjustment (ZBA) on March 6, 2002. Lot 2 (3803, 3807, 3811, 3815, 3819, 3905, 3911, and 3917 Tripp Street) included seven separate three-

story 12-unit apartment buildings and a community building, known as Windsor Pointe. A Major Site Development Plan was approved by the City Council for this development on April 23, 2002. There are a total of 145 units between the two sites. The applicant is proposing the rezoning to add a Planned Unit Development (PUD) Overlay Zone to the existing zoning, which is Suburban Residential Medium-Density (FS-RM). The PUD would allow the use of the entire site as household living with apartment dwellings and no requirements for independent senior living due to the applicant's proposal to reserve all 145 apartments for a period of 30 years for individuals whose income is 60% or less of the Area Median Income (AMI). The definitions and requirements for eligibility will be in compliance with the *Internal Revenue's Code*, Section 42 (LIHTC) Program requirements. The PUD would also allow a reduction in the minimum required parking spaces by a total of 36 spaces. Staff's recommendation was to approve on first reading the request for rezoning with a Shared Parking Agreement and Contract Rezoning Agreement with the following provisions for the PUD: 1) 145 units of housing affordable to households making 60% of AMI or less for a minimum of 30-years; 2) reduction of required parking by 36 spaces; and 3) no requirement for senior living within the 61-unit residential building.

Director Diekmann pointed out that the Agreement, that was included in the Council Packet, was a draft. He stated that staff looked at this Agreement as a 30-year affordability period and is a great benchmark regarding a commitment to affordable housing for the City, which is the main reason for the PUD overlay. If the request did not include the 30-year Agreement, staff would not be supportive of the PUD rezoning. The way the programming is set up is for the applicant to take advantage of the LIHTC regulations that go into the programming. Although there is a 30-year combined requirement it is viewed as two separate 15-year periods that fit into the Section 42 requirement. Director Diekmann commented that at the end of the day the expectation is the same. If the project does not operate in a manner consistent with those terms, they would be in violation of the Contract Rezoning Agreement. The Agreement specifies that an annual report must be submitted to the City to show how the Iowa Finance Authority (IFA) requirements are being met. Mr. Diekmann explained that the Contract was not signed due to the late hour; therefore, staff recommended that the public hearing be opened, take any comments, and have a discussion, but to not close the public hearing. The applicant had asked staff if a Special City Council meeting could be held before December 14, 2021, to help facilitate the applicant's application that still needs to be submitted to the State before the end of the year.

Council Member Betcher stated this is a great opportunity and asked if the 30-year Agreement applied to the property regardless of who owns it. Director Diekmann commented that the way the City Attorney drafted the Agreement, it would apply to any successors of the property.

Ryan Keller, TWG Development, stated that what Mr. Diekmann stated was correct and there will be three governing documents that will be attached to the Deed. There is an existing Land-Use Restriction Agreement, the City's Agreement from tonight, and upon rehab, there will be another Land-Use Restriction Agreement. All the Agreements will be attached to the property and not the developer.

Council Member Martin wanted to know if the Council approved the Rezoning, and on April 1, 2022, there were additional requirements for AMI, would that change to the AMI cause any leases to be broken. Mr. Keller stated there would be about ten or fewer people who would need to be relocated as they would not meet the income requirements. It was pointed out that if the tenants have a valid lease, the lease cannot be broken, but they will not be able to renew.

The Mayor explained a Special Meeting will need to be set and the applicant has requested to have the rules suspended for all readings to be read at one meeting, which requires a supermajority of the Council to be present. He checked with the Council Members to see what date they would be available for a Special meeting.

Council Member Gartin noted that this neighborhood had been active in the past and wanted to know if there has been any feedback recently from the neighborhood. Director Diekmann mentioned that there was one letter that was received from a nearby apartment owner concerned about the rezoning at the Planning and Zoning Commission level, but it was not anyone from the neighborhood. Mr. Gartin inquired what happened during the Zoning Board of Adjustment (ZBA) meeting. Mr. Diekmann explained that since TWG bought the property last fall, staff had become aware that the property was not compliant with the senior living requirement, and Planner Anderson had been in contact with the TWG to help them bring the property back into compliance. Originally the applicant had applied for a Use Variance, but that was denied by ZBA, and once that was denied, the owners decided to pursue the PUD rezoning option to bring the site into compliance and to provide affordable housing. Council Member Martin noted that he had some communication with the College Creek/Old Middle School (CCOAMS) representatives. He had reached out to them to let them know that this PUD rezoning would be before City Council tonight and it was forwarded to over 100 people, but the notice contained nothing regarding the underlying merits of the request.

