

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

MAY 12, 2020

CALL TO ORDER: Mayor John Haila called the Regular Meeting of the Ames City Council, which was being held electronically, to order at 6:00 p.m. with the following Council members participating: Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Rachel Junck, and David Martin. *Ex officio* Member Nicole Whitlock was also present.

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.

PROCLAMATION FOR “PEACE OFFICERS’ MEMORIAL DAY”: Mayor Haila proclaimed May 15, 2020, as “Peace Officers’ Memorial Day,” in honor of the federal, state, and municipal officers who have been killed or disabled in the line of duty. This is done in recognition of the service given by the men and women who, night and day, stand guard in our midst to protect us through enforcement of our laws. Police Commander Jason Tuttle thanked the Mayor and the Council for the Proclamation. The Police Department is thankful for the support of the community and honored to serve the City of Ames. It was mentioned that in 2015, staff was able to travel to Washington D.C. with Sergeant Howard Snider’s wife and daughter to celebrate his service. Sergeant Snider’s name has been inscribed on the National Law Enforcement Officers’ Memorial wall. Commander Tuttle commented that the Police Department is thankful for everything the community does to support the department and thankful for all the officers and their families for all they do to support the community.

PROCLAMATION FOR “NATIONAL PUBLIC WORKS WEEK,”: May 17 through May 23, 2020, was proclaimed as “National Public Works Week” by Mayor Haila. He urged all citizens to join with representatives of the American Public Works Association and government agencies in paying tribute to the public works professionals, engineers, managers, and employees, and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

CONSENT AGENDA: Mayor Haila requested to pull Item No. 8: Resolution approving appointment of *ex officio* student liaison to City Council for further discussion.

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

1. Motion approving Minutes of Special Meeting held April 21, 2020, and Regular Meeting held April 28, 2020
2. Motion approving Report of Change Orders for April 16 - 30, 2020
3. Motion approving new 12-month Class E Liquor License with Class C Beer Permit and Sunday Sales - HyVee Gas #5018, 636 Lincoln Way
4. Motion approving Class E Liquor Ownership Change for Walgreens #12108, 2719 Grand

- Avenue
5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Special Class C Liquor License with Outdoor Service - Octagon Center for the Arts, 427 Douglas Avenue
 - b. Class B Liquor License with Catering Privilege and Sunday Sales - Gateway Hotel and Conference Center, LLC, 2100 Green Hills Drive
 6. RESOLUTION NO. 20-225 approving the Police Department's application to and participation in the Department of Justice Bulletproof Vest Partnership Program
 7. RESOLUTION NO. 20-226 approving application for grant funding under 2020 Department of Justice Bureau of Justice Coronavirus Emergency Supplemental Funding Program and authorizing acceptance of Grant, should it be awarded
 8. RESOLUTION NO. 20-227 approving waiver of the City's Purchasing Policy requirement for formal bidding procedures and extension of engagement with Ahlers and Cooney, P. C., of Des Moines, Iowa, for legal services related to application of *Iowa Code* Chapter 20 in an amount not to exceed \$15,000
 9. RESOLUTION NO. 20-228 temporarily waiving requirements of Ames Municipal Code Section 26A.3(1)(b) to allow the President of the Iowa State University Student Government to appoint a Transit Board Trustee
 10. Extension of contract with Habitat for Humanity for the sale of 3305 Morningside Street:
 - a. RESOLUTION NO. 20-229 approving Second Amendment to Agreement between the City and Habitat for Humanity of Central Iowa, Inc., for purchase and new construction of property
 11. RESOLUTION NO. 20-230 renewing contract for FY 2020/21 Custodial Services for the Ames Public Library with ABM of Des Moines, Iowa, in the amount of \$90,509.40
 12. RESOLUTION NO. 20-231 approving renewal of contract for Professional Services for Power Plant Fire Risk Mitigation with Burns & McDonnell of Chesterfield, Missouri, in an amount not to exceed \$50,000
 13. RESOLUTION NO. 20-232 approving renewal of Emissions Testing Services contract with C.E.M. Solutions Inc., of Hernando, Florida, in an amount not to exceed \$33,000
 14. Specialized Wet Dry Vacuum, Hydro Blast, and Related Cleaning Services for the Power Plant:
 - a. RESOLUTION NO. 20-233 approving renewal of contract with HTH Companies, Inc., of Union, Missouri, for Specialized Wet Dry Vacuum, Hydro Blast, and Related Cleaning Services for the Power Plant in the amount not to exceed \$145,000
 - b. RESOLUTION NO. 20-234 approving contract and bond
 15. RESOLUTION NO. 20-235 approving contract and bond for Boiler Tube Spray Coating and Related Services and Supply
 16. RESOLUTION NO. 20-236 accepting completion of Chemical Storage Floor Repair for Electric Services
 17. RESOLUTION NO. 20-237 accepting completion of Unit No. 8 Boiler Feedwater Pump Repair
 18. RESOLUTION NO. 20-238 approving Final Plat for 1499 South Dayton Avenue (Wheelock

Corner Subdivision)

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

APPOINTMENT OF *EX OFFICIO* STUDENT LIAISON TO CITY COUNCIL: Mayor Haila mentioned that he had pulled this item to take a moment to thank *ex officio* Devyn Leeson for his time serving on the Council. He appreciated the efforts of *ex officio* Leeson with setting up the joint Student Government/Council meetings and his participation in the Council meetings. *Ex officio* Leeson stated that he appreciated the help of the Mayor and the Council and it had been an honor working with them. Mr. Leeson stated he hoped he was able to positively impact students with giving direction on the issues that students had experienced an interest. He is fully supportive of the new *ex officio* Nicole Whitlock and is excited to see what she can bring to the Council over the next year.

Mayor Haila commented that he would like to have Mr. Leeson come back to a City Council meeting so the Council can officially say good-bye when the Council is back in regular session.

Moved by Beatty-Hansen, seconded by Betcher, adopting RESOLUTION NO. 20-224 approving appointment of *ex officio* student liaison to City Council. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

PUBLIC FORUM: Troy Rutter, 2614 Melrose Avenue, Ames, explained that he wanted to thank the City Council. He is a member of the Ames Commission on the Arts (COTA), and at the last meeting there was a unanimous vote to approve the reimbursement for the agencies that were not able to draw down its funds for FY 2019/20. The funds were needed and appreciated by COTA and the rest of the agencies.

Terry Potter, 608 Douglas Avenue, Ames, stated he was calling on behalf of A Mid-Iowa Organizing Strategy (AMOS). They are aware that the State of Iowa received a block grant for \$1.2 billion and they have an interest in knowing what funds will come their way and asked if there has been any thought as to how the City will spend those funds. Mayor Haila asked Mr. Potter if he was aware of Item No. 30 on the Agenda, Mr. Potter noted that he was.

HEARING ON 2019/20 ASPHALT STREET PAVEMENT IMPROVEMENTS (14TH AND 15TH STREET): [CONTINUED FROM MARCH 24, 2020]: Municipal Engineer Tracy Warner stated that she and Engineer Dean Sayre were on the phone. She noted that staff started walking the neighborhood last fall to access the conditions of the street, curb, and infrastructure. It was common during that time for the residents to come out and talk with them and have an informal conversation. The formal process was started with a letter that went out to residents in January 2020, and was followed by a formal project informational meeting. The project informational meeting was an open house. Ms. Warner explained they had a large display board that showed the potential sidewalk infill at this location. Another board showed the pavement improvements. It was noted that 154 households (in the 14th and 15th Street area) were invited to the open house and had six people were

present at the meeting. At the open house, they discussed the construction phasing, scheduling, sidewalk infill, and improvements around the community. Staff brought the feedback received from the open house to the Council meeting on February 25, 2020. During the City Council meeting, staff was directed to achieve connectivity on a least one side of the street for both 14th and 15th Streets. After the City Council meeting, staff attempted door-to-door contact with residents to inform them of the additional sidewalk infill, the impact on the trees, and the proximity to the houses. Some residents wanted the infill to be as far away from the houses as possible, while others were in support of the infill. Of the 37 households, feedback was received from 17. An email that staff received today stated that in the Council Action Form, it stated that 11 homes were against the infill, but the email wanted to clarify that ten homes were against the infill, four were supporting the infill, and three were neutral. On March 24, 2020, City Council received the report of bids regarding the revised project and delayed the public hearing for the award of contract until May 12, 2020, to allow for additional public input.

