

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

SEPTEMBER 15, 2020

The Special Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on the 15th day of September, 2020. The Mayor announced that it is impractical to hold an in-person Council meeting due to the Governor of Iowa declaring a public health emergency because of the COVID-19 pandemic. Therefore, this meeting is being held as an electronic meeting as allowed by Section 21.8 of the *Iowa Code*. Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Rachel Junck, and David Martin and *ex officio* Member Nicole Whitlock joined the electronic meeting. The Mayor described the options available to those who wanted to offer public input.

RESOLUTION SETTING DATE OF PUBLIC HEARING AS SEPTEMBER 22, 2020 FOR VACATION OF PUBLIC UTILITY, STORM SEWER, SURFACE WATER FLOWAGE, SHARED USE PATH, AND OPEN SPACE EASEMENTS ON OUTLOT P, SUNSET RIDGE SUBDIVISION, 5TH ADDITION (5521 ALLERTON DRIVE): Moved by Betcher, seconded by Beatty-Hansen, to approve the Resolution setting the date of public hearing as September 22, 2020 for vacation of public utility, storm sewer, surface water flowage, shared use path, and open space easements on Outlot P, Sunset Ridge Subdivision, 5th Addition (5521 Allerton Drive).

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

DISCUSSION OF “THE ARTS IN AMES”: Assistant City Manager Brian Phillips introduced Mike Sulzberger, a member of Story Theater Company Board of Directors, who had requested a workshop dedicated to the arts in Ames. He said Mr. Sulzberger and others will present regarding the arts.

Mr. Sulzberger said he has lived in Ames about 25 years and is a producer for NBC News, but his passion is working with Story Theater Company. He said he enjoys being a patron of all arts in Ames. He thanked the Council for scheduling this meeting. Mr. Sulzberger said the possibility of Stephens Auditorium closing is just the latest warning sign of the condition of the arts in Ames.

Mr. Sulzberger said in the 1980's and 1990's Ames was a hub for arts and culture. He said reliance on Iowa State University (ISU) for arts and culture in Ames is no longer serving Ames well, as there is less focus on arts and culture. He said the Ames Chamber of Commerce estimated over 20,000 people per day are commuting to Ames to work. He said the property tax base could be improved if even a small percentage of those people moved to Ames.

Jill Klindt, Vice President and Chief Accounting Officer at Workiva, told Council she has been an Ames resident since 1994. She said Workiva headquarters in Ames is able to recruit people to work in Ames from many places such as southern California and Hong Kong. Ms. Klindt said those people are fine with working in Ames but they don't settle in Ames; they live in Ankeny, Des Moines, or West Des Moines. She said they don't find enough activities and amenities to live in Ames even though they are happy to work here. She living in Des Moines or Ankeny puts them much closer to arts and culture.

Mr. Sulzberger said the problem is affecting businesses. He introduced Jennifer Drinkwater, Assistant Professor in the Department of Art and Visual Culture at ISU. Ms. Drinkwater said she is an artist, has lived in Ames since 2007, and teaches drawing at ISU. Ms. Drinkwater told Council of the ways she has been involved in the arts in the Ames community.

Ms. Drinkwater reviewed how arts impact economies, how Iowa and Ames compare to other areas, and how creative culture in Ames can be strengthened. She said this is the best time in the world to be a creative professional. She said as people work from home they are investing in artwork. She said Ames is very fortunate to have ISU (which has the largest public art collection in the United States), the ISU College of Design, a thriving Theater department, and a thriving English department. She said many of her students leave Iowa due to lack of opportunities and the cost of living. She said it would be wonderful to create an environment where graduates see creative opportunities and want to stay in Ames.

Ms. Drinkwater said the community has hitched its train to ISU for arts and culture. She urged Ames to step up and invest in the arts. She said creators are entrepreneurs and small business owners. She told Council that each dollar invested in the arts leveraged up to \$9 based on studies by Americans for the Arts. Ms. Drinkwater said the arts and culture sector comprises 4.2% of the Gross Domestic Product. She said in 2019, Stephens Auditorium brought in over \$4 million to the Ames economy. Ms. Drinkwater told Council that Minnesota Legacy Funds were created by the Legacy Amendment, which increased the state sales tax by three-eighths of a percent making the amount spent on the arts \$7.22 per capita compared to Iowa's 32 cents per capita.

Ms. Drinkwater discussed City funding spent on the arts in Ames. She said Dubuque was recently a pilot study for the American Center for the Arts, and now has a full-time Arts and Cultural Affairs Department Coordinator. She said arts and culture aid in increasing inclusivity and strengthening the economy, and said a full-time arts coordinator position should be created. After hiring this person in Dubuque, that city has received over \$50,000 in grants for art and cultural funding for Dubuque.

Examples of partnerships were reviewed by Ms. Drinkwater, including an artist relocation program in Paducah, Kentucky, where they invested \$12 million into the community. She said 60 artists moved to Paducah, and there was a \$10 million increase in tourism, and \$14 million was infused into construction industries. Ms. Drinkwater also told of Oil City, Pennsylvania, where the local economy was reinvented after several oil companies left that city. It restructured zoning and invested \$175,000 for six years, which created an estimated \$1.3 million in revenue. She also described The Fertile Ground Project (Jackson, Mississippi) funded by Bloomberg Philanthropies Public Art Challenge.

Mr. Sulzberger said Ames is spending \$268,000 and peer cities are spending over \$1 million annually. He said post-COVID-19, companies may realize they don't need such expensive real estate, and if people can live anywhere to do their jobs, then Ames would be competing with every city to attract people. He said Ames will have to be the best place to live in Iowa. He said there are already great parks and great schools to attract people here, and if a thriving arts and culture

community is added, people will be attracted to Ames. Mr. Sulzberger said hiring an arts and culture director would be the best place to start, and ideally this position would supervise the Auditorium, Bandshell, and possibly the School District Auditorium as well as be the contact for Commission on the Arts (COTA) and a liaison to the Ames Community Arts Council. He said this person would be available to answer questions about arts and culture. Mr. Sulzberger said there are grants that only cities can apply for, so this person would also look for and apply for grants. He said this person would not belong to the Parks & Recreation Department, but would be its own department. He also said having an initial pool of funds between \$50,000 - \$100,000 available for seed money is important, and the amount spent on the arts every year must be increased.

Mr. Sulzberger wondered if a portion of the increase in sales tax funds because of internet sales could be considered for the arts. He said the additional sales tax approved a few years ago included community enrichment funds, and noted Polk County passed an additional tax and has an amount earmarked for the arts. He also suggested a portion of the Hotel/ Motel Tax collected going to Ames Convention and Visitors Bureau could be directed toward the arts.

Mr. Sulzberger said he has heard three ideas recently: Story Theater Company moving to the Radical Hospitality model, having a film festival, and using vacant storefronts to house pop-up art installations. He said he knows preparing the budget is even more uncertain than usual, but feels the arts budget should be looked at as a blank slate.

Mayor Haila thanked Mr. Sulzberger and Ms. Drinkwater for their preparation and suggestions. Ms. Beatty-Hansen wondered if there are zoning changes that would be beneficial. Ms. Drinkwater said low-cost studio space for artists is in high demand in Ames. She said Reliable Street has opened a few very low-cost studio spaces, and if graduates from ISU had access to low-cost studio space, they would be more likely to stick around. Mr. Sulzberger said an arts and cultural director is the first thing Ames needs. Ms. Drinkwater said that new person could start researching things like zoning and available property. Mayor Haila said it would be helpful to understand what roles that person would be playing. Mr. Sulzberger said the person would be in charge of the Auditorium, Bandshell, and possibly the Ames High School Auditorium; head of COTA, and liaison to the Ames Community Arts Council and any new arts initiatives. Ms. Drinkwater said, in Dubuque, the arts and cultural director coordinates the \$250,000 budget dispersed to programs, builds liaisons with private investment, writes grant applications, and starts new programs. She said that person has done so well beefing up economic development that they will be moving her into the health and wellness area to utilize art. Mayor Haila asked about public/private partnerships to creatively begin this position. Ms. Drinkwater said she's sure there are communities doing that and anything is better than nothing.

Mr. Sulzberger said Craig Kaufman, Manager of the Bandshell, Auditorium, and Community Center, would be a possibility for this new position. Ms. Drinkwater said Mr. Kaufman would be great for the position. Council Member Gartin thanked Mr. Sulzberger for all he has done for the arts in Ames. He said Story City Theater Company has done a phenomenal job at making sure all kids have an opportunity to experience the arts. Mr. Sulzberger said Story Theater Company has never turned anyone away who wants to be a part. He said Boys and Girls Clubs of Story County has partnered

with them, and their work and outreach with the LGBTQ community has benefited many children. Mr. Gartin said he's thankful for the many attendees following this meeting on Zoom.

Ms. Betcher asked what impact closing Design on Main has had on the arts community in Ames. Ms. Drinkwater said many were heartbroken because there's nothing else like it. Graduate students loved being Downtown and now they have to work in a basement or their apartments. Ms. Betcher said one of City Council's goals is to increase civic engagement and outreach, and Council approved an allotment of \$10,000 to the arts community with the idea of pop-ups or start-up funding. Mr. Phillips said those funds were added to the adjusted budget for 2019/20 and will be carried over. He said it has not yet been determined what the money could be used for. Mr. Phillips said it will need to be determined if COTA would administer the funds. Ms. Betcher asked if ideas could be sent before the purpose of the money is determined. Mr. Phillips concurred.

Council Member Martin mentioned the comment regarding Ames relying too much on ISU for the arts and said he would like to quantify that. Ms. Corrieri said many of these discussions happened during the Healthy Life Center discussions. She said the Council desires to make Ames even more special. Ms. Junck said the economic development position is a partnership between the City and the Chamber and maybe a similar partnership is possible since art is essential to keeping young people in Ames. *Ex officio* Council Member Whitlock said there's a lot to do in Ames for children, but not much to do for adults, and not many opportunities for ISU students to connect with the community.

Mayor Haila asked what would attract employees of Workiva or other companies to Ames. Music venues, performing venues, event/performative spaces, and anything to do after work, such as looking at art, going to concerts, and listening to live music at restaurants were mentioned. Ms. Drinkwater said the Music Walk was great. She said Reliable Street is huge in Ames and is a great model of an organic community building if it's made easy for people to initiate ideas. Ames Collaborative Art was also mentioned. Ms. Drinkwater said for things to get started, a little money is needed as well as community members saying yes to certain spaces. Mr. Sulzberger said there has to be a reason for people to come Downtown after work.