The Mayor asked the Council if December 2, 2021, at 4:00 p.m. would work for a Special Meeting; however, Council Member Junck was available at 4:00 p.m.; however, it was decided that 3:00 p.m. on December 2, 2021, should work.

The Mayor opened the Public Hearing and closed it when no one came forward to speak.

Moved by Betcher, seconded by Corrieri, to continue the hearing for the rezoning of 3709, 3803, 3807, 3811, 3815, 3819, 3905, 3911, and 3917 Tripp Street from Suburban Residential Medium-Density (FS-RM) to Suburban Residential Medium-Density Planned Unit Development (FS-RM PUD) until December 2, 2021.

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

HEARING ON 2020/21 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) IN ACCORDANCE WITH THE CONSOLIDATED PLAN: Housing Coordinator Vanessa Baker-Latimer stated that what is before the Council is the required Consolidated Annual Performance and Evaluation Report (CAPER) that is required at the end of every fiscal year. For the 2020-21 Program year, approximately \$945,329 of CDBG funds were

spent. The majority of those funds were used for the Baker Subdivision along with 2019/20 roll-over funds. Approximately \$42,608 of the total was generated from Program income. The HOME Program is still in the administrative phase so approximately \$22,987 was spent on program administration. For the CARES (COVID-19) funds, approximately \$475,713 was spent, and of that spent amount \$32,789 was for program administration, \$396,816 for Rent & Utility Relief, and \$46,408 was spent on Mortgage & Utility Relief. Staff was excited about the impact that the CARES funds had made to the community. Ms. Baker-Latimer pointed out that the City of Ames was monitored because it was one of the few entitlements that had spent money from the CARES fund. She pointed out that the Baker Subdivision is getting close to being completed and that is why all the CDBG money was rolled over to the Baker Subdivision. Hopefully, now the City will be able to use its HOME funds to finish the Baker Subdivision with home ownership and house construction.

Council Member Gartin asked when further development of the Baker Subdivision would be happening. Ms. Vanessa Baker-Latimer answered that she was hoping for Spring/Summer of 2022, as she is in the process of contracting with a Homebuyer Counselor. This is a requirement before the City can help people buy a home. Staff is already accepting applications from potential home buyers.

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

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 21-596 approving the 2020/21 Consolidated Annual Performance and Evaluation Report (CAPER) in accordance with the Consolidated Plan.

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

STAFF REPORT REGARDING INDOOR AQUATIC CENTER UPDATES: City Manager Steve Schainker noted there were six issues that he wanted to review with the Council and three of them would need direction.

Construction Manager versus General Contractor: This first issue dealt with the delivery of the Project. Mr. Schainker commented that he would like to put together a team who would help the City successfully complete the Project. One option would be the traditional method with the use of an architect and a general contractor. The architect would serve as the owner's representative on the project to make sure the contractor is building the project in accordance with the plans and specifications. This method involves one bid package, and the general contractor holds the contracts with the subcontractors. Mr. Schainker felt that one of the biggest issues with following the traditional method is needing staff input, but also contractor expertise to work with the architect to make sure the project can be built and to come in within budget. The second option would be to hire an architect and a general contractor with a construction advisor. The construction advisor would have input during the design process. Specifically, the construction advisor would provide construction expertise during the design phase reducing the probability of costly change orders and reduce the amount of City staff time to manage the project since the construction advisor will be on

site more frequently. The City did use a construction advisor for the library project. The third option is for City staff to use an architect and a construction manager. This approach would have the construction manager act as an extension of the City staff and the general contractor is eliminated. Because of this approach, some tasks can take place simultaneously, thus shortening the overall project timeline. The City has not used this option before, and after reviewing all the pros and cons, staff is recommending using a construction manager for this Project. A Request for Proposals (RFP) would be sent out to find a construction manager. Mr. Schainker noted that the Council should have received correspondence from Harold Pike who felt strongly that hiring a construction manager was not the way to go. He stated that Mr. Pike had mentioned in his email that there were legal issues with going with a construction manager. City Attorney Mark Lambert noted that Iowa law doesn't allow design build as you would have to do the design first and then hire the contractor. Mr. Lambert explained that when he read through Mr. Pike's email there was a concern about having a construction manager and that leading to a design-build. Attorney Lambert commented that having a construction manager and a design-build are two separate things.