Council Member Gartin inquired if it was possible to display a picture of the area that they are discussing to show the streets and sidewalks. Mr. Gartin asked if Ms. Warner could point out on the map the streets that are going to be impacted. He stated that they are going to be talking about two different topics tonight: the process and the substance, and wanted Ms. Warner to speak about the outreach on this project opposed to how outreach is done on other projects. Mayor Haila commented that Ms. Warner mentioned earlier the process staff had gone through and inquired what additional information Mr. Gartin wanted clarified. Mayor Haila stated that this item is to talk about awarding the base bid and Alternate 1 or just the base bid. He noted that the Council had received a lot of emails about the process, but would prefer not to talk about the process. The main discussion is whether the sidewalks will or will not be included in this project. Mr. Gartin explained that citizens have expressed a great deal of concern about the way the City does something. The Council can choose to ignore those concerns or address them, and he thought with the tension that this project has had it would be appropriate to give more information. Council Member Gartin commented that he thought the outreach that was done went above and beyond, but will defer to the Mayor's decision and withdraw his question. Mayor Haila explained that his primary concern is that they will get wrapped up in the discussion of the process and not move forward with discussing the project. Mayor Haila pointed out that he wanted to be very clear that any personal attacks on individuals will result in someone being muted.

Ms. Warner pointed out that the green lines on the map are the existing sidewalks while the orange lines are where the new sidewalk infill will go. On 14th and 15th Streets, the new sidewalk infill will be on the south side.

Council Member Betcher commented that she had one question regarding the 14th Street part of the project, as some people may be wondering why the City did not choose to complete the north side, which is where infill was done last year. She asked if Ms. Warner could briefly talk about that. Ms. Warner stated that if they did infill on the north side, it would have impacted a very large number of trees compared to the south side. With the input from the neighbors, looking at the trees, and vegetation, the connectivity on the south side made the most sense. Mayor Haila asked for Ms.

Warner to discuss the south side of 15th Street. Municipal Engineer Warner explained that there are a significant number of mature trees on a couple of the properties. She explained that connectivity was the goal and not necessarily a straight line, and pointed out that on 14th Street, the sidewalk is more off the curb than the property line. Ms. Warner pointed out the new sidewalks on 14th and 15th Street and said that staff tried to move the sidewalks to maximize the property.

Mayor Haila asked Ms. Warner to comment on how the outreach process was different for this project opposed to other projects. Ms. Warner noted that the process was basically the same. There were a lot more questions and emails regarding this project. Mayor Haila wanted to clarify what the standard protocol is for installing sidewalks in neighborhoods. It was noted that the goal is always connectivity.

Mayor Haila declared to continue the hearing that was opened on March 24, 2020, and opened public comment. The Council had received a lot of emails from citizens and there has been an ongoing dialog with some people. He wanted to let the public know that they are welcome to offer input, but the Council wants to understand their reasons for or against the project. He noted that the majority of the comments have been about the sidewalks and not the actual street work. In the event there are personal attacks against anyone; the person will be muted and not able to finish speaking.

Robert Folkmann, 1326 Burnett Avenue, Ames, stated that from Burnett to Kellogg there are not even ten people a day who use the street. Mr. Folkmann explained that he is opposed to the sidewalks as it will increase his snow shoveling and the sidewalk will be closer to the curb. He noted that he would also lose a tree and would prefer a shared street option. Mr. Folkmann mentioned there is not a lot of traffic on the street except the homeowners who go into the alley to their garage. He felt it would be a waste of money to put in the sidewalks as there is nowhere for anyone to go.

Merlin Pfannkuch, 1424 Kellogg Avenue, Ames, stated that half of his comments are regarding the process and the other half policy. He didn't understand why the Mayor wanted to compare how outreach was done for this project compared to previous outreach. Mr. Pfannkuch noted the Council Action Form clearly stated that this is the first project that is being analyzed under the Complete Streets Plan. He stated the Complete Streets Plan outlines a good procedure, but once again the City is not following the Plan. The Complete Streets Plan sets up a procedure where a project like this one is discussed by a committee before going to the Council. He thought that process would have helped with this project. Mr. Pfannkuch mentioned that having sidewalks will forever change their neighborhood, and he would like that to be considered. He spoke about the fact that only half of the Council came out to tour the neighborhood, and he also noted that when Council Members Betcher, Beatty-Hansen, and Corrieri came out and did a wheelchair tour, it came very close to pushing the Open Meetings Law. Only one other Council member would have to be convinced if they had discussed the need for connectivity at that point. It was still confusing to Mr. Pfannkuch as to why the City Council would vote for the sidewalks when staff did not recommend sidewalks back in February. He noted that 14 intersections are in the area and no one will ever use the sidewalks. Mr. Pfannkuch stated the street is safe for a motorized wheelchair, and there are numerous other sidewalks that need repaired. He would prefer the funds to be used for those. He asked that the

Council withdrawal the sidewalks from this project.

Council Member Betcher asked to clarify what Mr. Pfannkuch said about the Council doing the wheelchair walk. She explained that Council Member Beatty-Hansen, Corrieri, and she did not do the wheelchair walk at the same time, and they did not talk to each other about it.

Brett McLain, 1431 Douglas Avenue, Ames, stated he lives on the corner of Douglas and 15th Street. He explained that on the blueprints it looked like the sidewalk was going to go around a tree. Mr. McLain mentioned he wanted to thank the Council for taking the time to talk with him and for coming out to the neighborhood. He felt that the conversations with the community were one of the last things being done for this project when it should have been the first. Mr. McLain stated that the sidewalk location, from his understanding, is six feet from the curb to the houses, which would cause a snow removal issue. The snow is going to land right on the sidewalk as there are zero barriers, and plows will push the snow right onto the sidewalks. He believed this will be a big problem for the residents of the neighborhood. Mr. McLain commented that he is opposed to having the sidewalks and opposed that the neighborhood got to provide their input last. Mayor Haila asked for clarification on Mr. McLain's earlier question. Mr. McLain stated his question was about where the sidewalk was going as it showed it curved.

Municipal Engineer Warner explained that when staff was in the area, they did talk with the McLains, and they had a strong preference to have the sidewalks be as far away from their house as possible, even if it meant removing a tree. The plan does go along the backup curb, removes the tree, and then it will need to jut at the intersection to meet up with the intersection. Regarding the sidewalk being close to the curb, it had previously been done in the North Dakota area and a few other areas of the city.

Council Member Beatty-Hansen stated she understands the arguments for this neighborhood, but the need to have sidewalks where there are not currently any is a broader issue, and this is about having connected routes in the transportation system. She anticipated that any time the City wants to add sidewalks where there currently aren't any, people will not like that. The concern for snow removal is understandable as she must deal with it herself. Her concern is about the transportation system in general and the benefit to the network being made outweighs the cons. Ms. Beatty-Hansen pointed out that the Council has been going after sidewalk gaps without any problems. She would love to have a prioritized list of sidewalk gaps and have the Council go after them.

Council Member Betcher explained that she would agree with Council Member Beatty-Hansen about the transportation network. She noted that she will not elaborate much as there is a lengthy email from her in the Council packet that explains her rationale. Ms. Betcher noted that one of their new Council values is inclusivity, and creating accessible pathways is one of the means to make the community more inclusive. She hesitated to state that everything had been done perfectly during the process, but thought the process had been followed in the way it should have been followed. There had not been any lack of access to the Council Members as they have received a lot of emails regarding both sides of the issues. Ms. Betcher commented that the Council should return to the

Complete Streets Plan and look at the 22% of the project rule, but she does not see that pertains to this vote. She is sympathetic to the neighborhood, but was voted into office to try and make good decisions for the community, and sometimes what she believes is good for the community may not be viewed as good for one or two streets or a smaller neighborhood within a community.

Mayor Haila asked Ms. Warner to comment on the Complete Streets Plan and what it entails. Ms. Warner noted that Traffic Engineer Damion Pregitzer was on the line and could address the Complete Streets Plan.