Ms. Betcher said, when looking at population demographics, Ames has a much lower median age than Dubuque. She said 47% are college students who may not have much disposable income, which makes it challenging to see what's needed for entertainment. She suggested leveraging local money in Ames could be more like in a small community since the percentage of residents working and building wealth is smaller. Mr. Sulzberger talked about Perry, Iowa, and the amazing things going on. Ms. Drinkwater said there is a huge grassroots effort happening in Perry as they recognize how the arts community has attributed to the recent growth. Mr. Sulzberger said a point person for arts and culture is key. Mayor Haila asked what kind of investment is needed for an art plan. Ms. Drinkwater said sometimes communities get tired of the effort that goes into creating a plan and end up with a massive document.

Ms. Betcher asked if the role of the City should be creating an environment and getting out of the way, or trying to guide what is happening in the arts. Ms. Drinkwater said a little of both is ideal. Mr. Sulzberger agreed both roles are appropriate and said currently organizations need to know what is going on a couple years in advance to apply for funds, so if someone gets an idea for something to do in the next couple months then funding is a problem.

Mayor Haila asked how the arts community would spend \$250,000 with a portion of that amount going toward salary. Mr. Sulzberger said it would be spread out and used to encourage a film festival and become a co-producer to bring shows to the Auditorium. Ms. Drinkwater said funds could go to theaters, music festivals, existing arts organizations, Ames Community Arts Council space, and to better fund Maximum Ames. Mr. Sulzberger said an emphasis on getting people to Ames and getting people Downtown is important.

Mr. Sulzberger requested this conversation continue to move forward. Ms. Betcher said she hopes the Council will vote to put more money into a grant program to create more opportunities for art. Council Member Gartin said this presentation had been very helpful.

DISPOSITIONS OF COMMUNICATIONS TO COUNCIL: City Manager Steve Schainker said an email was received regarding speeding on Ash Avenue; that could be reviewed by the traffic engineer.

Moved by Betcher, seconded by Beatty-Hansen, to request staff to look into the speeding on Ash Avenue.

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

Mayor Haila said a letter was received from Chamber of Commerce CEO Dan Culhane regarding the City of Ames' sponsorship of the 2020 Virtual Symposium on Building Inclusive Organizations.

Moved by Betcher, seconded by Junck, to put this item on a future agenda.

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

Mayor Haila said he wrote a letter to Dickson Jensen to thank him for the generous offer to donate gift cards relative to the Face Coverings Ordinance.

COUNCIL COMMENTS: None.

ADJOURNMENT: The meeting adjourned at 7:48 p.m.

Diane R. Voss, City Clerk

John A. Haila, Mayor

Erin Thompson, Recording Secretary

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

SEPTEMBER 29, 2020

The Special Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on the 29th day of September, 2020. The Mayor announced that it is impractical to hold an in-person Council meeting due to the Governor of Iowa declaring a public health emergency because of the COVID-19 pandemic. Therefore, this meeting is being held as an electronic meeting as allowed by Section 21.8 of the *Iowa Code*. Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Rachel Junck, David Martin and *ex officio* Member Nicole Whitlock joined the electronic meeting. The Mayor described the options available to those who wanted to offer public input.

CONSENT AGENDA: Moved by Betcher, seconded by Junck, to approve the following items on the Consent agenda:

1. RESOLUTION NO. 20-523 appointing Council Member Amber Corrieri to serve on the Headwaters of the South Skunk Watershed Management Authority
2. Third passage and adoption of ORDINANCE NO. 4421 rezoning 2200 Oakwood Road from Agricultural (A) to Planned Residence Development (F-PRD)

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

WORKSHOP: Mayor Haila said the staff report, “Policing in Ames - A Path Forward” would be presented. Public comment would be received after the presentation.

City Manager Steve Schainker said he appreciated the City Council’s leadership during this time. He said after the death of George Floyd while in police custody, the City Council began receiving feedback and questions regarding Ames’ policing philosophy and operations. Mr. Schainker said the information received has been compiled into nine themes, and he is making recommendations to Council within each one.

Interim Police Chief Geoff Huff said the Ames Police Department (APD) has taken a proactive approach to the input received. He said procedural justice and universal fairness are embraced by all officers. He thanked the Police Department members for their willingness to improve.

Theme 1: Organizational Culture

Many individuals who provided input wanted to ensure there is not a culture of racial bias embedded in the APD.

Mr. Schainker described the values-driven culture of *Excellence Through People* that all employees are responsible for bringing to life every day. He said systems are in place to reinforce those values, and the City’s hiring and selection process, promotional decisions, disciplinary determinations, and pay increases for non-union employees are tied to an employee’s reflection of the values.

Mr. Schainker said the Community Advisory Committee, which is comprised of residents from groups that are traditionally under-represented in the community, is in place to provide input

regarding how the City organization is doing delivering services. He also said a Diversity and Inclusion Team, made up of City employees, is in place to ensure City policies and practices do not negatively impact anyone in the workforce. He said while isolated experiences of inappropriate behavior may occur, they are not the result of a culture of bias embedded within the City or Police Department.

Recommendation #1: The values that drive the *Excellence Through People* initiative will be revised to include the new values of Diversity, Equity, and Inclusion. He said City employees will be expected to conduct their work in a manner that upholds these values.

Recommendation #2: The City Manager will be recommending during the next budget cycle (FY2021/22) that a new full-time position of Diversity, Equity, and Inclusion Coordinator be created. He said this new position will assist with the training of all employees, recruitment of new employees, and a review of personnel policies to help ensure that all departments in the City organization, including the Police Department, support the values of diversity, equity, and inclusion.

Theme 2: Police Officer Recruitment and Selection Process

The major emphasis expressed under this theme is the need to have a process in place so applicants for an Ames Police Officer position are thoroughly vetted to ensure that they do not have a history of abuse, racism, xenophobia, homophobia, transphobia, or discrimination. Some have suggested a periodic follow-up throughout the career of an officer to assure that no discriminatory attitudes have developed.

Interim Police Chief Geoff Huff reviewed State requirements for acceptance into the Iowa Law Enforcement Academy (ILEA). In addition to these minimum state requirements, Ames Police Officers are required to possess a high school diploma or have completed the HiSET or GED and have 60 semester hours at an accredited college or university in diversified academic subjects. Mr. Huff described the recruitment process including screening for minimum requirements, standardized physical fitness test and the Police Officer Selection Test. It was noted that a background check usually takes four to six weeks as a detective interviews friends, family, acquaintances, teachers, former employers, landlords, neighbors, and college roommates about attitudes and experiences. He said investigators examine credit reports and online activity to look for integrity, fairness, compassion, and a service ethic suitable to the profession as well as bias, extremism, and other attitudes or history that conflict with the values of the City.

Recommendation #3: Realizing that all individuals have some form of implicit bias, the HR staff will explore additional validated evaluation tools to use in the Police Officer selection process to help predict whether candidates have a propensity to inappropriately act upon bias.

Theme 3: Officer Training/ Education

It is important to many who provided input that Police Officers who are hired receive training in the following topics: de-escalation of altercations, medical assistance, systematic racism, the historic role of police in maintaining oppressive social structures, implicit bias, and cultural competency.

Mr. Huff said while at the ILEA officers receive ten hours of bias and diversity training and eight hours of de-escalation training. In addition, and separately from Academy training, department-wide training conducted by APD includes Cultural Diversity, Special Populations, Fair and Impartial Policing, Communications/ De-Escalation, De-Escalation/ “Verbal Judo”, Procedural Justice, Implicit Bias, Understanding Class in Law Enforcement, and Mental Health First Aid. He said the Ames Police Department has certified trainers on staff in the following related areas: Fair and Impartial Policing, Procedural Justice, Implicit Bias, Mental Health First Aid, and De-escalation.

Mr. Huff explained that dispatchers are being trained to ask clarifying questions to ensure APD is responding appropriately to “suspicious activity” calls. He said the additional questions will help in instances when a caller reports activity that is not unlawful but has racial undertones to determine whether or not a police response is warranted.

Recommendation #4: Work with Human Resources to develop a more formalized training curriculum for officers regarding diversity and bias topics.

Recommendation #5: The City Manager will be recommending in the next budget cycle converting a vacant authorized Police Officer position into an administrative sergeant position. This position will manage departmental training needs, statistical reporting and transparency, and supervision of new officers during the onboarding and Academy processes, in addition to other duties.

Theme 4: Departmental Policies

Many emails received by City Council asked for specific policies to be adopted by the APD.

Mr. Huff said many policies are already in compliance with the suggested policies. He said contracts are flexible and always updated with any changes in law or best practices. Mr. Huff said Iowa Community Assurance Pool (ICAP) has given APD a grant to use Lexipol, a policy advisory firm that monitors best practices, policies, and case law. Interim Chief Huff said the use of force is rare by APD, and with 31,629 calls for service, there were 117 incidents when officers used force (.37% of all calls). Force was used in 3.7% of arrests. Mr. Huff said force includes a variety of actions, including an officer taking hold of an individual, and in each instance the use of force is reported.

The State of Iowa recently changed the deadly force section of the Iowa Code to treat chokeholds like other deadly force situations and the APD policy now mirrors that update. Mr. Huff discussed de-escalation, which is addressed in many policies. He explained that APD utilizes force options, which require an officer to evaluate resistance and use the lowest level of force to get compliance. Mr. Huff said force is only used when absolutely necessary. Mr. Huff said APD requires officers to report each time they use force or threaten to use force against civilians by documenting the use of force and informing their supervisor.

Banning the use of tear gas was another suggested policy. Mr. Huff said the use of tear gas is extremely infrequent and limited to riot situations where life/property are in danger. It would not be used for peaceful protests. He said without this option to disperse crowds, other uses of force would

be required. He said they don't support a total ban, rather accountability for the situations when it is used.

Mr. Huff said officers have had body cameras for almost two years and video footage is backed up. Recommendation #6: As revisions are made to APD policies, revised versions will be updated on the City's website.

Recommendation #7: An independent review of the APD policies will be periodically undertaken by a citizen committee. See Recommendation #16 regarding the creation of an Ames Citizen Police Advisory Committee (ACPAC).