Discussion on awarding contract to RDG for design versus issuing RFP: Mr. Schainker noted that the next issue would be with the architect themselves. The first option would be to waive the Purchasing Policy and continue the relationship with RDG Planning and Design. It was pointed out that RDG Planning and Design has been with the City when the initial indoor aquatic design was done for the Healthy Life Center and for this Project the same concept is being used. Another option would be to create a competitive process that would solicit competitive proposals for the design of the Aquatic Center. A new company would have to be brought up to speed with the concept. Mr. Schainker noted the City may be able to move forward faster with RDG since they already have experience.

Council Member Gartin asked for clarification on the timing. He felt that the City's normal posture should be to always go to a bidding process if possible, but understands that timing is a factor. Mr. Gartin thought an architecture firm could pick-up and continue the work as he is not concerned about the technical aspects, but sensitive to if the bidding process would create a delay. Mr. Schainker stated there would be some delay, but not sure how much. The Mayor noted that when the RFP went out before for the Aquatic Center it did state that the City did reserve the right to continue working with the same firm if they were performing satisfactorily and could agree upon a mutually equitable fee agreement, and the decision is up to the Council. Staff recommended staying with RDG Planning and Design.

Cost savings of a one-level building versus a two-level building: This issue was whether to design the Aquatic Center with two floors or only one floor. In August 2021, the City hired Stecker Harmsen to provide an updated cost estimate in 2023 dollars for the one-level and two-level options. An additional option was added to obtain a cost estimate for a one-level building which included the aquatic components, as well as 9,000 square feet of multipurpose space. Stecker Harmsen had indicated that by moving the walking track and multipurpose space to the first level, the estimated cost savings would be \$796,898 versus the two-level option. Mr. Schainker stated that the estimate for the land from the Department of Transportation (DOT) is going to cost \$2.9 million, which will

make the City short funds of about \$900,000 short. He noted that if the Council wanted to expand to the east the City would need to acquire more land. In the future, the City will need more gymnasium and recreation space. Staff recommended removing the second floor and putting everything onto the first level. Mr. Schainker stated at this point he didn't want to ask the architect to design two buildings.

Council Member Martin stated when he imagined building the walking track in a separate building with the multipurpose rooms, he could see that building being repurposed in the future. Mr. Schainker commented that it is not necessarily going to be a second building as the buildings will be connected somehow.

The Mayor opened public input for the three topics discussed.

Mike Espeset, representing Story Construction, 2810 Wakefield Circle, Ames, said that Story Construction acts as a general contractor and a construction manager for projects throughout the state. They work with a lot of public entities that utilize a construction manager for projects. He concurred with Mr. Schainker's comments regarding the Indoor Aquatic Center. Mr. Espeset stated that he supported staff's recommendation as it makes a lot of sense for this project at this time in Ames.

Council Member Gartin explained that he had some time to talk with Mr. Espeset at the high school and asked if Mr. Espeset could explain the benefits of what a construction manager would bring regarding the efficiency of construction. Mr. Espeset mentioned that Ames High School is a good example, but any project can be. Architects design what the ultimate outcome is and don't have the benefit of thinking of how a team can put the project together efficiently and attractively in the marketplace. A construction manager comes along with the owner and the design team to think through how everything will go together. That way when bids are taken to the marketplace the marketplace can provide pricing and competitive bids for the game plan and the outcome, not just the outcome.

Mayor Haila stated that right now price-wise, it is very volatile, and he asked Mr. Espeset to describe the pricing difference. Mr. Espeset explained that as a general contractor has finite resources, and for a project like the Indoor Aquatic Center, you want the right amount of resources at the right time when it comes to market, but it is a game of timing. With a construction manager, you pick a team leader and advocate. A contractor works for themselves where construction managers work for you.

When no one else came forward, the Mayor closed public input.

Moved by Beatty-Hansen, seconded by Martin, to follow staff recommendation to go with the construction manager model.