Traffic Engineer Pregitzer stated that the Complete Streets Plan was adopted last year. This project is one of the first projects where they have been able to apply the Plan. He noted that one of the things he had heard about during the 14th and 15th Street process is that some people look at the Plan and try to apply it as if it was a hard-ridged standard. Mr. Pregitzer explained that one of the right context ways to look at the Plan is as a framework to discuss mobile priorities on the street. Originally the plan for 14th and 15th Street was to apply sidewalks to both sides of the street. During discussions to figure out what to comprise and find a middle ground, staff came up with the plan that is being presented. He stated, when looking at the Complete Streets Plan, the best thing regarding the process was that staff followed the process to find out what was missing from the street and how to make incremental improvements. Mr. Pregitzer explained they need about two to three construction seasons or more before they can make amendments to the Complete Streets Plan.

Mayor Haila pointed out to the Council that the award amount on the Agenda was incorrect as it was listed as \$774,662 when it should have been \$774,662.19.

Moved by Beatty-Hansen, seconded by Corrieri, to adopt RESOLUTION NO. 20-239 approving the final plans and specifications and awarding the 2019/20 Asphalt Street Pavement Improvements (14th Street and 15th Street) project contract to Manatt's Inc., of Ames, Iowa, in the amount of \$774,662.19.

Council Member Martin stated that a lot of what had been said resonated with him, and he understands that having this kind of change right next to your property is challenging and hard. He is sympathetic, but his decision is being driven as much by the people who might live in this area 50 years from now.

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

HEARING ON STEAM TURBINE NO. 8 PARTS PROCUREMENT: The Mayor opened the public hearing and closed it after there was no one wishing to speak. Moved by Betcher, seconded by Corrieri, to accept the report of bids and delay the award for the Steam Turbine No. 8 Parts Procurement. Vote on Motion: 6-0. Motion declared carried unanimously.

HEARING ON 2019-20 MULTI-MODAL ROADWAY IMPROVEMENTS: The public hearing

was opened by the Mayor. He closed the hearing after no one asked to speak.

Moved by Beatty-Hansen, seconded by Betcher, to adopt RESOLUTION NO. 20-240 approving the final plans and specifications and awarding a contract to Iowa Plains Signing, of Slater, Iowa, in the amount of \$244,105.80.

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

HEARING REGARDING VACATING INGRESS-EGRESS EASEMENT AT 2500 SE 16TH STREET: Mayor Haila declared the public hearing opened. He declared it closed after there wasn't anyone wishing to speak.

Moved by Martin, seconded by Betcher, to adopt RESOLUTION NO. 20-241 approving the vacation of an Ingress-Egress Easement at 2500 SE 16th Street.

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

HEARING REGARDING VACATING STORM WATER RETENTION EASEMENT ACROSS PORTIONS OF 2ND, 3RD, 4TH, AND 5TH ADDITIONS OF DAYTON PARK SUBDIVISION: The Mayor opened the public hearing and closed it after there was no one wishing to speak.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 20-242 approving the vacation of the storm water retention easement across portions of the 2nd, 3rd, 4th, and 5th Additions of Dayton Park Subdivision.

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

HEARING REGARDING EXTENSION OF INDUSTRIAL TAX EXEMPTION ORDINANCE: City Attorney Mark Lambert stated that the Ordinance had been adopted numerous times and this hearing is to renew the Ordinance for another ten years.

The public hearing was opened by the Mayor. He closed the hearing after no one asked to speak.

Moved by Betcher, seconded by Corrieri, approving the first passage of an ordinance extending the Industrial Tax Exemption Ordinance until 2030. Roll Call Vote: 6-0. Motion declared carried unanimously.

HEARING ON ZONING TEXT AMENDMENT RELATING TO TRASH AND RECYCLING COLLECTION AREAS IN COMMERCIAL ZONES: Mayor Haila declared the public hearing opened. He declared it closed after there wasn't anyone wishing to speak.

Moved by Betcher, seconded by Beatty-Hansen, to pass on first reading an ordinance relating to trash

and recycling collection areas in Commercial Zones. Roll Call Vote: 6-0. Motion declared carried unanimously.

KINGSBURY'S SUBDIVISION, THIRD ADDITION (315 SE 3RD STREET): Planning and Housing Director Kelly Diekmann noted that on the Council Action Form it stated that staff was waiting on receiving signed documents. He explained those documents have now been received.

Moved by Martin, seconded by Gartin, adopting RESOLUTION NO. 20-243 approving the Development Agreement related to dedication of right-of-way and future street improvements. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Martin, seconded by Corrieri, adopting RESOLUTION NO. 20-244 approving the waiver of construction of SE 3rd Street paving and storm sewer improvements. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Martin, seconded by Corrieri, adopting RESOLUTION NO. 20-245 approving the Final Plat for Kingsbury's Subdivision, Third Addition (315 SE 3rd Street). Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

SECOND SUBSTANTIAL AMENDMENT TO CDBG 2019/20 ANNUAL ACTION PLAN: Housing Coordinator Vanessa Baker-Latimer stated this item is authorizing her to draft a Second Amendment to the Annual Action Plan regarding the City receiving COVID-19 money through the CARES Act. The City received a special allocation of Community Development Block Grant (CDBG-CV) funds in the amount of \$354,515. The funds came before any guidelines were put in place. On April 9, 2020, she received direction from the Department of Housing and Urban Development (HUD) to proceed with amending the current Action Plan. Some waivers were applied to the funding, and one of those was to reduce the comment period from 30 days to five days. Another waiver was to remove the 50% cap on public services; normally they couldn't spend more than 50% of the allocation on public service. No further guidance has been received from HUD.

Ms. Baker-Latimer stated that they started the process by having a five-day public comment period. Ads were run in the newspaper, social media posts were done, emails were sent out to a lot of the public, Zoom meetings were held with Human Service agencies, meetings with lenders, spoke with landlords, and she had reached out to Mary Greeley Medical Center and McFarland Clinic. She commented that she tried to reach out to as many people as she could due to the short comment period. It was pointed out that Attachment 3 in the Council Action Form showed all the comments that were received. One major caveat to the CDBG-CV funds is that Ms. Baker-Latimer will need to create a Duplication of Benefits (DOB) policy. Although HUD has not finished defining what DOB will mean, staff has received some guidance stating they can't duplicate other federal, state, or local funding that may go towards the same type of activities. The City of Ames, other

entitlements in Iowa, and the State are working together to create some guidelines to help create a policy that would hopefully meet the guidance they have not yet received. It was noted that the CDBG-CV fund will be heavily audited regarding the DOB and how funds are being distributed and determined.

Staff is proposing to utilize the CDBG-CV funding to accomplish two programs: 1) COVID-19 Renters Relief Assistance (Rent, Utilities), the guidelines for the income level is still at 80% or below, and 2) COVID-19 Homeowners Relief Assistance (Mortgage, Utilities). Ms. Baker-Latimer stated that the Renters' Program is something the City has done in the past, and she is trying to stay in the same parameters for that program. The Homeowners Relief Assistance has not been done before by the City, but they have done something similar when they helped homeowners with down payments or closing costs. It was mentioned that June 9, 2020, will be the date of the public hearing. Nothing has been finalized, but in order to stay ahead of the curve, she asked the Council to approve the Amendment.

Council Member Gartin wanted to know why Ms. Baker-Latimer sensed the needed relief for renters and homeowners. Ms. Baker-Latimer stated when speaking with landlords and several agencies there have been several people who have lost their jobs and some that qualified for unemployment and some who did not qualify. Landlords are concerned about tenants getting behind on rent; there had been a moratorium placed on evictions for renters and homeowners. The process is stacking up for people who don't have any resources. When speaking with utility companies, they are starting to see an increase in unpaid utility bills.

Housing Coordinator Baker-Latimer wanted to point out that there is a lot of funding that will be coming out for COVID-19 Cares Act. One program that the Ames Human Services agencies will be eligible for is the Emergency Shelter Grant; where \$9.5 million will be available to the State of Iowa. Emergency Shelter will be one program that she will have to look at to avoid Duplication of Benefits on the CDBG side.

Mayor Haila stated that they had a comment earlier from Terry Potter with A Mid-Iowa Organizing Strategy (AMOS), and wanted to know if AMOS had been in contract with Ms. Baker-Latimer. Ms. Baker-Latimer stated that Mr. Potter was referring to an email that she had received about Congress setting aside around \$5 billion for the CARES Act, and this is going to be rolled out in three rounds. The first round was the CDBG funds and the second round will be coming out soon; which will be about \$1 billion in funds that are going to be directly sent to the State. The State gets the option to allocate the funds to either the non-entitlement communities, or the entitlement communities, with approval from HUD. The State of Iowa received \$9.5 million under the second round of funding. At this time it is unknown how the State will distribute the funds. The second round of funding will be to help with public health needs, economic housing and market disruptions, and the risk of transmission of COVID-19.