Recommendation #8: As new laws are adopted at the federal and state levels and clarified by the courts, the City will continue to use Lexipol to review APD's existing policies to ensure compliance with the law and commitment to fair and impartial policing. Lexipol will continue to recommend new policies to address areas where policies do not yet exist.

Theme 5: City Ordinances and State Law

Suggested local ordinances include: ban racial profiling; prohibit racial bias in policing; prohibit an unjust accusation from one person against another to the Police because of race; decriminalize the use and possession of marijuana for less than 40 grams.

Mr. Huff said racial profiling and bias-based policing are prohibited in the Ames Police Department policies. He said officers contacting a person shall be prepared to articulate sufficient reason for the contact. He said supervisors are involved and watching for bias-based policing.

Recommendation #9: Adopt an ordinance prohibiting any member of the City of Ames organization from racial profiling or taking actions that are indicative of bias in the delivery of City services.

Recommendation #10: Adopt a local ordinance that prohibits filing false reports or providing false information to police against an individual because of race or another protected characteristic.

City Attorney Mark Lambert told Council the highest local penalty for filing a false report is a simple misdemeanor.

Theme 6: Transparency

It has been suggested that data should be periodically released such as arrest records, stop records, the number of civilian deaths that occur while in in police custody, and the number of civilian deaths that occur as the result of force. It has been further suggested to break these reports down according to various demographics.

Mr. Huff said a Press Log describing general information about calls for service and the Arrest Report are on the website. He said budget reports are provided annually, and crimes are reported to state and federal databases. Mr. Huff told Council that in 2019 the APD with ISU Police initiated

a traffic stop study to evaluate whether racial disparity exists, and the results should be available this fall.

Recommendation 11: Publish quarterly summaries on the APD website for citations (traffic tickets, municipal infractions, simple misdemeanors) and arrests, with a breakdown of race and other demographics, where known.

Recommendation 12: Publish quarterly reports on the APD website with use of force statistics, with a breakdown of race and other demographics, where known.

Recommendation 13: Create a new system for citizens to report bias incidents, publish this data on the APD website, and share these reports with the Human Relations Commission for follow-up.

Recommendation 14: Conduct periodic studies of traffic stop statistics to identify whether racial disparity exists in the traffic stops conducted by the APD.

Theme 7: Accountability in Complaint Handling and Discipline

It has been suggested that complaints regarding inappropriate action by Police Officers cannot be fairly addressed when the discipline process is contained within the department. Therefore, it has been suggested that an independent body be created to investigate and determine discipline for officers accused of such actions.

Mr. Huff said there is an internal complaint process, a complaint process through the Iowa Civil Rights Commission, and a complaint process through the Iowa Ombudsman office. He said investigating allegations of misconduct are started by the immediate supervisor and may be turned over to the Internal Affairs Coordinator. The investigation would be conducted similarly to other investigations. Officers may be on paid administrative leave or temporarily reassigned. He said if an officer is believed to be involved in criminal activity, an outside law enforcement agency would be contacted.

Mr. Huff reviewed investigation and discipline.

Recommendation #15: Make forms to document complaints more readily available on the Police Department website to provide ample opportunities for the public to register their concerns about incidents.

Recommendation #16: Create an Ames Citizen Police Advisory Committee (ACPAC) in accordance with the model presented below.

Assistant City Manager Brian Phillips reviewed the format of the proposed ACPAC. Goals would be to incorporate a citizen perspective into the evaluation of citizen complaints against the APD, provide thoughtful recommendations regarding the policies and practices of the APD, report concerns regarding complaint investigation outcomes to the City Manager, and increase public confidence in the professionalism and accountability of the APD.

Mr. Phillips said the ACPAC would have seven individuals representing the diversity of the community and appointed by the Mayor, trained after appointment in contemporary policing practices and legal standards, remain committed to impartiality and reviewing of complaints based only upon facts and evidence, and subject to confidentiality requirements. He also reviewed the proposed responsibilities of the members.

Theme 8: Communication

When the Chief of Police responded in writing to inquiries received this summer regarding the City's departmental policies, many were pleased to learn that the policies of the Police Department already addressed these concerns. Therefore, it appears from this feedback that the Police Department needs to do a more effective job communicating with under-represented populations.

Recommendation #17: Adopt the City Council-approved recommendations from the ISU Community and Regional Planning class(es) regarding the best communication techniques to reach under-represented populations in Ames.

Recommendation #18: Provide periodic updates to the public from the Chief of Police regarding activities, current events, policies, and less understood aspects of the APD through the use of social media, cable television, videos, radio, and other media.

Recommendation #19: Refresh the APD website pages to ensure information is clear, concise, and user-friendly for community members.

Theme 9: Funding

Calls are being heard throughout the country to "defund" police departments. This call includes the suggestion that the savings realized from reducing the department's budget be reallocated to various social service agencies, programs related to mental health, social work, crisis intervention, homelessness, drug prevention/treatment, affordable housing, public transit, before and after school programs, parks and recreation programs, community engagement, food security, and holistic collaborative services. It has also been suggested that the City not purchase or accept surplus military vehicles for APD use.

It was noted that the City appropriated \$10,596,148 to the Law Enforcement program for 2020/21, which is 4% of the total City budget.

Ms. Schildroth said the City of Ames uses local option sales tax funds to help pay for human services in Ames. She said Council is involved in directing these funds by setting priorities and allocating \$1,524,850 to fund human services. Other funders contribute \$3,010,453 for a total of \$4,535,303 to be used to purchase childcare, rent/utilities assistance, shelter services, mental health and substance abuse prevention and treatment, food pantry programs, transportation, nutrition, home health assistance, youth development programs, and domestic violence services.

Ms. Schildroth said Community Development Block Grant (CDBG) and HOME funding received this fiscal year (\$826,422) is earmarked to develop a new housing subdivision for multiple-family

housing units and single-family detached homes that meet the needs of low- and moderate-income residents in Ames.

Ms. Schildroth said for several years APD has been reducing officer involvement in some nuisance and social problems and referring to apartment managers and encouraging neighbors to resolve issues. She also said mental health calls for service are being diverted to the Mobile Crisis Response Team (MCRT) managed by Eyerly Ball Community Mental Health Services. Ms. Schildroth said the Mental Health Advocate (employed by APD) evaluates police calls for service and ensures lines of communication with health care providers are kept open to ensure proper services are being received when needed.

City Manager Steve Schainker said the many partnerships in place are a result of police, human service agencies, and community members working together towards the best outcomes for citizens. He said the majority of APD funding is directed toward pay and benefits. He said any substantial redirection of funding out of this budget would have to come from personal services which would reduce the number of officers and thereby severely impact the City's ability to provide adequate service to the community.

Recommendation #20: Adopt a City Council policy that no surplus armored military vehicles may be purchased or accepted by the City for use.

Recommendation #21: If the City Council wishes to do so, the allocation of ASSET funds could be reprioritized in the next budget cycle and concentrated in human services that better meet the City Council's social justice goals.

Council Member Betcher asked why officers have to be on paid administrative leave during investigations. Mr. Huff said the Peace Officer Bill of Rights wouldn't allow for unpaid leave. He said decisions are not made quickly before due process. Mr. Lambert said there are requirements for predisciplinary hearings and to remove an officer from the workplace environment, they would be on paid leave. Ms. Betcher asked about the Executive Order adopted September 22, 2020, focusing on training. Mr. Lambert said he will look into it and get back to Council.

Council Member Junck asked about requiring the APD to request demographic information in every situation with the opportunity to opt out. Mr. Lambert said he doesn't like the idea of doing that for several reasons, but he will look into it.

Council Member Martin wondered if there's anything similar to Lexipol that could be a better fit. Mr. Huff said Lexipol is recommended by insurance carrier ICAP, though there are other ones out there. Mr. Martin said he has heard the community's concerns, but he's not sure how to evaluate the concern.

Ex officio Member Whitlock asked about the body cameras and officer accountability. Mr. Huff said the cameras are always recording, but when officers press record, that is the information that gets stored. He said in some instances when officers have forgotten to press record the instances were

retrieved. Mr. Huff said cameras and batteries have failed at different times, but the intent is to record as much as possible, and officers are very compliant. Mayor Haila asked what happens if a member of the public requests the camera be turned off. Mr. Huff said if an officer is asked to turn the camera off in instances when it's appropriate, an officer can note why it's being turned off before doing so, but most of the time that wouldn't be allowed.

Ms. Betcher asked if the City will be doing an equity audit for APD or the entire City. Mr. Schainker said that has not yet been discussed.

Council Member Corrieri asked about ongoing education. Mr. Huff said state-mandated training is required yearly, and that is the baseline. He said training is very appreciated by officers, and much of the additional training is at the officer's request.

Council Member Gartin asked what prevents an officer who has been discharged from another police department for bad behavior from getting an interview. Mr. Huff said many tools are at their disposal for background checks. He said they account for every place a person has lived and worked, and said they are confident they would find out about situations like that.

Ms. Junck asked about rights for a complainant. Mr. Huff said it's required that APD get back in touch with the complainant.

Ms. Whitlock asked how students will be involved in the proposed ACPAC. Mr. Schainker said the Council will make the appointments. Mayor Haila said on the basis the Council moves forward there will be many discussions at the Council level. Ms. Betcher asked about the officers' response to the recommendation of the ACPAC. Mr. Huff said officers are very open to it. He said officers enjoy Ames Citizen Police Academy so much because they can share with citizens the aspects of the job, and interact with citizens.

Mayor Haila asked about displaying firearms. Mr. Huff said there were 117 incidents of use of force in 2019 and 22 incidents where officers displayed a firearm (zero instances of firing the firearm). Mayor Haila asked if those numbers are typical. Mr. Huff confirmed that they are.

Ms. Whitlock asked about polygraph testing as it relates to racial bias. Mr. Huff said the polygraph is one piece to a much larger puzzle. He said the polygraph is looking for integrity and honesty and those results are looked at through other lenses as well. Mayor Haila asked how that's used. Mr. Huff said they are looking for criminal activity and consistency in answers.

Mayor Haila opened public input.