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

Council Member Gartin commented that by moving forward with the construction manager model it doesn't mean they devalue a contractor's contributions. Referencing an email sent to the Council by Harold Pike Construction Mr. Gartin said that Harold Pike has built a lot of buildings in Ames and he appreciates Mr. Pike's input, but felt that going with the construction manager model is a good fit for this project.

Moved by Corrieri, seconded by Martin, to move ahead with hiring RDG Planning & Design to design the Indoor Aquatic Center.

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

Moved by Betcher, seconded by Corrieri, to build one level with the walking track and multipurpose space.

Council Member Martin noted this one was harder for him than the others. He wished the Council didn't have to make this decision and could have stayed with the two-level building, but when looking at the Council Goals, it was to build an Indoor Aquatic Center and that is what they are doing. He felt this was a reasonable compromise.

Council Member Gartin stated his frustration was that it felt like the City was being put in a corner because the Department of Transportation's appraisal is so high. He noted that the Council has to make a major decision on behalf of the community based upon a high land price. Mr. Gartin explained he is wanting to pay a fair price for the land, but felt the \$2.9 million was too high.

Council Member Betcher mentioned that she appreciated the fact that the City may be able to reduce some operating costs by switching to a single-level model.

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

Iowa Department of Transportation Land Update: Mr. Schainker stated that he had already mentioned that the appraisal for the land came in at \$2.9 million. Staff had met with the IDOT a few months ago and as previously mentioned, the IDOT is planning on moving all its employees to its main office, but that wouldn't happen for a couple of years. He mentioned that staff had told the IDOT that they were unable to wait two years to be able to start building the Indoor Aquatic Center. The IDOT had said they would work on trying to find some short-term relocation possibilities for its employees. To date, City staff has not received a final decision from the IDOT as to when the City could take possession of the site. Mr. Schainker commented that he is optimistic that the IDOT will help to move its employees elsewhere, but he will keep the Council updated.

Private Fundraising Update: Mr. Schainker noted that Dan Culhane, President and CEO of the Ames Chamber of Commerce, has helped raise over \$8 million in donations and/or pledges. Mr. Culhane mentioned that they have sent out a few more invoices over the past couple of weeks and have received a few more thousand dollars. Currently, with the \$2 million of City funding from the Geitel Winakor estate that would be the total raised to \$10 million. Mr. Schainker emphasized that the total

project cost was around \$31 million, and this does not account for any of the reinvestment funds. If the City does not get any reinvestment funding, the project will still proceed; however, if the funds are received, the funds will help reduce the debt service. One issue that has arisen is that most of the individuals making the pledges would prefer to donate the money to the Ames Foundation, which would collect the donations and then transfer the funds to the City, rather than donating the funds directly to the City. In addition, there is nothing yet in writing to verify these pledges. Therefore, City staff is exploring the creation of a pledge document that will allow donations to be directed to the Ames Foundation and also bind individuals who are making the pledges, and/or their estates, to honor these pledges to the City. Mr. Culhane noted that a few people have pledged amounts, but will not pay until the project has been approved.

Updated Project Cost Estimate: City Manager Schainker noted that he had outlined the budget in the Staff Report as to where the City is currently. He noted that he is going to look at finding more money for the budget as the current estimate didn't include heat pumps or solar heating. A further breakdown will be presented on December 14 that will break down his recommendation on how the City should spend the \$14 million received from the Rescue Act. It was mentioned that besides helping the environment, there should be some operations savings as well.

Council Member Martin asked about the possibility of geothermal for this project. Mr. Schainker stated that is something he needed to look into.

ORDINANCES: None.

DISPOSITION OF COMMUNICATIONS TO COUNCIL: None.

COUNCIL COMMENTS: Council Member Gartin noted that he had spent the weekend in Mississippi and the disparity between neighborhoods in terms of the quality of streets was stunning. There were neighborhoods that had nice houses had cobblestone streets and ornate lighting fixtures while a few blocks over, in the "poor" part of town, the streets were in terrible shape and there were no lights. Mr. Gartin stated that in the City of Ames decisions are based on the condition of the streets and not where you live, and he was grateful to live in a community that creates parity in terms of infrastructure. He also commented that he was thankful for the City of Ames staff.

ADJOURNMENT: Moved by Corrieri to adjourn the meeting at 8:24 p.m.

Amy L. Colwell, Deputy City Clerk

John A. Haila, Mayor

Diane R. Voss, City Clerk