Mayor Haila inquired in Alternative 1 of the Staff Report if there would be any additional public input besides the June 9, 2020, public hearing. Ms. Baker-Latimer explained that she will draft what

the program guidelines will look like and the eligibility criteria, it will then go out for the five-day public comment period, and then the public hearing will be held on June 9, 2020. She commented that there will be more time for public comment, and she may have to ask for an extension depending on when the guidelines are given.

Mayor Haila commented that the funds were split 50/50 between the Renters and Homeowners Relief Assistance. He wanted to know if this was based on what Ms. Baker-Latimer had seen as an equal need. She noted that it is the anticipated need, but if there were funds left over from either side, they may be able to reallocate the money. Housing Coordinator Baker-Latimer stated she would need to find out if the funds were not utilized what the process for her would be. Mayor Haila asked if the Council would be locked into the two programs being recommended tonight. Ms. Baker-Latimer stated they would not be until the public hearing on June 9, 2020.

Moved by Corrieri, seconded by Gartin, to adopt RESOLUTION NO. 20-246 setting the date of June 9, 2020, as the date of public hearing.

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. 20-249 directing staff to draft a Second Substantial Amendment to the City's CDBG 219-20 Annual Action Plan to incorporate a special allocation of CDBG CARES Act funding in the amount of \$354,515 to implement a COVID-19 Renters Relief Assistance Program (Rent, Utilities) and a COVID-19 Homeowners Relief Program (Mortgage, Utilities).

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

REVISIONS TO THE SMART ENERGY REBATE PROGRAM: Energy Services Coordinator Kayley Barrios-Lain commented that she was available to answer any questions.

Mayor Haila stated that in the Council Action Form, it notes that one of the concerns for the electric vehicle charging is that the City doesn't want to encourage citizens to be driving home and charging their vehicles at a peak part of the day. He inquired about the proposed charger rebate amount and had two questions: 1) is the charger required to be programmable and 2) is the rebate amount low compared to other cities.

Ms. Barrios-Lain was disconnected from the meeting.

Mayor Haila recessed the meeting at 7:44 p.m., and reconvened it at 7:50 p.m.

Ms. Barrios-Lain rejoined the meeting and explained that the charge must be programmable to receive the rebate, but most of the Level 2 chargers are programmable. She mentioned that in the last Electric Utility Operations Review & Advisory Board (EUORAB) meeting, it was agreed to increase the rebate amount to \$250, and in the Council Action Form, it should have been listed as \$250.

Council Member Gartin stated that this Council is very interested in improving the global climate footprint and greenhouse gases, etc., and wanted to know if Ms. Barrios -Lain had a sense of what impact this program may have on lowering the carbon footprint. Ms. Barrios-Lain stated that the important data point to the question is the emissions factor of the electricity that they are currently serving to the customers, and that staff is currently working on calculating in the greenhouse gas inventory. They only have preliminary numbers right now. They do know that the emissions from an electric vehicle are lower than the emissions from a gasoline vehicle, but they are trying to calculate how much more.

Mayor Haila opened public input, and when no one spoke up, public input was closed.

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 20-247 approving the revisions to the Smart Energy Rebate Program, as corrected.

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

ALTERNATE BIKE ROUTES FOR 2019/20 ARTERIAL STREET PAVEMENT IMPROVEMENTS (13TH STREET FROM WILSON AVENUE TO DUFF AVENUE): Council Member Beatty-Hansen explained that an email was received about the potential of putting paint on the alternative routes (9th and 16th Street) and wanted to know if this was listed in part of the plan somewhere. Public Works Director John Joiner stated that may be done in the future, but at this time staff is just trying to find alternate routes. Staff will be doing signage and pavement marking, where appropriate, to designate the streets indicating that motorists and bicyclists should share the street. Due to all the on-street parking on the majority of the streets, staff is going with the shared facilities, rather than removing on-street parking. Council Member Beatty-Hansen inquired about the timeframe of when the larger decisions will be made or considered, i.e., removal of on-street parking. Director Joiner stated that the streets in the report were identified in the Long-Range Plan to be shared facilities, rather than to have a dedicated on-street bike lane facility. Following that guidance, they will see if it works well and then it will be by future Council direction or the Long-Range Plan.

Council Member Gartin stated that staff has worked with the Ames Bicycle Coalition (ABC), and wanted to know how staff had interfaced with ABC as part of the decision-making matrix. Mr. Joiner explained they try to stay in regular communication with ABC, and on this project, staff met with three representatives in person, before COVID-19, but have continued to have virtual meetings. ABC was supportive in designating 9th and 16th Street as alternative parallel routes.

Council Member Martin mentioned he noticed that part of the bike path goes through the cemetery and inquired if it would be permissible to use the path at night or whether the cemetery closes at times. Director Joiner commented that the main route to get from 9th Street to 13th Street will likely be Maxwell Avenue. There is a potential to meander through the northern part of the cemetery to connect to 13th Street, but right now, staff is looking at Maxwell. Mr. Joiner noted that staff realizes that once Maxwell does reach 13th Street, there is a two-block gap. They want to give citizens coming from the south a route to try to get to the 13th Street area. Council Member Martin questioned

whether the path going through the cemetery is currently a possible path. John Joiner verified that was correct.

Mayor Haila opened public comment.

Kelly Welch-Wingate, 1117 Wilson Avenue, Ames, explained that she did send an email yesterday and appreciated the Council asking her questions and getting the answers. She noted that overall she believes it made sense to do the diversion from 13th Street and doesn't think many cyclists would be comfortable with bike lanes on 13th Street with the speed of traffic. Ms. Welch-Wingate stated there was supposed to be allocated a specific bicycle facility on 13th Street and using some markings and signage to designate an alternate path. If you think about what is coming on 13th Street by the pool there are very nice wide off-road facilities that parents might let their kids go on, but then you get to Northwestern and you would not want to bring your child along this path with all the parked cars on the road and at certain times of the day, is a lot of traffic. She noted that 9th Street from Northwestern over to Grand Avenue is very nice and doesn't have a lot of traffic. It was noted that the section between Grand Avenue and Duff Avenue is similar to Northwestern: the parked cars don't poke out into the road, but the lanes are narrow. The other side of Duff Avenue is a good road for shared use, but the route going from Maxwell to 13th Street you come to a dead end. Ms. Welch-Wingate mentioned that going through the cemetery would be okay, but not sure if the community would appreciate having a bike path going through where their loved ones are buried. The section by the maintenance facility is gravel. She wanted to make sure everyone was aware of her concerns with the route. She understands the rationale behind it, but hopes a more specific bike facility could be found to be comfortable for all cyclists.

Moved by Gartin, seconded by Betcher, adopting RESOLUTION NO. 20-248 approving the alternate bike routes for the 2019/20 Arterial Street Pavement Improvements (13th Street from Wilson Avenue to Duff Avenue).

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

EVENTS, FACILITIES, AND SERVICE CLOSURES RELATED TO COVID-19: Assistant City Manager Brian Phillips stated that the Council is being asked to evaluate a very complex and difficult set of policy decisions surrounding whether and how to restart City activities. Mr. Phillips explained that for the past two months City facilities have been closed to the public and events on City streets have been curtailed or suspended completely, and many City programs have been halted. Staff is seeking direction from the Council as to whether any of the previously stated activities should resume now or in the coming months. Mr. Phillips mentioned that the State had imposed many public health restrictions on activities, and it is important to emphasize that the questions for the Council tonight do not involve the activities of private businesses, instead the Council is being asked about the City's own operations and activities on City property.