Ahmed Ismail, Iowa City, said he is an ISU Engineering student and an organizer for Ames Black Lives Matter (BLM). He said he believes there's a big need for an equity review from an outside perspective. He said the majority of people working on these processes are not from the marginal communities affected. He the ACPAC members must be appointed by Council members and those people should have real power to police the police. He also said entities like YSS and NAACP, who

do the work with the marginalized communities, should provide input on who should be on the committee. Mr. Ismail said bringing in another perspective could bring a better understanding of what the issues are.

Sarah Carney, 320 S. 2nd Street, Ames, said she understands the need to address the individual biases. She said true justice can't come without dismantling of systemic racism. She said root causes must be addressed to solve issues. Ms. Carney said she appreciates the active listening and asked that this be just the beginning.

Taylor Junck, 916 Vermont Circle, Ames, thanked Council for the energy put into the report. She said police accountability is due to lack of transparency. She said Lexipol aims to decrease lawsuits against police. Ms. Taylor Junck said she has many unanswered questions. She asked if there are quotas in Ames for traffic stops. Ms. Taylor Junck asked that ASSET funding not be reallocated.

Deborah Fink, 222 S. Russell, Ames, said it was noted Ames doesn't use surplus military vehicles, but she wondered if other military surplus equipment is used.

Philip Gassman, 1605 Burnett Avenue, Ames, thanked the APD for the work they do and for the in-depth report. He said he's impressed with the many layers and checks and balances in place. He said in *Newsweek*, a Gallup poll stated that only 19% wanted police to spend less time in an area. Mr. Gassman said the majority of people in this community and across the nation do not favor defunding the police. He said there is a plethora of issues, but many comments being made about shifting funding have not been thought out well.

Andrew Meyer, 322-11th Street, Ames, said Police outreach is a fine idea, but it's important to remember it comes down to what officers decide to do in the moment. He said the language in many ordinances refers to what is "reasonable." Mr. Meyer commented that displaying firearms 22 times doesn't seem necessary if they are not being used. Mr. Meyer asked how long the video is being kept after the video is taken.

Kaydin Oler, 330 S. 2nd Street, Ames, said BLM members and NAACP should be involved in ACPAC so it is a community group. For a diverse board, more people need to have a say in who is appointed.

Riley Drake, 3322 Jefferson Street, Ames, said there are ways these recommendations can happen and it's completely possible to improve a community. She said she is part of an anti-racism group, and that 95% of policing is in response of non-violent events. She said law enforcement should not be out of bounds and has been proven ill-suited for some of the calls received.

Tim Sklenar, 320 S. 2nd Street, Ames, said the regulation for dealing with unlawful crowds isn't the same as a violent crowd. He said ACPAC should have access to body camera footage in use of force incidents and should report if use of force incidents are reasonable. He said he went through ISU Police's Citizens Academy and at that time ISU officers didn't carry firearms, only tasers. He wondered if that would work for Ames.

Serena Paulson, 323 West Street, Ames, said it's important that students be represented on ACPAC. She said the community should be part of appointing members. Mayor Haila asked about the full transparency with ACPAC. Ms. Paulson said anything that ACPAC receives should be made public information.

Jon Wolseth, 902 Arizona Avenue, Ames, said the report claims there is no culture of bias. He said this is troubling because there is no transparent data offered. He said he echoes the call for greater transparency for ACPAC. He said he encouraged the Council to ensure the interviewing process for the next Police Chief involves minority groups.

Sehba Faheem, 1930 Long Road, Ames, said the majority of funding is for patrol and wondered why. She asked what the gain is for having officers on patrol.

Kara Prior, 1712 Wilson Avenue, Ames, thanked the City and Council for the report and the workshop. She said she feels a better place to start would be to look at what systemic racism in Ames looks like. said a lot of anti-racist work needs to be done and wonders if Council would consider asking black history or anti-racism experts to do a session rather than starting with the Police Department since it's not the center of the problem. She said she would love if Council would spend more time with the marginalized communities in Ames.

Apple Amos, 3303 West Street, Ames, said much of the discussion seemed to assume issues in policing have to do with individuals and not policing in general. She said if it was an issue with individuals she doesn't believe protests would be going on.

Mayor Haila asked about body camera footage. Mr. Huff said arrests are kept for three years; some cases like homicides would be kept forever, and traffic stops are kept for one year. He said anyone can make a request for video, and an evaluation would take place on the request.

Mayor Haila asked if there is any other surplus military equipment. Mr. Huff said APD has weapons that were received through a surplus program.

Ms. Beatty-Hansen asked about quotas for traffic stops. Mr. Huff said quotas are illegal.

Council Member Martin said a couple speakers spoke about funding going toward Patrol. He asked about activities included under that. Mr. Huff said there are three patrol shifts as well as the Safe Neighborhoods team, support services, and communications. Mr. Huff said if a call is received, a Patrol officer addresses the situation; almost everything starts with Patrol.

Council Member Betcher said unlawful assemblies were mentioned. Mr. Huff said unlawful assembly could be different than a riot where people need moved from an unsafe location or private property. He said they would be resistant to using chemical on crowds that aren't violent. He said the times when chemicals were used in Ames involved property damage and violence. He said it's illegal to block a City street and march, but they have addressed it in other ways.

Ms. Beatty-Hansen asked what is used to determine how many hours are devoted to Patrol. Mr. Huff said it's historical, and they track calls for service. He said they run a pretty lean department, but they try to keep a certain number of officers on the street based on the knowledge of how many calls are received.

Council Member Gartin asked how to move forward. Mayor Haila said Council would move to put the report in its entirety on a Council agenda, and any follow-up questions for staff could be noted.

Mr. Schainker said Council could take a little time to absorb the information in the report and the input from the community while not waiting too long.

Moved by Beatty-Hansen, seconded by Betcher, to place the report and recommendations by staff on a Council agenda within the next two months.

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

Mr. Gartin asked how communities go about training committees such as the proposed ACPAC. Mayor Haila said there's an objectivity of the committee. Mr. Phillips said one common theme among boards he's researched is that the training is very extensive and involving initial and ongoing training from a variety of perspectives. He said timeliness is very important for personnel investigations, so the appointees could be called together for input with short notice. Mr. Gartin said he is very proud of APD, and good governance means we tailor solutions toward the challenges being faced.

Ms. Corrieri said she has a unique perspective as she has three family members in law enforcement. She said she has had many positive interactions with APD over the years. Ms. Corrieri said she realizes her experiences are not the same as others. She said what she sees in this report is a Department that cares about the community, and she appreciates the thoughtfulness put into the report. She thanked Mr. Schainker and Mr. Huff, as well as former Chief Chuck Cychosz.

Ms. Betcher said she feels comfortable with the recommendations. She said the spirit of the reaction of officers is encouraging, which shows they are interested in continuous improvement and becoming even better. She said she hopes the officers can continue to love their jobs as they serve our community. Ms. Betcher said she served as a NAACP national delegate recently, and a panelist from Philadelphia was asked about the phrase "defund the police." This panelist suggested saying something different such as "fund our communities of color," to counteract issues that police are dealing with.

Mayor Haila said the NAACP opening comments state that it starts with each one of us in the community. He said the National League of Cities has some programs to look at for communities as a whole.

DISPOSITIONS OF COMMUNICATIONS TO COUNCIL: Moved by Corrieri, seconded by Gartin, to request a memo from staff regarding the request from Dan Culhane dated September 21,

2020, to proceed with the rezoning of the 1,300+ acre corridor on East Lincoln Way known as the Prairie View Industrial Center,

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

COUNCIL COMMENTS: Mayor Haila and Council Members Junck and Martin thanked staff for their work on the “Policing in Ames” report. Ms. Whitlock commented that all identities need to be treated equally.

Council Member Betcher thanked staff for their work on the census parade.

ADJOURNMENT: The meeting adjourned at 9:34 p.m.

Diane R. Voss, City Clerk

John A. Haila, Mayor

Erin Thompson, Recording Secretary

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

AMES, IOWA

SEPTEMBER 22, 2020

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

Mayor Haila announced that it is impractical to hold an in-person Council meeting due to the Governor of Iowa declaring a public health emergency because of the COVID-19 pandemic. Therefore, limits have been placed on public gatherings, and this meeting is being held as an electronic meeting as allowed by Section 21.8 of the *Iowa Code*. The Mayor then provided how the public could participate in the meeting via internet or by phone.

CALL TO ORDER: The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee meeting, which was being held electronically, was called to order by Ames Mayor and voting member John Haila at 6:00 p.m. on the 22nd day of September, 2020. Other voting members brought into the meeting were: Bronwyn Beatty-Hansen, City of Ames; Gloria Betcher, City of Ames; Amber Corrieri, City of Ames; Tim Gartin, City of Ames; Rachel Junck, City of Ames; David Martin, City of Ames; Lauris Olson, Story County Supervisor; Bill Zinnel, Boone County Supervisor; and Jacob Ludwig, Transit Board. Jon Popp, Mayor of Gilbert was absent.

APPOINTMENT OF PUBLIC WORKS DIRECTOR JOHN JOINER TO STATEWIDE URBAN DESIGN SPECIFICATIONS (SUDAS) BOARD OF DIRECTORS: AAMPO Administrator Joiner said the AAMPO is allocated one member on the Statewide Urban Design and Specifications (SUDAS) Board of Directors. The representative is required to be a licensed professional engineer and has traditionally been the Public Works Director in the City of Ames.

Moved by Betcher, seconded by Olson, to approve Alternative No. 1, thereby approving the appointment of the City of Ames Public Works Director, John Joiner, as the AAMPO representative to the SUDAS Board of Directors.

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

IOWA CLEAN AIR ATTAINMENT PROGRAM GRANT APPLICATION: AAMPO Administrator John Joiner explained the projects that will be included in the Grant Application to the Iowa Department of Transportation for the Iowa Clean Air Attainment Program. He noted that the first application is Phase 2 of the Ames Traffic Network and the other four are CyRide applications that are done annually.

Moved by Betcher, seconded by Olson, to approve the following resolutions:

1. **RESOLUTION NO. 20-500**, thereby certifying that the Ames Traffic Network - Phase 2 project shown in the Iowa Clean Air Attainment Program grant application conforms to the MPO's regional transportation planning process.

2. RESOLUTION NO. 20-501, thereby certifying that the West Ames Changes (New Route: #12 Lilac; Added Frequency of Service: #1 Red, #7 Purple, & #11 Cherry) project shown in the Iowa Clean Air Attainment Program grant application conforms to the MPO's regional transportation planning process.
3. RESOLUTION NO. 20-502, thereby certifying that the Cherry (Night Service) project shown in the Iowa Clean Air Attainment Program grant application conforms to the MPO's regional transportation planning process.
4. RESOLUTION NO. 20-503, thereby certifying that the Lilac (Midday Service) project shown in the Iowa Clean Air Attainment Program grant application conforms to the MPO's regional transportation planning process.
5. RESOLUTION NO. 20-504, thereby certifying that the Brown (Night Service) project shown in the Iowa Clean Air Attainment Program grant application conforms to the MPO's regional transportation planning process.

Vote on Motion: 9-0. Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

FY 2017-2021 SAFETY PERFORMANCE TARGETS: Administrator Joiner noted that a few years ago the Metropolitan Planning Organization (MPO) signed that they would support the State's targets instead of establishing its own. As the State updates its targets, the AAMPO has 180 days to adopt those updates as well.

Moved by Zinnel, seconded by Beatty-Hansen, to approve the FY 2017-2021 Safety Performance Targets established by the Iowa Department of Transportation in coordination with Iowa MPO's. Motion carried unanimously.

Transit Board Member Jacob Ludwig was brought in as a participant for meeting.

PRESENTATION OF DRAFT 2045 METROPOLITAN TRANSPORTATION PLAN: Mr. Joiner explained that this item is the actual Plan completed as one document. In a previous meeting Brian Ray, HDR, had walked the Policy Committee through all the projects. These are now incorporated into the Plan and tonight Mr. Ray will be presenting the draft 2045 Metropolitan Transportation Plan.

Story County Supervisor Lauris Olson inquired if during the 30-day public comment period, a member of the public would request to make major changes, would it be too late in the process. Traffic Engineer Damion Pregitzer commented that once the 30-day comment period is open, they will start collecting comments, and if they see comments that are major changes to the Plan, they will be discussed internally and presented on October 27. He noted that any big changes would be anything that changed the fiscal constraint of the Plan. Ms. Olson asked if the Policy Committee could see the comments as they come in. Mr. Pregitzer mentioned staff will be setting up a comment input process and collect the data all in one location and he can email out a weekly summary. Mr. Pregitzer stated that, as a last resort, the Policy Committee can always amend the Plan later.

Mayor Haila asked what the deadline was to submit the Plan. Mr. Pregitzer mentioned that the current Plan expires October 12, 2020, but this only means that any programming that is locked into the Transportation Improvement Plan (TIP) until the City has a new adopted Plan. Mr. Pregitzer noted that if there are any major changes, staff will reach out to the DOT and the Federal Highway Administration and give them an update.

Brian Ray with HDR presented the draft Plan and explained that the draft Plan structure consists of ten chapters. He briefly went over what is covered in Chapters 1-10 of the Plan. Mr. Ray noted that for public input, staff had published information on the City website, social media, press releases, email, and direct mailings. A statistically valid travel survey was sent out to a random list of citizens of Ames. There were various in-person and online events done along with past meeting of the Transportation Policy Committee. Mr. Ray mentioned that coordination was done with the City and the AAMPO who the Comprehensive Plan coordinated with the draft Plan.

Mr. Ray explained that at the last meeting the fiscally constrained plan was discussed. He noted that there were a few changes made to the bicycle/pedestrian plan since the last meeting. Future planned performance was reviewed from 2015 through 2045. A roadway level of service analysis was done, and there are still some levels of service that were not able to be addressed in the constrained projects, but were addressed in the illustrative or developer-driven projects. He reminded everyone that illustrative projects are projects that can hopefully occur within the next 25 years, but fit outside of the fiscally constrained plan, and if funding becomes available those are projects that could be done. The developer-driven roadway projects are projects that could potentially be developed by a developer through private funding or split funding for the projects to be built within the next 25 years. Mr. Ray mentioned there were a few unfunded Iowa DOT roadway projects. He explained that the Iowa DOT is not required to plan out 25 years into the future as they develop five-year plans. The projects listed were projects that the Iowa DOT gave HDR as potential projects that could happen within the next 25 years, but there is currently not any funding available.

It was noted that the next steps would be the public comment period from September 23, 2020, through October 22, 2020, and then on October 27, 2020 the Transportation Policy Committee will meet and adopt the final Metropolitan Transportation Plan.

County Supervisor Olson wanted to know if the slide that was shown for the roadway plan and what the potential local sharing funding would be; specifically if the amount shown was all the money that the City expected to have over the next 25 years on projects. She cited the example of round-a-bouts on George Washington Carver, and she wanted to know if any money would be left over to do any cooperative projects. Mr. Ray stated they looked at historic funding levels with the City and they came up with a reasonable amount of \$40 million, but there could potentially be more funding. Mr. Pregitzer stated that historically, it is based on past and current funding policies and how much money is allocated to new improvements. Mr. Pregitzer pointed out that the operation and maintenance of the system has already been taken off the top. If this was to change, the funding policies would have to be looked at and discussed. Ms. Olson stated that even if Story County would propose local round-a-bouts, there would not be any money as the Plan potentially eats up the funding for new construction. Council Member Martin asked for clarification as he understood the

funding for local shares to be for projects that have federal funding, but there may be money left elsewhere for other projects that were not federally funded. Public Works Director John Joiner stated that Mr. Martin was correct. There are maintenance and preservation projects that are in the CIP every year, but there are other projects in the City's CIP and the County's CIP. The projects shown are for federal allocation and what local share will go towards those federally funded projects. Mr. Ray stated that for system preservation, there is about \$270,000 for roadway improvements for the next 25 years. Ms. Olson mentioned that she is focused on round-a-bouts and wondered if funding would be available for them in the next few years. Mr. Ray stated that there is about \$270,000 for system preservation, \$40 million on the federal aid system, and \$27 million on the non-federal aid system. Mayor Haila noted that there may be other ways to fund a round-a-bout that may not fall under the jurisdiction of the AAMPO. Mr. Pregitzer stated that would be correct and explained that the model and the growth projections help guide the City where the issues are going to be. The main purpose of the Metropolitan Transportation Plan is to prioritize the expenditure of the federal aid. Ms. Olson mentioned that one of the other Board of Supervisors members will be reaching out to staff to start a discussion about funding for round-a-bouts.

Mayor Haila asked what "Environmental Justice Assessment" meant. Mr. Ryan explained that he is not the expert for that question, but it is for areas that have minority populations or low-income populations. Mr. Pregitzer explained it is an assessment of where an MPO is investing funding; it tracks where the investment is going and how many of those populations are benefitting from the improvements. Mayor Haila inquired if this helps on the transit side. Mr. Pregitzer stated that CyRide does go into greater detail about what areas they service. Council Member Betcher commented that the assessment is also looking at adverse impacts. She noted the assessment is to find the good and bad affects the community.

Mayor Haila wanted to know how public input influenced projects that were selected and if there were any surprises. Mr. Ray stated that early on they took a lot public input regarding developing the vision, goals, and objectives. The public input helped develop the objectives and the scoring criteria along with the federal requirements. Mr. Pregitzer stated that the bicycle/pedestrian portion of the Plan was heavily locally driven.

Mayor Haila mentioned that some of the goals for sustainability are for equipment replacement and trying to move to electric buses. He wanted to know if this is something that is going to be done, as the Plan only showed three bus replacements per year, but didn't state what kind. Mr. Pregitzer explained that the list of projects did have input from CyRide staff, but the Plan is reflective of what CyRide gave HDR.

Mayor Haila pointed out that not a lot of money is going towards facility improvements to have the buses stored indoors at all times. Mr. Ray stated that a lot of what informs the MTP from the transportation side comes from the Passenger Transportation Plan that CyRide updates regularly. CyRide also has a lot of projects on the illustrative side where they have not been able to identify funding yet.

Mayor Haila referred to an email that was sent earlier from Gilbert Mayor Popp and asked Mr. Pregitzer to share his thoughts. Mr. Pregitzer noted that Mayor Popp had concerns about three projects that were shown in the Plan. The roadway projects were numbered 1, 2, and 3 and each one had a round-a-bout or signal option. He noted that the reason there is an option is because the Long-Range Transportation Plan doesn't do any engineering or detailed studies.

Moved by Beatty-Hansen, seconded by Olson, adopting RESOLUTION NO. 20-505 approving the Draft Plan and setting the date of public hearing for October 27, 2020, for approval of the Plan.
Vote on Motion: 10-0. Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes

POLICY COMMITTEE COMMENTS: No comments were received from the Policy Committee.

ADJOURNMENT: Moved by Ludwig to adjourn the Ames Area Metropolitan Planning Organization Transportation Policy Committee meeting at 6:58 p.m.

REGULAR MEETING OF THE AMES CITY COUNCIL

CALL TO ORDER: Mayor John Haila called the Regular Meeting of the Ames City Council, which was being held electronically, to order at 6:59 p.m. with the following Council members present: Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Rachel Junck, and David Martin. *Ex officio* Member Nicole Whitlock was also present.

PROCLAMATION FOR “WATERSHED AWARENESS MONTH” - OCTOBER 2020: Mayor Haila proclaimed the month of October 2020, as “Watershed Awareness Month.” He urged every citizen within Story County to recognize the importance of the watershed in which you live and commit to keep learning and identifying how you can make a difference, even in your own backyard. Accepting the Proclamation was Municipal Engineer, Tracy Peterson. She reminded everyone of the rebates that are available for watersheds, native trees, rain barrels, native plants, rain gardens, soil quality, and composting.

PROCLAMATION FOR “FIRE PREVENTION WEEK” - OCTOBER 4 - 10, 2020: The week of October 4-10, 2020, was proclaimed as “Fire Prevention Week” by Mayor Haila. The theme for this year’s Fire Prevention Week is “Serve Up Fire Safety In the Kitchen!” Deputy Fire Chief Doug Allen accepted the Proclamation on behalf of the Ames Fire Department. Mr. Allen stated they will not be doing outreach and education in the schools this year due to COVID-19, but will continue to send out messages to remind people about fire safety.

Mayor Haila inquired if the Fire Department still had a program for smoke detectors. Deputy Fire Chief Allen stated they had originally partnered with the Red Cross who provided free smoke alarms, but has not heard any updates on that project lately. He noted that if anyone calls the Fire Department, they will come out to test the smoke detector, change the batteries if needed, and will replace them if they are not working.