According to Mr. Phillips, there is a lot of material in the Staff Report; ultimately there are a couple of different ways the City could approach the topics. The Council could make a broad statement that

all City facilities remain closed and City programs remain halted through the staff recommended date of July 1, 2020. Events on City property would be prohibited through the remainder of the summer through September 1, 2020. Mr. Phillips mentioned that the Council might decide that the broad approach is too blunt and explained another way to look at the Staff Report would be to look at each facility, each event, and each program, one by one, and come up with a way to evaluate whether it should proceed. He noted that if the Council wanted to go with the second approach, the first question would be if the Council agreed with the evaluation criteria that staff had put together. The second question would be if the Council agreed with staff's conclusion for the facilities, events, and programs. The third question to consider in the future for all the other facilities, programs, and activities is whether the Council would like to consider how to evaluate each of them or delegate them to staff to review and decide. Assistant City Manager Phillips explained that whether the Council decides to take the broad approach or the issue-by-issue approach, staff's analysis shows the conclusions would be the same.

Mr. Phillips noted that whatever the Council decides, staff does feel strongly about two specific principles. One is that City facilities are not ready to re-open to the public on May 15, 2020. It was explained that more time is needed to get equipment and supplies in place, and tours of City facilities are too risky at this time to start any time soon, and staff recommends those activities be suspended to even the possibility of the end of this calendar year. The other important principle to emphasize is that if the Council wants to open programs and activities on City property; there may be additional restrictions or conditions that would be applied in exchange for approving an event. He mentioned that staff would prefer the Council not rely on City staff, particularly the Police Department, to enforce those decisions. Mr. Phillips explained that they don't want to place staff in the position where they would be having unnecessary increased contact with the public to do enforcement. Mr. Phillips stated it is hard to make a decision, but another concern on staff's mind is the impact on the status of the virus in the community. If Ames has an outbreak over the summer, it could play a major role on ISU students coming back, and could affect if students even decide to come to ISU even if the University is able to be open. Mr. Phillips stated because of the University and how it could affect the community, staff is taking a cautious approach.

Council Member Gartin asked for Mr. Phillips to provide any input received from ISU on this issue and bringing half the town of Ames back. Mr. Gartin commented that he was very concerned, and the issue of complexity could not be understated. He noted that he has had people emailing him that the virus is a hoax while others are thinking the sky is falling. Council Member Gartin would like to specifically look at the ISU component, as the Council needs to be sensitive to their partners on Campus. Mr. Phillips stated they had not talked to ISU about their thoughts on City Hall re-opening, City facilities re-opening, or events on City property, but have talked to ISU about evaluating the possibility of re-opening. One specific area that staff had spoken to ISU about was the 4th of July fireworks, as this is the next big event on the horizon. There are a lot of people that utilize ISU property to view the fireworks, and this is not by invitation. Assistant City Manager Phillips mentioned that he had spoken with ISU and the Ames Community Visitors Bureau (ACVB) about whether it might be possible to have the event safely and successfully. The concern from ISU is the fireworks creates a lot of contact between ISU Police and the public. People in the parking lot turn

it into a tailgating atmosphere that generates calls for service. ISU's focus is to do everything possible to resume classes in the fall, and if this doesn't happen, it will have a huge impact on the community. When looking at what options the Council has, there are negative impacts to tightening down events, not having events, and limiting customer service opportunities as it would cause a less enriching environment, but economically it might be as significant. If all the closures can help get the community to the fall and have ISU resume classes normally, staff feels it may be worth it to proceed.

Council Member Betcher questioned the fitness facilities and the pool etc. She noticed that when going through the data from the survey that was taken, it didn't seem like there was a real outcry to open most things, it was almost 50/50 to open or stay close. Ms. Betcher asked if there was anything in the Parks and Recreation data that indicated a strong push to re-open. Parks & Recreation Director Keith Abraham stated that when looking at the data, the Aquatics Center was one of the areas that indicated they would like to re-open, but overall, he had not received a lot of comments, emails, or phone calls pushing to re-open. He noted that some facilities would like to re-open and one of them would be the Ice Arena as people have been calling to book ice time. Mr. Abraham explained that there are some people who want the facilities to re-open right away while there are others that are being more cautious. From a programming standpoint, there were more no's than yes's to opening right away. If some of the precautions were put in place, it is uncertain if those people would really come back. There are still a lot of unknowns, and staff is still waiting for more information from the Centers for Disease Control and Prevention (CDC), the Iowa Department of Public Health (IDPH), USA Softball, and US Rink Association.

Council Member Betcher mentioned that in looking at the criteria, one of them struck her as being more relevant to the Parks & Recreation facility. She noted that there was not a question about shared equipment or the potential for the "high-touch spots;" this would be a significant question for the Parks & Recreation department. Mr. Abraham explained that one of the criteria is what precautions are in place..He noted that is a focal point in all their conversations, and that is one of the things that concerns staff the most. At the Aquatic Center, the CDC has come out with some information, and all equipment after a single use should be cleaned, and there is no way staff could clean the inner tubes after each use. They need to have restrooms and locker rooms open, but there are a lot of "high touch points" in those areas. Director Abraham mentioned that with fitness classes staff is discussing the use of mats and not providing them anymore; everyone would need to bring their own. A downside to having people bring their own mats is the equity for some of the disadvantaged families or youth who are unable to obtain the equipment themselves. Mayor Haila noted that even bringing in your own equipment, it could mean that it has not been disinfected before being brought into the facility. Mr. Phillips stated that when they were looking at the programs, they also considered if there was enough staff necessary to dedicate to regular cleaning. Assistant City Manager Phillips mentioned it would be tough to make a blanket determination about all Parks and Recreation programs, as each one is different.

Council Member Corrieri wanted to know if Mr. Phillips had done any digging into the City's ability to get Personal Protective Equipment (PPE), cleaning supplies, and thermometers, and looking at

the burn rate as to how those items are used. She noted at her organization, they are considered healthcare, and they are having an incredibly hard time obtaining any PPE and sanitizing supplies, and what they do have, they go through at an enormous rate. Mr. Phillips explained that they have had a hard time obtaining thermometers for City staff to use. He didn't believe that they would be able to obtain masks in a sufficient quantity to be able to hand out to participants; they have been focused on getting masks for City staff so they can interact with each other in an office.

Council Member Martin mentioned that he was very impressed with the Staff Report and has a lot of confidence in the way the staff is approaching the issue. He stated that the Farmers' Market is different from everything else that is being presented, and he would like to discuss that topic separately.

Mayor Haila opened public input.

Taylor Carlson, 1809 Northwestern Avenue, Ames, explained that she appreciates what Mr. Phillips and the rest of the Council are considering. The recommended facility closures until July 1, 2020, helps put her mind at ease. She understands Mr. Martin's concern over the Farmers' Market. Ms. Carlson stated that the more they get into the "nitty gritty," the more people in the community will say "if it is okay to do this one thing, it will be okay to do the other things" and it might be an issue. She noted that people are not adhering to the government regulations for social distancing. Ms. Carlson mentioned that she works at the Des Moines Area Community College (DMACC), and they are already preparing for blended, if not partially online, courses for the fall, due to another possible outbreak. She believed other counties, schools, and towns will follow Ames example. Ms. Carlson stated she agrees with total City closure until July.

Michael Gorman, 125 S. Hazel Avenue, Ames, stated that he would like to have a separate discussion about the Farmers' Market. From a vendor's perspective, there is a vast number of concerns that range from whether or not the Council's concern is liability to the City or if the safety of patrons or vendors. Now it is the capability of the market as an entity to control a safe perimeter and be able to conduct itself without being a burden to City staff. The concern from a vendor perspective would be what are the biggest concerns and to get those answered.

Joe Weyers, 1210 28th Street, Ames, commented that he appreciated the conversation the Council is having and agreed with the recommendation to wait until July 1 to re-open; however, he wanted to discuss the Ice Arena. He noted that the Ice Arena is different than all other facilities, especially for the hockey players and figure skaters. Mr. Weyers explained that there is very little touching and both hockey players and figure skaters wear gloves. He recommended re-opening the Ice Arena.

Rodney Shnittjer, 2857 Little Wall Lake, Jewell, stated he and his wife are vendors at the Farmers' Market. He noted that his two teenage daughters are also vendors in a separate booth. The point he wanted to make was that the livelihoods of his own family and a lot of local farmers depend on being able to vend. Mr. Shnittjer explained that one thing they need to keep in mind is the issue of choice. He believed that the residents of Ames should be able to have the ability to make a choice on where

they buy their food. Everyday there are shoppers in Walmart, Target, Wheatsfield, etc., and it is no different than the Farmers' Market. The only difference is that the Farmers' Market is outdoors.