Mayor Haila asked how many training hours each firefighter does per year. Mr. Allen noted it is around 250 hours/year as they are continually learning new techniques, etc., to keep the community safe.

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 Meeting of September 1, 2020, and Regular Meeting of September 8, 2020
3. Motion approving Report of Change Orders for period September 1 - 15, 2020
4. Motion setting the following Special City Council meeting dates/times:
 - a. January 19, 2021, at 5:15 p.m. for CIP Workshop
 - b. January 29, 2021, at 2:00 p.m. for Budget Overview
 - c. February 2, 3, and 4, 2021, at 5:15 p.m. for Budget Hearings
 - d. February 9, 2021, at 5:15 p.m. for Budget Wrap-Up
5. Motion approving Class E Liquor Ownership Change for Hy-Vee Food Store #1, 3800 W. Lincoln Way
6. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carryout Beer), and Sunday Sales - Hy-Vee Food & Drugstore #2, 640 Lincoln Way
 - b. Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carryout Beer), and Sunday Sales - Hy-Vee Food Store #1, 3800 W. Lincoln Way
 - c. Class C Liquor License with Sunday Sales - Bullseye Restaurant Group LLC, 114 South Duff Avenue
 - d. Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carryout Beer), and Sunday Sales - CVS/pharmacy #10452, 2420 Lincoln Way, #104
 - e. Class C Beer Permit with Class B Wine Permit and Sunday Sales - Aldi Inc., #48, 108 South 5th Street
 - f. Class B Beer with Sunday Sales - Macubana, 116 Welch Avenue
 - g. Class B Liquor License with Catering, Outdoor Service and Sunday Sales - Hilton Garden Inn Ames, 1325 Dickinson Avenue
7. Motion approving request from ISU Athletics Marketing for fireworks displays from Jack Trice Stadium (northwest endzone) for ISU Home Football Games on the following dates:
 - a. October 3
 - b. October 10
 - c. November 7
 - d. November 21
 - e. December 5
8. Title VI Compliance:
 - a. Motion approving U. S. Department of Transportation Standard Title VI Assurances
 - b. Motion approving Title VI Non-Discrimination Agreement between Iowa Department of Transportation and City of Ames
9. RESOLUTION NO. 20-506 approving FY 2019/20 Annual Street Financial Report

10. RESOLUTION NO. 20-507 approving FEMA License/Use Agreement for temporary Disaster Recovery Center serving Ames and Story County
11. RESOLUTION NO. 20-508 approving preliminary plans and specifications for District Geothermal Vertical Closed Loop at Baker Subdivision, setting October 14, 2020, as bid due date and October 27, 2020, as date of public hearing
12. RESOLUTION NO. 20-509 approving contract and bond for Unit 8 Precipitator Roof Repair and Replacement
13. RESOLUTION NO. 20-510 approving contract and bond for Unit 8 Crane Renovation
14. RESOLUTION NO. 20-511 approving Change Order No. 1 with Electrical Engineering and Equipment Company, Windsor Heights, Iowa, for Motor Repair Contract for the Power Plant in the not-to-exceed amount of \$43,000
15. RESOLUTION NO. 20-512 approving Plat of Survey for 4000 Cochrane Parkway and 600 Bellflower Drive
16. RESOLUTION NO. 20-513 accepting completion of East Highway 30 Force Main Improvement Project

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

PUBLIC FORUM: Mayor Haila opened Public Forum. There being no one indicating that they wished to speak, the Mayor closed Public Forum.

PRESENTATION OF DRAFT AIRPORT MASTER PLAN: Traffic Engineer Damion introduced Mike Dmyterko and Tyler Stuber from Coffman Associates, the consultants who will be presenting the Airport Master Plan. Mr. Pregitzer explained that no formal action is needed by the Council tonight, but they wanted to present the draft Airport Master Plan to the Council and the public. The 30-day comment period will begin on September 23, which is not required; however they wanted to make sure that everyone is aware of what is happening.

Mr. Dmyterko stated that they have been working on putting the draft Airport Master Plan together over the past two years. The Airport Master Plan should be updated every 10-20 years to make sure the Airport it is up to date with federal guidelines. He explained that the process is somewhat prescribed, but it does allow for some local options. The consultants took a three-phased approach. The first phase was the facility requirements. Mr. Dmyterko explained that they first looked at what is being done at the Airport right now. There are two items that must be approved by the FAA and one of those is the Aviation Demand Forecasting chapter. It was explained that for the Aviation Demand Forecasting chapter they ask for feedback from the Technical Advisory Committee, three public informational workshops, and developed a project website. The next phase was developing airport alternatives; alternative methods were looked at regarding how to meet the demand for the Airport. The final phase was the implementation of the recommended Master Plan concept, which included a cursory environmental overview being completed. Mr. Dmyterko explained they also looked at a financial plan and airport land use compatibility. The FAA reviewed the airport layout plans and will be providing feedback.

The City of Ames currently has a general aviation airport as designated by the FAA with two runways and a robust terminal system. Mr. Dmyterko explained that the aviation demand forecast is to define, in terms of demand, how many airplanes are based at the Airport. They look at where the airplanes in the region are located, and a map was displayed showing where registered airplanes are located within a 30-mile radius of Ames. He noted that the City of Ames Airport does compete regionally for aircraft.

Mr. Dmyterko explained that there are two types of demand. The first one is the number of aircrafts based at the Airport and the other is aircraft movement. Aircraft movement is defined by an operation, and an operation can either be a takeoff or a landing. The current operational number is about 25,000 aircraft movements on a transient basis. For total annual operations there are 38,309, and the future growth is estimated to be 51,000. There are currently 78 aircrafts based at the City of Ames Airport and the growth estimate by 2038 is 101 aircrafts. Mr. Dmyterko pointed out that the general aviation is driven by economic conditions and the numbers will stagnate a bit due to COVID-19.

Mr. Dmyterko went over the aircraft classification parameters; this is important as runways and taxis are based on the types of plane that utilize the Ames Airport. Runway length requirements are also reviewed. An airport reference codes summary was reviewed regarding what types of planes are utilizing the City of Ames Airport. It was recommended that the current runways consider adding additional runway lengths in the future. He noted that most of the auxillary facilities were good for the City of Ames facility.

Mr. Dmyterko noted that the landside facility requirements are less within the FAA purview as most of the landside development is done by private development by a land lease. The landside is more generalized, but the recommendations for improvements may not necessarily be done by the City, but by a private entity. He explained that the terminal building is beautiful, and the City should be commended.

The Master Plan Concept was shown, which showed where future development/improvements could be done. Everything shown in red represented an airfield pavement improvement. Yellow was a rooftop, which would be a new or replaced airport hangar facility. Blue showed a new roadway or parking lot structure. In the color Purple were any potential land acquisitions in the future. Currently the runways serve the activity very well, but they would recommend extending runway 1-19. He noted that the runway extension recommendation to the south may not happen now, but since it is in the Plan, the City would be able to ask for federal funds.

Mr. Dmyterko explained they did an environmental review and one of the key elements of the analysis is the FAA noise program. The noise program takes in all the potential parameters around the flights happening at the Airport and averages it out.

A slide was then shown of the short-term projects (0-5 years), intermediate projects (6-10 years), and long-term projects (beyond 20 years). The five-year program has nine projects with a total of \$2.8 million needed with the potential of \$1.1 million in federal/state funding, and \$311,740 needed in

airport/local share funding. The total project cost estimate for the intermediate projects was \$34.3 million and the long-term projects had a total cost of \$104.9 million. He noted that City funding could be from funds generated as revenue from the Airport or it could be through other City projects. The Airport does generate revenue based on leases.

Council Member Betcher questioned the short, immediate, and long-term projects and noticed that the aprons were all long-term projects. She noted that, in the photos of the aprons, it looked like there was significant cracking and deterioration; she was surprised to see the apron repair project further out and wanted to know what was happening with that apron. Mr. Dmyterko explained that projects 28 and 29 are expansions; the apron itself will go through repairs through a rehabilitation process. Mr. Pregitzer explained that there is a large section of new apron in front of the itinerant hangar, but the piece just south of the terminal building is in the current CIP in FY 2022/23 to be repaired.

Council Member Martin wanted to know about noise, and noted that some citizens who live a couple miles away might still be sensitive to the noise. He wanted to know if there was an informal way to understand what those citizens may experience with longer runways and larger aircrafts coming into the Airport. Mr. Dmyterko stated that the extra pavement may not be used, but it is possible there may be a few planes that come in lower in the south, but those living on the north should have lower noise. There is no perfect way to delineate what the impacts of noise are. There will likely be someone that is negatively affected by the noise, as noise is very relative to the receptor. Everyone experiences noise differently from others. Mr. Pregitzer explained that the previous Airport Manager, during the last Airport Master Plan, went through an involved process of changing the approach and take-off procedures of the crosswind runways to help minimize the noise impact. Those procedures are still in place today, and if the City of Ames gets significant growth to the southeast portion of Ames, they would look into minimizing the noise in that area as well. Mr. Dmyterko explained that since the last Master Plan, the DOT has modified the way it regulates aircraft noise. He mentioned that under the Aircraft Noise and Capacity Act of 1990, the FAA required airports to not restrict operations and they also required aircrafts to become quieter. Aircrafts are a lot quieter than they were 10-20 years ago.

Council Member Martin questioned the runway protection zones expansions. He noted that, in the east, the potential expansion may run into a property that someone currently has an interest in developing; and on the southwest side, the expansion would push into an existing farmhouse. Mr. Martin wanted to know what happens to the possibility of development and existing structures. Mr. Dmyterko stated the process of a Master Plan is important as it highlights those types of situations. The FAA in giving 90% funding, and is also handcuffing the City with grant assurances. These are obligations that the City signs that state the City will operate the Airport in a manner consistent with the grant assurances. One of them is that the City will maintain the Airport in a manner that is compatible with the environment around it. By adopting the Plan, the FAA is expecting the City of Ames to move forward in trying to protect all areas of future land from incompatible growth. The FAA would expect the City to do proactive land use planning and zoning that would keep areas of incompatibility away from the area.

Mayor Haila mentioned that South Riverside Drive goes southwest and ties into the road. He wanted to know if any roads were allowed through the RPZ. Mr. Dmyterko stated the answer to that would be yes and no; yes, if they currently exist. The FAA changed its approach to RPZ's in 2012 and now wants everything out of the RPZ. If a road is already there, it is grandfathered in, but if it is a high-volume road, it will have to go through headquarters for approval to see if the road can remain or needs to be relocated.

Mayor Haila inquired if the City was responsible for purchasing any property or would there be FAA funds available. Mr. Dmyterko explained that if the project was justifiable, the FAA would fund 90% of the project. Mr. Pregitzer pointed out that any time a development comes forward, it is reviewed during the Development Review Committee (DRC) process.

Mayor Haila opened public comment.

Daniel Oh, 3327 Goldenrod Circle, Ames, stated that he had the pleasure of assisting the Technical Advisory Committee. He made two: He doesn't own a plane and was asked to be on the Committee to think about the economic aspects of the Airport. He noted that what the City has with the Airport is an economic asset. The City has an Airport that is in town, and the City has the ability to grow a national and regional business base that can fly in and out quickly and directly. Iowa State University utilizes the Airport as there is a flight school that is growing and bringing people in. Mr. Oh commented that he wanted everyone to remember that the City of Ames Airport is unique and doing what they can to protect the future expansion of the runway is very important.

Moved by Gartin, seconded by Betcher, to adopt Resolution No. 20-514 approving the Draft Plan and setting the date of public hearing for October 27, 2020.

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

STAFF REPORT REGARDING EAST UNIVERSITY URBAN REVITALIZATION AREA

(URA): Planning and Housing Director Kelly Diekmann stated that at is August 25, 2020, meeting the City Council received a Staff Report regarding the status of the Urban Revitalization Areas and programs across the City. After discussion of potential changes to the East University Impact Area URA, City Council directed staff to reach out to the Greek community to gain input about potential projects that could be impacted by changes. City Council also requested additional background information regarding the value of tax abatements that have been approved previously in the area. Staff identified four projects that are in process to varying degrees and may be eligible for future partial property tax abatement. Those four are:

- 2125 Greeley (Alpha Delta PI) - Approved Minor Site Development Plan completed in 2020
- 224 Ash (TKE) - Approved Minor Site Development Plan for an addition in 2021
- 137 Gray (Acacia) - Approved demolition and Minor Site Development Plan to be completed in 2020
- 120 Lynn (Kappa Kappa Gamma) - Approved Demolition and Minor Site Development Plan, planned construction in 2021

Staff received correspondence from Steve Jones of Delta Tau Delta describing their experience and the value received to the area from the program. From his experience, he believed significant projects take three years or more to plan and execute, and the abatement helps to smooth out financial changes as a result of increases in property taxes due to the increased value of the property.

Staff also collected data from the past ten years for 15 projects that had received tax abatement. The estimated value of the abated property taxes (across all levying authorities) was \$1,140,359. This estimate is based upon the initial year of abatement with state rollback and levy rates. Approximately 36% of the Greek Houses in the URA have taken advantage of the program in the past ten years. With the change to the URA criteria in 2018 to allow for either additions or new construction to be eligible for tax abatement, the City created somewhat opposing policies between its current restrictive demolition standards in the Zoning Ordinance and its financial incentives for Greek homes in the URA. Director Diekmann explained that staff is recommending the same two options that were discussed back in August. Option 1 is recommending eliminating new construction as an eligibility criterion. Option 2 is to reassess if the tax abatement is still necessary, have all the goals been reached for the area, and to set a sunset clause for the overall district. Option 2 would set an automatic repeal date of the URA for April 1, 2023, to accommodate improvements completed through 2022, and all approved tax abatement would continue despite the repeal of the URA.

Council Member Gartin wanted to know how the Council is supposed to know whether the program has achieved its goals. He stated that when the tax abatement was set up, it was before all the current Council Members took office and wondered if there were any benchmarks established or was it intended to go on in perpetuity. Director Diekmann stated that there were not any benchmarks that he was aware of and he has not seen this done for any URA. Mr. Diekmann explained that it would be a question of when the Council felt the neighborhood had stabilized. Mr. Gartin mentioned that he had thought about this in relation to the Facade Grant program as eventually you will see a decrease in applications. He liked the idea of putting in a sunset clause for future Councils to address. Mr. Diekmann stated for the last few that have been project-specific, they have tried to put in a sunset deadline, but believed it is something to consider moving forward. Council Member Betcher wanted to know if they are currently seeing a conflict between two policies, and if so, would it make sense to have a sunset. She asked if the Council should be trying to regulate the issue so there is not any future conflicts. Director Diekmann commented that is a question for the Council Members on how quickly they would want to move to alleviate the disparity in policy. Ms. Betcher stated that she thought the Council had the ability to approve just those that are already in the pipeline without approving any new requests. Mr. Diekmann explained that the way staff wrote Option 1, it would be very difficult for anyone else to get approved for construction as the deadline they wrote into the proposal was January 1, 2021. However, since Kappa Kappa Gamma House already had received approval for demolition, they will be able to proceed with construction of the new house in 2021 as anticipated. Ms. Betcher explained her concern that she believed they should not have incentivized the demolition of Greek houses in the first place because it seemed incompatible with other policies.

Mayor Haila opened public comment and closed it after no one came forward to speak.

Council Member Gartin stated he wanted the Council to keep in mind that the organizations have Capital Improvement Plans, and just because they don't know of a particular organization's Capital Improvement Plan doesn't mean they haven't laid out their budgets with the intention of relying on the tax abatement program. He noted that because they didn't communicate better with the Greek houses to notify them of the potential change, they would not have had the ability to make any changes on their end. Given the importance of the program, he would hope the Council would create a sunset opportunity to capture those organizations that have relied on having a tax abatement available. Mayor Haila asked Director Diekmann if staff had reached out to all the Greek houses and Chapters to let them know this discussion would be happening. Director Diekmann stated they did not reach out to every Greek House, but did reach out to representatives of the leadership in the Greek community.

Council Member Betcher stated she is not opposed to doing more outreach, but she doesn't want to be bound moving forward. She is concerned that more houses will be demolished. She wanted to know if it was possible to do more extensive outreach to the Greek houses in order to feel confident that the Council has received input from each of the Greek organizations in order to determine if there was a plan to use the tax abatement in the near future. Director Diekmann stated they can try to get the Greek Houses main contact information. He wanted to know if the outreach should be regarding new construction only or for additions as well. Ms. Betcher commented that from her perspective it would be Option 1: to eliminate the new construction option. She does not support the continuing subsidy of full-scale demolition.

Council Member Martin wanted to know, if the Council changed the URA in any way, would that trigger a public hearing requirement or what would be done. He wanted to know how much notice the citizens would get before the changes to the URA are finalized. Mr. Diekmann stated it depends on what action the Council decided to take.

Council Member Beatty-Hansen understood the gesture, but felt staff's recommendation to set a sunset of January 1, 2021, would give plenty of time, and she is fine with moving forward.

Council Member Martin stated he is fine with moving forward as well as they had reached out and got the information needed; if the Council sets the date of January 1, 2021, it is still enough notice.

Council Member Gartin stated he is in favor of setting a sunset, but if a Greek house is going to make improvements in three years to take advantage of the tax abatement they would have already set their budget to rely on the abatement. He noted that the tax abatement program has been very successful. Mr. Gartin explained that the facade grants are smaller-scale projects while these are multi-million-dollar projects and the Greek houses need more time to plan. He is not convinced that a few months will catch the scope of the projects.

Council Member Martin stated he would be interested in Option 2, which is eliminating the East University Impacted URA altogether, but with a modification to add a sunset of January 1, 2021. Mr. Diekmann mentioned that if they used a sunset of January 1, 2021, the four projects that were mentioned earlier would be the only ones that would be able to proceed. Mr. Martin explained that his intent with the

sunset was to make sure they don't pull the trigger on the URA until they have had enough time to hear back from the Greek houses. Mayor Haila pointed out, that in Option 2, any improvements would need to be completed prior to December 31, 2022, but some of the projects take a year to plan, a year or so for fund-raising, and it could be a four-year process. The Mayor was skeptical that anything else could be done in time. Director Diekmann explained that they may see some small changes and gave the example of a kitchen remodel. He noted that the majority of the projects are geared to be worked on in the summer. Mr. Martin stated that the point he is trying to suggest is to set a date when the Council can anticipate no one is going to contact the City stating they have a major project coming down the pipeline in the next 3-4 years; after that is determined, the program could be closed. He pointed out that the Council would not take any formal action to close down the URA until January, but in the meantime, the Greek Houses would be contacted and notified that the URA is going to be repealed as of January 1, 2021, unless the City hears about a major project coming up. Council Member Junck stated if the Council had different fraternities or sororities coming forward by January 1, 2021, that would maybe change the end date. Mr. Martin stated they would look at the facts and then decide what to do. Director Diekmann mentioned that when he reached out to the Greek leadership, he did ask if there were any projects coming up in the next 2-3 years not five years. Council Member Gartin reminded the Council that when the students leave after Thanksgiving, they are not coming back until January 25, 2021, and this may cause some challenges with communication with the leadership. Ms. Junck commented that the Greek houses could be owned by a local corporation or a national housing corporation. She stated that the organization that she is a part of is owned nationally and the turnaround time could be different. Ms. Betcher commented that it is only September and they have time before November to get notifications out.

Moved by Martin, seconded by Beatty-Hansen, to pursue Option 1, which states that "new construction" would be eliminated for the tax abatement eligibility, plus a shutdown of the URA in April 2024.

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

Director Diekmann explained that the next steps will be to send out notifications to all the Greek houses. He stated that the next time the Council will see this item, there will be three actions; 1) amend the boundary of the district; 2) limit new construction as stated in Option 1; and, 3) set a sunset date of April 1, 2024.

Mayor Haila recessed the meeting at 8:43 p.m. and reconvened it at 8:48 p.m.