Deanna Maifield, 2226 Cottonwood Road, Ames, stated that she is the president of the Ames Figure Skate club, and her comments will be about the Ice Arena. She noted that whatever the Council chooses they would respect its decision and value the safety of the community. Ms. Maifield had been looking at other arenas in the Midwest and what policies they have been using as they are starting to re-open their facilities. If the City is able to open the Ice Arena, they would be very happy to work with staff to work on possible modified ice rental scenarios with a limited number of skaters.

Joshua Dobbs, 106 7th Street, Ames, explained that his wife is concerned about the pool re-opening, and would like to see it re-open, but done in a safe manner. He mentioned that if City Hall was to remain closed, he would not have any way to pay their electric bill online. Mr. Dobbs also questioned if the Library would be having a phased opening. Mayor Haila explained they will be discussing the Library after public comment.

Mayor Haila closed public comment.

Mayor Haila asked for staff to address Mr. Dobbs' concern about paying their utility bill. Mr. Phillips stated that if a customer is unable to pay their bill online, there is a drop box outside of City Hall where utility payments could be dropped off. If there was a circumstance where special arrangements needed to be made or more details are needed, the customer can call Utility Customer Services at 515-239-5120 for further help.

City Manager Steve Schainker stated he wanted to start the discussion about opening the major offices to the public, and as stated earlier, staff doesn't believe they have the necessary equipment in place in order to open City offices. City offices would be City Hall, Parks and Recreation office, utility offices, animal control operations, library, and all the other facilities. Mr. Schainker stated that staff needs at least until July 1 to have safety precautions in order and may need to extend that. He reminded the Council that the City is still offering their services and will continue to do so through Zoom meetings, drop boxes, etc. As far as the Library, it will be closed until July 1; however, staff is working on a program to offer pick-ups and drop-offs that will take place in the front of the Library. It was recommended for Parks and Recreation facilities to allow administrative discretion on opening to the public certain programs; excluding the Ice Arena and Furman Aquatic Center.

On the Ice Arena and Furman Aquatic Center there would be challenges regarding staffing and requirements that would prohibit staff from doing a lot of things in regard to training staff, and having staff available. Mr. Schainker stated that it would take at least three weeks to get staff hired and trained if not longer, and he isn't sure that the City would be able to pull it off by July 1. He explained that even though he is giving all the information, the Governor has not lifted the restriction of ten people or fewer and there are still a lot of unknowns. It was noted that the Council could save staff a lot of trouble if they said they were not going to open the Furman Aquatics Center for the rest of the year, but he isn't sure if the Council would want to do that without further information. More

information could be brought to the Council once it is received, but a decision will need to be made soon as it could become a short season.

The Ice Arena has a lot of space, but can't guarantee the appropriate social distancing. Mr. Schainker stated he doesn't want to put people in the position where they will have to actively enforce and remove people who are not adhering to the guidelines. It was noted that it would be hard to enforce social distancing. Mayor Haila inquired about what would be done with the showers, restrooms, and locker rooms as every time it is used it has to be sanitized. Mr. Abraham explained that some cities have the participants getting dressed in their cars or come to the Ice Arena already dressed and then as soon as their practice is done, they immediately go back to their cars and don't utilize the locker rooms. If the locker rooms were to be utilized, it would be assigned to different teams and then will be cleaned and sanitized when done. He mentioned that if multiple people were showering, it would not be possible to sanitize the showers right after each person showers. Public skating would not be offered. Regarding ice time, Mr. Abraham believed they would be able to open, but a few items would still need to be addressed regarding high-touch areas. Of all the Parks and Recreation facilities, the Ice Arena would be the easiest one to re-open, but not without some challenges. Mr. Abraham stated that people are not looking to have hockey games, but more skill-training.

Council Member Betcher inquired if ISU had anything to say about the Ice Arena. Mr. Abraham mentioned that staff has had conversations with ISU, but the City manages the facility and can make decisions about re-opening without getting approval from the University. They do keep ISU in the loop in regards to what the City is wanting to do and will continue to have conversations with them.

City Manager Schainker explained for the Ice Arena and Furman Aquatic Center, there are three options for the Council to choose from. He stated that the special events will be predicated on what the Governor says, but they would only be talking about events that would be happening on City property. The goal is to protect the citizens and employees from further outbreak of the virus, and they believe it is more likely to happen in large crowds.

Mayor Haila asked if the Council wanted to weigh in or did they want to refer the decision to staff. Council Member Corrieri stated the easiest item to address would be the continued closure of City facilities through July 1 at a minimum, and then address the other issues. She noted it makes sense to separate some of the events.

Moved by Corrieri, seconded by Betcher, to continue with the current closure of City facilities that would not include the Ice Arena and the Furman Aquatics Center through a minimum of July 1, 2020.

Council Member Gartin wanted to know if there would be anything that would be impacted with City services if the City did not open back up until July 1, 2020. Mr. Schainker explained that the Council has some experience now as the City has been offering services even though buildings are closed to the public. He noted that services are not as good as they can be, but are adequate for staff to protect themselves for the next couple of months.

Mayor Haila stated that Library is working on trying to deliver some additional services, and questioned if the motion would preempt the Library from still offering creative ways to offer services. Assistant City Manager Deb Schildroth mentioned that Sheila Schofer, Library Director, had been working on a phased-in approach to library services. Curb-side pick-up is being looked at to start as of Monday, May 18, 2020, but she wants to align with the City in regards to closure and working with staff to return to the work site. If there are some things that can be done from a safe and thoughtful manner to provide some services, then Ms. Schofer has a plan to do that.

Council Member Betcher mentioned that the Parks and Recreation Department had been offering online fitness classes and asked if these would be continuing during the extended closure. Mr. Abraham stated that they would still offer some online classes.

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

PARKS AND RECREATION ACTIVITIES: Mr. Schainker stated that other than the Ice Arena and the Furman Aquatic Center, can the Parks and Recreation Department analyze the individual programs they have based on the criteria given and decide if they should provide the service or not. It was noted that they would be talking about the summer session; which is June, July, and August. Mr. Schainker stated staff would decide if they are not going to open at all or open when they are ready. Director Abraham added that they would also be looking at the programs to see if it would even be financially feasible to open them this year.

Moved by Corrieri, seconded by Betcher, to allow the Parks and Recreation staff to use the evaluation criteria outlined in the staff report to make decisions in regards to Parks and Recreation programs for the summer session.

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

FURMAN AQUATIC CENTER: Council Member Corrieri asked if the Council wanted to revisit the Furman Aquatic Center and what date would be realistic to revisit. Mr. Schainker stated that every Council meeting they would need to come back with an update. Mr. Abraham stated that a few things they will learn is further direction from the Governor regarding if she is going to continue to close city pools. The other information they need to make a decision would come from the American Red Cross as currently they are not allowing any water skills training to be done. It was noted that they have 29 new lifeguards and 22 still need to be certified. If they are unable to certify the lifeguards, then it will reduce the ability to open. More information should be available by the next City Council meeting on May 26, 2020. Director Abraham noted that the Furman Aquatic Center would be one of the last facilities that should open as social distancing and cleaning will be very difficult to maintain. The Municipal Pool could be opened earlier as there is fewer staff needed and could potentially open for swimming lessons or lap swimming. The priority with the Municipal Pool would be to certify all the staff and train staff.

Mayor Haila mentioned that when speaking with the Story County Mayors, everyone is looking to everyone else to make a decision about re-opening. Mayor Haila stated a few questions that he had thought of is how staff is going to be able to sanitize a bathroom or wash a handle every time it gets

used. He explained that horsing around in the water is part of the joy of being in a pool. If the City is unable to open the pool until later, it compresses the time to be open to a five to seven-week time frame, which is a short season, and are they just postponing the inevitable. Mayor Haila asked if they City would be comfortable doing so, if the Governor gives permission to open pools. One concern is if Ames opens and other counties do not, there is going to be an influx of people coming to Ames.

Council Member Martin stated that the Governor had given guidance and rules and the CDC does have specific guidelines about swimming pools and public facilities. He wanted assurance from Mr. Abraham that he is consulting with the CDC in order to be informed about the levels of cleaning would be necessary. Mr. Abraham commented that the CDC does have information available, and they are currently recommending an increase frequency of cleaning “high-touch points,” but did not say how often it needed to be done. Another thing that had not been discussed is that the CDC is recommending that all staff and patrons wear face masks when on the deck along with social distancing. Another recommendation is to bring in additional staff to do the cleaning or monitor social distancing, which will cause additional expense.

Council Member Betcher pointed out that no one wants to make the first move. Part of the problem is that there is a question about whether this should be a political decision or whether it should be an administrative decision. Ms. Betcher mentioned that from her perspective the ones who understand the facilities the best should be the ones making the decisions based on criteria that they can apply consistently rather than political decisions on the part of Council. She would prefer that the Council consider the administrative level of decision-making because the administrators are the ones taking the time to come to grips with the decisions while the Council is doing other jobs. She would be more comfortable having the staff who work in the facilities and know the programs to make the decisions.

Council Member Corrieri commented that she doesn’t disagree with Council Member Betcher’s point, but the Council should be there to shelter whatever blowback the staff receives. Ms. Corrieri stated that it needs to be made very clear that the Council is in support of whatever action the administrative team makes.

Mayor Haila explained that the options would be to wait until more information could be given at the next City Council meeting or the Council could make a decision tonight.

Council Member Martin wanted to follow-up on a comment that Director Abraham had said earlier that the Furman Aquatic Center would be one of the last facilities to open. Mr. Martin commented that he is trying to figure out where to place that comment on the absolute scale as it tantamount to a staff recommendation that it is a lot of work for something that is never going to happen or is it truly something that could still happen. Mr. Schainker stated it really depends on what could happen, but as of right now he doesn’t see how the City could re-open Furman Aquatic Center.

Moved by Martin, seconded by Gartin, to have staff bring the Furman Aquatic Center back to the Council on May 26, 2020.

Council Member Betcher wondered why the Council would want to wait to make a decision for two weeks. Council Member Martin stated that part of his thinking that is they were expecting to hear from the Governor today and that did not happen.

Vote on Motion: 4-2. Voting aye: Beatty-Hansen, Gartin, Junck, Martin. Voting nay: Corrieri, Betcher. Motion declared carried.

ICE RINK: Moved by Corrieri, seconded by Betcher, to allow staff discretion to determine when the Ice Rink opens and in what capacity.

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

EVENTS: Assistant City Manager Brian Phillips explained that the Memorial Day Parade had already been canceled by the organizers. The next event coming up is the 4th of July, which would be the pancake feed that is hosted by the City Council as well as the parade itself. Both attract a lot of crowds. He noted that going forward there is Ames Velo, Municipal Band, Roosevelt Concerts, Ames on the Half Shell, Ames Triathlon, and a few other smaller events at Ada Hayden. Mayor Haila stated that one option would be to go with Option 1 to suspend events on City property until no earlier than September 1, 2020, and this would not include the Farmers' Market. Mr. Phillips noted that he forgot to mention Rummage Rampage would be affected as well.

Moved by Martin, seconded by Beatty-Hansen, to discuss the Farmers Market separately, and otherwise approve of staff's decision-making process as lined out in the staff report regarding events on City property.

Mayor Haila wanted to go over the implications of the motion. He noted the following:

- 4th of July pancake breakfast and parade - Canceled
- Rummage Rampage - Canceled
- Block party trailer reservations - Canceled or extended
- Ames Municipal Band - Canceled, but will look into doing some virtual concerts
- Roosevelt concert - Canceled
- Ames Velo - Rescind Approval

Council Member Betcher wanted to clarify if the Council is saying events are closed until September 1, 2020, and allowing staff to apply the criteria to maybe have some events available or is everything canceled until September 1, 2020. City Manager Steve Schainker stated that there are two parts. The first part is that staff had already applied the criteria to the events that were already discussed, so by the vote, the Council is approving those decisions. The events that are not listed, that may come in the future, staff will apply the criteria to and make administrative decision.

Council Member Gartin wanted to point out that there are a lot of factors in this decision. He noted that these events are what defines the City of Ames as a community. There are quantitative and qualitative items that need to be considered. Everyone needs to start being creative as there is going to be a cost to the community, different from dollars and cents, and need to be more creative. By taking out Midnight Madness, which is a big event, will affect the community. City Manager

Schainker stated that there is going to be a loss to the community and asked the Council to not take this action unless they feel the benefit of trying to prevent a surge or an outbreak of the virus is overstated, it is not worth the loss. The benefits have to exceed the loss. Mr. Gartin stated they are in unchartered territory and the Council has to make the very difficult decisions with the best information they have at the time. It was noted that the Council needs to think long term. Council Member Gartin explained that the Council needs to take a more conservative approach because they need to protect the University. If the Council is focused on the short-term, and they do anything to jeopardize the proper re-opening of the University, there will be implications that are greater than what is being done already. He explained that the City of Ames is still a company town and there are businesses that are okay during the summer without having the students in town, but the businesses would not be able to survive a summer and fall with no students. The implications will be vast, and the City of Ames will make decisions differently from other cities. It was also pointed out that if the City of Ames opens, whether people from other communities will come to the area, and that may not be a good thing.

City Manager Schainker asked for clarification on fireworks, were included in the motion. He noted that the 4th of July Fireworks are a little different as the City Council approves the Fireworks Permit even though the event is not on City property. Assistant City Manager Phillips stated that the City requires, by contract, that the Ames Convention and Visitors Bureau (ACVB) that they spend a portion of their hotel/motel revenues on the fireworks. If it was the intention of the Council to not allow the fireworks to proceed, the City would need to waive that condition of the contract. Mr. Schainker noted that this would allow ACVB to keep that revenue. Council Member Martin stated that as part of the prior motion the fireworks would be delegated to staff to make a decision. Mayor Haila mentioned that the conclusion was that the Council supports not having the fireworks. Council Member stated that is correct. Council Member Betcher stated that it sounds like ISU supports that as well. Mr. Phillips stated that he has only had one conversation with ISU and the hope was that they could reconvene in a couple of weeks with ACVB and ISU and see if they could come up with a location or a way to do the fireworks that would be safe. If it is the Council's intent to include Fireworks as part of this motion to not proceed, staff does not need to go back and discuss it further. Mayor Haila stated that the 4th of July parade and pancake breakfast are not being recommended to be held. Separately, City staff is exploring whether the fireworks can be successfully held, and will report to the City Council once more details are known. Mayor Haila noted that it would be good for the City to speak with ISU. Mr. Schainker asked that the Council not make a decision on the Fireworks and come back on May 26, 2020, with follow-up.

Parks and Recreation Director Abraham mentioned that the Iowa Games is another event that has not been discussed as they utilize ISU campus and City property. Iowa Games has already canceled the figure skating event at the Ice Arena and is hoping to make a decision in mid-June.

Mayor Haila stated that Council Member Martin's motion includes staff using the criteria to evaluate the event and whether the event can establish the required safeguards. Council Member Martin stated that Iowa Games is a big deal and the motion includes staff discretion. If it becomes more complicated, staff can bring it back to Council. Mr. Martin noted that if something changes in three weeks, the Council will need to revisit it.

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

FARMERS' MARKET: Council Member Martin stated that the way the Farmers' Market has been designed by the Chamber of Commerce, and outlined on Attachment No. 5 in the staff report, from May 6, 2020, is very different than how the Market has been done in the past. It is no longer a "spectacle attraction" that brings families to the event for half the day. The event has been reduced to a way to efficiently move fresh Iowa produce, grown by farmers nearby, into Ames and area households. Mr. Gartin noted that Farmers' Markets have been carved out by the Governor as being allowable. The reason Mr. Gartin is thinking about this event differently from others has much to do with the benefits of the community and to what he viewed as a small risk to the community. When he has researched through literature and tried to find contamination events that are happening outside like this, he is not finding anything. He noted there is little evidence that would hinder this event, there will be a few adults and maybe a few kids going from vendor to vendor, but nothing different than being in a grocery store. The Farmers' Market is at least outside, and Mr. Martin noted that the risk for this event is much less than everything else that has been discussed, and it has a community positive aspect to it. He would advocate to gently reject the suggestion to add food carts and on-site prepared food at the event as this will make the event more of an attraction.

Council Member Gartin stated that there have been several comments that have compared the Farmers' Market to other grocery stores. He liked the idea of equal protection. Mr. Gartin commented that he thinks of the Farmers' Market as a social event as he can spend hours there just connecting with people and Mr. Martin made a good point that this is not going to be similar to previously held Farmers' Markets.