REMOTE PARKING AGREEMENT AT 700 DOUGLAS AVENUE: Planning and Housing Director Kelly Diekmann stated that this is a unique request for the Council. The Zoning Board of Adjustment (ZBA) approved a Variance at its June 10, 2020, meeting to allow for parking needed for 700 Douglas Avenue to be located off-site (remote parking) on the 708 Douglas site. The reason the Variance was even considered was because, at the time, the property owner was asking to convert one of the four apartments to guest lodging. Since the time of the approval for a Variance, the State has now changed the rules as to what short-term rentals or guest lodging is. The City can no longer apply different standards to short-term rentals than to any other residential use that is allowed in a structure. He explained that everything that was discussed in June 2020 is moot, but the property

owner did want to move forward and pursue the parking on the 700 Douglas Avenue property which would serve 708 and 700 Douglas Avenue. Staff is recommending approval based on the fact that the Variance was granted, and the Site Plan was able to meet all the design standards of the Zoning Ordinance. He pointed out that the Agreement, as presented, would have the parking be beneficial only for the 700 Douglas Avenue property, in its current configuration; it doesn't allow for redevelopment of the property. The subject sites are zoned RM with a Single-Family Conservation Overlay District, which allows for apartment, one-family, and two-family dwellings on existing lots; which are subject to development standards.

Mayor Haila asked how the properties were currently meeting the parking standards. Mr. Diekmann stated the properties are not; 708 Douglas Avenue could meet the parking standards, but 700 Douglas has no parking.

Council Member Betcher stated that one of the questions she had received from constituents, who live in Old Town, was how the remote parking would be compatible with the Historic District and the intent behind the conservation overlay to provide a more stable neighborhood. Director Diekmann explained that part of that question, staff can no longer ask per the State, but ZBA did grant a Special Use Permit stating it was compatible. From a design perspective, there aren't any criteria as to how much paving you can have in the rear yard. Mr. Diekmann mentioned that whether the Council approves the remote parking or not, what is proposed at 708 Douglas is approved on its own; it is just whether the residents of 700 Douglas Avenue have legal parking spaces on the 708 Douglas property.

Council Member Gartin wanted to know what would happen if the Council turned down the request for a Remote Parking Agreement specifically asking what options the property owner would have at 708 Douglas. Mr. Diekmann stated that the owner could still proceed with construction at 708 Douglas, as it meets all zoning standards and since they already have a Letter of Compliance from the City, but he is not sure what it would mean to the rental license in the future. He didn't think it would harm the property owner at all if the Council didn't approve the request, but he wasn't sure if it would change the conditions or not. Council Member Betcher wanted to know, if the Council turned down the request, would it in any way impede the guest lodging. Mr. Diekmann stated it would not due to the State law.

Council Member Martin stated that the Staff Report said that the applicant of the 700 Douglas property was unable to construct the required parking on the site. He wanted to know if that was because of setbacks and frontage. Director Diekmann explained that was correct as there was nowhere to put a parking lot. He showed a map of the two properties and pointed out where there was a big space that prohibited any parking.

Council Member Gartin stated with that the Council needs to have some flexibility with older developments.

Council Member Martin stated his concern that if no one can identify a negative consequence of not approving the agreement, he doesn't see why they should do it. He noted that if they agreed to the

Remote Parking Agreement the Council would need to think of this neighborhood in the future if another property wanted to do the same. Mr. Diekmann stated that normally the property owners would not be able to ask for a Remote Parking Agreement, but can do so because they were approved for a Variance from ZBA. Council Member Betcher commented that the Council is not bound by what the ZBA approved. Director Diekmann stated that a Variance can't be used to circumvent the Council's authority on a permit; staff was very clear about that.

Council Member Gartin asked for feedback on what happened during the ZBA process. Mr. Diekmann stated that ZBA had a combined discussion for both the Special Use Permit and the Variance. Staff had recommended denial of the Variance as staff didn't believe all the findings were met, but ZBA adopted their own facts and conclusions and decided that all the standards of the Variance had been met. ZBA felt that by not providing any parking on the site it was enough of a reason to allow the request to be approved as remote parking. He noted that he is summarizing as ZBA must make specific findings that are in a Decision and Order.

Mayor Haila opened public input. No one requested to speak, so he closed public input.

Council Member Gartin stated if the request for remote parking is denied would the tenants of 700 Douglas Avenue have to continue parking in the street or the gravel area on 708 Douglas Avenue. Mayor Haila asked what would prohibit the tenants of 700 Douglas from parking at 708 Douglas Avenue since the properties are owned by the same company. Mr. Diekmann stated you would have to prove it is resident parking and not a guest of 708 Douglas to give a citation, but it would be hard to prove. Mr. Diekmann is not sure how parking enforcement would respond to that type of complaint since it is on private property.

Council Member Betcher stated that right now 708 Douglas is gravel, and if approved, it would be a paved lot. Director Diekmann mentioned that the parking lot is buildable whether the Council approves it or not; the question is if the tenants of 700 Douglas may park on 708 Douglas Avenue.

Moved by Betcher, seconded by Beatty-Hansen, to approve Alternative 2, which is to deny the "Remote Parking Agreement" to provide the required six parking stalls at 708 Douglas Avenue for the apartment complex and Guest Lodging use at 700 Douglas Avenue.

Vote on Motion: 3-3. Voting Aye: Beatty-Hansen, Betcher, Martin. Voting Nay: Corrieri, Gartin, Junck. Motion failed.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 20-515 approving the "Remote Parking Agreement" to provide the required six parking stalls at 708 Douglas Avenue for the existing four-unit apartment complex at 700 Douglas Avenue.

Roll Call Vote: 5-1. Voting Aye: Beatty-Hansen, Corrieri, Gartin, Junck, Martin. Voting Nay: Betcher. Resolution declared carried.

ENERGY MANAGEMENT SERVICES: Mayor Haila mentioned that Electric Services Director Don Kom was available if there were any questions.

The Mayor opened public comment. It was closed when there was no one wishing to speak.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 20-516 approving the Asset Management Agreement/Pipeline Services for the Power Plant with Interstate Power & Light, of Madison, Wisconsin, from October 1, 2020, through September 30, 2023, with two additional one-year renewals in an amount not to exceed \$18,000, manage a) pipeline capacity under contract with Northern Natural Gas Company; b) natural gas supply from Macquarie, and c) scheduling/balancing natural gas and authorizing purchase of additional natural gas, plus delivery, as needed, an amount not to exceed \$300,000.

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

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 20-517 approving the North American Energy Standards Board Agreement with Interstate Power & Light (parent company).

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

Moved by Betcher, seconded by Martin, to adopt RESOLUTION NO. 20-518 approving North American Energy Standards Board Special Provisions Agreement with Interstate Power & Light.

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

HEARING ON AMENDMENTS TO FISCAL YEAR (FY) 2020/21 ADOPTED BUDGET FOR CARRY-OVERS FROM FY 2019/20: The Mayor opened public comment. There was no one wishing to speak.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 20-519 amending FY 2020/21 Budget for carry-over amounts from FY 2019/20.

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

HEARING ON VACATION OF ALL EASEMENTS OVER OUTLOT P, SUNSET RIDGE SUBDIVISION, 5TH ADDITION (5521 ALLERTON DRIVE): The public hearing was opened by the Mayor. He closed the hearing after no one asked to speak.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 20-520 vacating all easements over Outlot P, Sunset Ridge Subdivision, 5th Addition (5521 Allerton Drive).

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

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 20-521 approving the Final Plat for Sunset Ridge Subdivision, 10th Addition, with conditions.

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

HEARING ON 2018/19 SHARED USE PATH SYSTEM EXPANSION (TRAIL CONNECTION SOUTH OF LINCOLN WAY): The Mayor opened the public hearing and closed it after there was no one wishing to speak.

Moved by Beatty-Hansen, seconded by Corrieri, to adopt RESOLUTION NO. 20-522 approving the final plans and specifications and awarding a contract to Howrey Construction Inc., of Rockwell City, Iowa, in the amount of \$264,834.60, contingent upon receipt of Iowa DOT concurrence. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

ORDINANCE REZONING 2200 OAKWOOD ROAD FROM AGRICULTURAL (A) TO PLANNED RESIDENCE DEVELOPMENT (F-PRD): Moved by Corrieri, seconded by Junck, to pass on second reading an ordinance rezoning 2200 Oakwood Road from Agricultural (A) to Planned Residence Development (F-PRD). Roll Call Vote: 6-0. Motion declared carried unanimously.

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Mayor Haila stated that the first item was a memo from Keith Abraham, Parks and Recreation Director, in response to the Council's request about the possibility of the property located at 400 S. 4th Street being considered for the development of a park.

Council Member Corrieri inquired if anything needed to be done regarding the memo. The Council agreed to take the memo under advisement.

The second item was a letter from Linda Murken, Chair of the Story County Board of Supervisors, regarding the Ames Urban Fringe Plan Amendment and areas of primary importance to Story County, including a request to invite the City of Kelley and Boone County to become members.

City Manager Steve Schainker stated that staff will get to the Ames Urban Fringe Plan once they have finalized the Comprehensive Plan. Planning and Housing Director Kelly Diekmann mentioned that the Council took action to extend the 28E by a year, and at that time, he was told it was not going to be a Council priority to look into the Ames Urban Fringe Plan until 2021. He explained that he has communicated that information to the County. He felt that the Council should take this letter into consideration as to the issues that Story County is going to have. Mr. Schainker explained that the Council just needs to file the letter for a later discussion.

Mayor Haila asked to have Mr. Schainker send a letter responding to Linda Murken letting the County know that the City will not officially look into the Ames Urban Fringe Plan until 2021.

COUNCIL COMMENTS: Council Member Betcher reminded everyone that it was "National Register to Vote" day and she hoped that people would remember to register to vote. The League of Women Voters and the NAACP are working together to get people registered to vote. If anyone is wanting to help to let Council Member Betcher know.

Mayor Haila stated he had had the privilege of touring the Miracle Park on Saturday, and was impressed with the facility. He noted that on Thursday, September 24, 2020, at 5 p.m. would be the park dedication for the Tahira and Labh Hira Park will occur. Public Relations Officer Susan Gwiasda mentioned that the Park dedication has been rescheduled to the Spring. The Mayor also recognized Senator Ernst's office, who had been working with Housing Coordinator Vanessa Baker-Latimer to help get approval to use the CARES fund for citizens with a past due utility account. City Manager Steve Schainker stated that staff did get word today that the City can use the CARES funds to help pay for past-due City utility bills.

ADJOURNMENT: Moved by Corrieri to adjourn the meeting at 9:27 p.m.

Amy L. Colwell, Deputy City Clerk

John A. Haila, Mayor

Diane R. Voss, City Clerk