Council Member Corrieri stated that in addition to the food trucks, she believes that if the Council is not going to allow food samples, they should also not allow wine or alcohol sampling. Council Member Junck mentioned she was going to state the same.

Moved by Martin, seconded by Beatty-Hansen, to approve the Downtown Ames Farmers' Market contingent on following the COVID-19 guidelines stated in their May 6, 2020, letter, which is Attachment 5, with no food trucks, no food prepared on site (hot or cold), and no alcohol or wine tasting.

Council Member Betcher asked that when the Ames Farmers' Market puts their plan in action, if it is possible to state that the continuation of the Market is contingent on the City determining whether it becomes a health risk. Council Member Martin stated that is not in his motion, but noted that the City of Ames is not going to enforce the Ames Farmers' Market safety and procedures, and it is up to the event organizers to do what they say they are going to do; therefore, the City has the right to rescind the approval. Council Member Betcher wanted to make sure that was clear and part of the motion. City Manager Schainker stated that someone had requested the interpretation from the City Attorney on if the City gives authorization to an entity to host an event, whose responsibility would it be to enforce the social distancing. City Attorney Mark Lambert explained that the City would be giving the Ames Farmers' Market permission to use the sidewalks and streets, but it doesn't mean that the City is responsible for enforcing all the rules. By the Governor's Proclamation and the

guidelines by the Department of Agriculture and other agencies for Farmers' Markets, it is clear that they are expecting the Farmers' Markets to enforce the guidelines. Mayor Haila asked how to address the emails that they will receive about people not following the guidelines at the Ames Farmers' Market and when the Council would need to step back in. He explained that the Council needs to be very clear as to who is responsible, so they know how to respond. Attorney Lambert stated that the City can withdraw its permission and cancel the event if the various guidelines are not followed.

Moved by Martin, seconded by Beatty-Hansen, to amend the motion to clarify that the City of Ames will not enforce the Farmers' Markets safety guidelines and practices and that the City reserves the right to rescind the permit.

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

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

Council Member Gartin stated that it was important that the majority of the votes were made unanimously; it sends a message to the community. He mentioned that a lot has been taken from the community and he would like to see what the City of Ames can add and look at more creative ways to give something back. Mayor Haila commented that no one asked for the COVID-19 pandemic to occur, and he believed the City of Ames has a responsibility to protect the safety and health of the community. He didn't view these decisions as taking things away from the community, but making decisions to lead the community in saying that they are taking the pandemic seriously. The City of Ames is a company town and they need to do everything they can because if the University is not successful then Ames is not successful and vice versa. Mayor Haila appreciated Council Member Gartin wanting to enrich people's lives through community, but he would prefer not to say the City is taking things away. It was noted that parks are not closed, you can still socialize, and the City is not doing anything to businesses. Mayor Haila explained that they want to encourage people to get together within social distancing guidelines. He wanted to advocate for a positive attitude and making these hard decisions for precautions to minimize the risk to the school system and to the University. City Manager Schainker explained that they need to articulate this correctly. Mr. Schainker mentioned that the City is not taking anything away, as they currently have nothing. The country has been on lock-down for the past few months and all the City is doing is having phased openings. When looking at having events open back up in September, that is only three months away. It was noted that if there is another surge, the City can be locked down for another six months, and it could be worse. Mr. Schainker commented that if everyone could be patient during the phased opening of the community, in the long run, everyone will benefit.

ORDINANCE RELATING TO INDUSTRIAL USE PARKING REQUIREMENT: Moved by Corrieri, seconded by Beatty-Hansen, to pass on second reading an ordinance relating to the Industrial Use Parking requirement.

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

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Mayor Haila mentioned that there were six items listed. The first item was a letter from Cinemark, Inc., regarding notification of its temporary facility closing and employment separation. This item is for the Council's information only and no action would be necessary.

The second item was a memo from Duane Pitcher, City Finance Director, and Roger Wisecup, City Treasurer, regarding socially responsible investing. City Manager Schainker explained that this item was a request from the Council's goal setting session. Council Member Gartin stated it the information is sad, but understandable. He appreciated the information being provided to the Council.

Mayor Haila explained that the third request was a letter from a Real Estate Counsel for Winfield Solutions, LLC, that the entity has graciously offered to allow people to come to its parking lot and utilize its free wireless internet service. Mayor Haila stated that this is for information only and wanted to point out that Winfield Solutions, LLC, is not starting their own internet service, but allowing individuals access to free internet service in order to continue with their daily functions. Council Member Martin mentioned that the Ames Community School District is maintaining a list of publicly accessible WIFI spots. It was noted that ISU was maintaining a list as well.

The fourth request was a memo from Mark Lambert, City Attorney, requesting to draft an ordinance to the *Municipal Code* updating the name of ISU Student Government. City Attorney Lambert explained that the City has an old name listed in the Ordinance and the ISU Student Government changed its name a couple years ago and the Ordinance had not been updated to reflect the change.

Moved by Beatty-Hansen, seconded by Betcher, directing the City Attorney to draft an Ordinance to the Ames *Municipal Code*, updating the name of the "ISU Government of the Student Body" to its current name, "ISU Student Government."

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

Mayor Haila mentioned that item five was sent to him. He explained that from time to time he gets a letter or email asking for him to sign-off on behalf of the City as Mayor. This item was an email requesting to participate in an outreach effort supporting clean energy in the next federal stimulus package. Mayor Haila suggested that the Council decline the request on the matter of principle. Council Member Martin stated that he would agree that the Council should pass on this request.

Moved by Martin, seconded by Corrieri, to pass on the request to participate in an outreach effort supporting clean energy in the next federal stimulus package.

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

The last item was a memo from Assistant City Manager Brian Phillips giving the Council an update on Metro FiberNet and the 1420 Lincoln Way Pump House property. Staff had received notification from Metro FiberNet that it is no longer interested in proceeding with the purchase of the property at 1420 Lincoln Way as it has acquired another property on North 4th Street through a private sale.

COUNCIL COMMENTS: *Ex Officio* Nicole Whitlock stated that she will be a Senior at ISU in the fall majoring in Elementary Education. She is the Vice-President of the Democrats of Iowa State and the philanthropy chair for the Honors Student Board at ISU. Ms. Whitlock mentioned that she is looking forward to working with everyone and focusing on rental and student housing issues.

Mayor Haila asked Ms. Whitlock why she wanted to be the *ex officio* for the City of Ames. Ms. Whitlock explained that she loves government, politics, and working with people in the community.

Council Member Betcher stated that she has an Ames Convention and Visitors Bureau (ACVB) Executive meeting with the Central Iowa Executive Sports Authority Board and may learn some more about what is going to happen with ACVB events going forward. Ms. Betcher mentioned that she sent the Council an email about the NLC's cities are essential messaging. Since they just voted to do individual advocacy, she encouraged the Council to check out the Census campaign that the Universities Council is working on. There was a *Forbes* article that came out today about college town and gown relationships and Ms. Betcher noted that the City of Ames is featured prominently in it. Council Member Betcher was interviewed for the article and said good things about how strong the City of Ames relationship. There will probably have opportunities for more of that kind of college town messaging, because of the advocacy that she is working on. Ms. Betcher mentioned that the Council all received a message from Barb Wheelock about messaging and whether the Council wants to have some consistent messaging from the Council that might be prominently displayed in the Downtown area or parks. The consistent message would be about social distancing or wearing masks. Ms. Betcher stated that since the Council, is not mandating any of those things, it might be worth it to discuss whether the Council have some kind of message posted.

Moved by Betcher to have a discussion on the next Agenda about consist COVID-19 messaging from the Council.

Motion failed due to lack of a second.

Mayor Haila stated he wanted to provide a quick update as he had been in contact with Senator Joni Ernst. The District Representative and the Iowa League of Cities had a conference call set up along with many Mayors to discuss what kinds of financial help will be coming to municipalities. The federal government had already distributed funds to cities that had a population of 500,000 or larger, and no city in Iowa met that criteria.

ADJOURNMENT: Moved by Betcher to adjourn the meeting at 10:17 p.m.

Amy L. Colwell, Deputy City Clerk

John A. Haila, Mayor

Diane R. Voss, City Clerk