

## MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

APRIL 13, 2021

**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 stated that it was impractical to hold an in-person Council meeting due to the COVID-19 pandemic. Therefore, limits have been placed on public gatherings, and this meeting was 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 “FAIR HOUSING MONTH,” APRIL 2021:** April 2021 was proclaimed as “Fair Housing Month” by Mayor Haila. He encouraged all citizens of the community to support and endorse Fair Housing, reaffirm their commitment to Fair Housing for all, and wholeheartedly recognize these rights and responsibilities throughout the year.

Accepting the Proclamation was Housing Coordinator Vanessa Baker-Latimer. She stated even during a pandemic, it is still a responsibility of the City and citizens of Ames to promote Fair Housing. Ms. Baker-Latimer mentioned that there will be a series of *Facebook* Ads that will be promoting fair housing and what discrimination means. There will also be an ad in the *Sun Times* that will bring mention that April is Fair Housing month.

**PRESENTATION OF “THE HOME FOR EVERYONE” AWARDS BY AMES HUMAN RELATIONS COMMISSION:** Human Relations Commission Incoming Chair Jahmai Fisher explained that during the month of April, the Commission recognizes and honors a worthy individual or organization who has made a commitment to providing housing opportunities that enhance the quality of life for members of disadvantaged populations. To be eligible to receive the “A Home for Everyone” award the individual or organization must provide housing within Ames. Ms. Fisher stated “the word “home” regardless of where we come from should be one that makes us feel whole and safe. As in recent times life plans are not always in alignment with our own; sometimes we lose that sense of home and must rely on the love and kindness of others in the community. While house and home are not always synonymous, housing provides us all with a great start on the journey to finding “home.”

The first Award was presented to Tara Brown. Ms. Brown serves as a shelter monitor for The Bridge Home that provides shelter and support to those experiencing or on the verge of homelessness. Among other major accomplishments, Ms. Brown has secured housing program’s or permanent housing for 70% of clients upon their discharge from the homeless shelter.

The second Award was presented to the Wings of Refuge. This organization is dedicated to providing opportunities to survivors of human trafficking. The home provides opportunities for healing and a new life. The Commission gave its deepest gratitude to the entire team at Wings of

Refuge for bringing hope to so many.

Ms. Brown thanked everyone for presenting her with the Award. She said she has had the privilege of working with amazing individuals as colleagues and clients. Ms. Brown mentioned that most of the clients that she worked with were able to overcome extreme barriers in their journey to achieve housing. She noted that everyone is going to experience some kind of hardship in their life, and it is about how you bounce back. Ms. Brown stated she is blessed to work in a community like Ames that supports its residents in all aspects of their lives.

Mayor Haila noted that The Bridge Home was formerly known as the Emergency Residence Project and has been helping residents since 1985.

Brandy Young, representative for Wings of Refuge, echoed Ms. Brown's comments and said she was honored to accept the Award. Ms. Young commented that there is an incredible staff at Wings of Refuge, but the true heroes are the women who are committed to the journey of healing and moving towards independence. She noted that she is humbled every day that she gets to be among the women as they commit to healing and overcoming trauma. Ms. Young mentioned that the Wings of Refuge just opened a second home that will serve as a transitional home for women who are not fully ready to live independently when they finish the program.

**CONSENT AGENDA:** Moved by Betcher, seconded by Corrieri, to approve the following items on the Consent Agenda.

1. Motion approving payment of claims
2. Motion approving Minutes of the Regular Meeting held March 23, 2021, and the Special Meetings held March 17, March 30, and April 2, 2021
3. Motion approving Report of Change Orders for period March 16 - March 31, 2021
4. Motion certifying Civil Service candidates
5. Motion approving New 12-Month Class B Beer (BB) (Includes Wine Coolers) & Sunday Sales - Mongolian Buffet 1620 S Kellogg Ave #103
6. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Class C Liquor License with Outdoor Service & Sunday Sales - Brick City Grill 2704 Stange Road
  - b. Class C Liquor License with Catering Privilege, Outdoor Service & Sunday Sales - Cyclone Experience Network 1705 Center Dr, Hilton Coliseum
  - c. Class C Liquor License with Catering Privilege, Outdoor Service & Sunday Sales - Perfect Games Inc 1320 Dickinson Ave
  - d. Class C Liquor License with Catering Privilege, Outdoor Service & Sunday Sales - Provisions Lot F 2400 North Loop Dr
  - e. Class C Beer Permit with Class B Wine Permit & Sunday Sales - Hy-Vee Gas #5018 636 Lincoln Way
7. Request from Campustown Action Association for Summerfest in Campustown on Saturday, June 5<sup>th</sup>:

- a. Motion approving blanket Temporary Obstruction Permit
  - b. Motion approving blanket Vending License
  - c. RESOLUTION NO. 21-160 approving waiver of Vending License fee
  - d. RESOLUTION NO. 21-161 approving closure of the 200 block of Welch Avenue and Chamberlain Street between Welch Avenue and the Chamberlain Lot Y exit, Welch Lot T, and Chamberlain Lot Y between 7:00 a.m. and 10:00 p.m.
  - e. RESOLUTION NO. 21-162 approving closure of parking spaces in the 200 block of Welch Avenue, on Chamberlain Street between Welch Avenue and the Chamberlain Lot Y exit, Welch Lot T, and Chamberlain Lot Y between 7:00 a.m. and 10:00 p.m.
  - f. RESOLUTION NO. 21-163 approving waiver of parking meter fees
  - g. RESOLUTION NO. 21-164 authorizing access to City-owned electrical outlets and approving a waiver of fees for the electricity used
8. RESOLUTION NO. 21-165 approving Amendment No. 2 to Story Theater Company's Fall 2020 Special Project Grant to allow the substitution of Young Sherlock for the original planned production
  9. RESOLUTION NO. 21-166 authorizing Ames Community Arts Council to receive reimbursement for construction expenses related to the mobile music stage under the existing FY 2020/21 COTA Spring Special Project Grant and FY 2020/21 COTA Annual Grant
  10. RESOLUTION NO. 21-167 approving Hold Harmless Agreement between Iowa State Fire Marshal Fire Service Training Bureau and the City of Ames for Summer Fire School
  11. Field Technical Services for Unit #8 Turbine-Generator:
    - a. RESOLUTION NO. 21-168 waiving City's Purchasing Policies regarding formal bidding procedures and allow for single-source purchasing
    - h. RESOLUTION NO. 21-169 awarding contract to provide Field Technical Services for the Unit 8 Turbine-Generator Overhaul to General Electric Steam Services, Inc., of Midlothian, Virginia, in the estimated amount of \$242,800
  12. RESOLUTION NO. 21-170 approving Amendment No. 1 to Professional Services Agreement for Teagarden Area Letter of Map Revision with WHKS & Co., of Ames, IA, in the amount of \$9,000
  13. RESOLUTION NO. 21-171 approving preliminary plans and specifications for Auditorium HVAC Replacement; setting May 12, 2021 as bid due date and May 25, 2021 as date of public hearing
  14. RESOLUTION NO. 21-172 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
  15. RESOLUTION NO. 21-173 awarding contract to Maxim Trucking & Materials of Pella, Iowa, for FY 2021/22 Concrete and Asphalt Crushing for Public Works Department in the amount of \$69,250
  16. RESOLUTION NO. 21-174 approving contract for FY 2021/22 Purchase of Rock Salt requirements for Public Works with Independent Salt Co., of Kanopolis, Kansas, in the amount of \$76.08 per ton
  17. Electric Distribution Line Clearance Program:
    - a. RESOLUTION NO. 21-175 approving contract renewal with Wright Tree Services,

of Des Moines, Iowa for Electric Distribution Line Clearance Program, from July 1, 2021 through June 30, 2022

- b. RESOLUTION NO. 21-176 approving Performance Bond in the amount of \$347,378
  18. RESOLUTION NO. 21-177 approving contract renewal with ABM of Des Moines, Iowa, for FY 2021/22 Custodial Services for the Ames Public Library in the amount of \$91,857
  19. RESOLUTION NO. 21-178 approving renewal of contract with Pitts Lawn & Tree Service of Huxley, Iowa, for FY 2021/22 Tree Trimming & Removal Program for the Parks & Recreation Department in an amount not-to-exceed \$85,000
  20. RESOLUTION NO. 21-179 renewing contract for FY 2021/22 Hauling and Related Services for the Resource Recovery Plant with Waste Management of Ames, IA, in the amount of \$15.15 per ton
  21. RESOLUTION NO. 21-180 approving contract and bond for 2020/21 Collector Street Pavement Improvements (E. 20<sup>th</sup> Street)
  22. RESOLUTION NO. 21-181 approving contract and bond for 2020/21 CyRide Route Pavement Improvements (9<sup>th</sup> Street)
  23. RESOLUTION NO. 21-182 approving contract and bond for City Access Control System
- 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:** The Mayor opened Public Forum.

Brant Lemer, 5333 Tabor Drive, Ames, explained that he wanted to respond to a comment made at the last City Council meeting. He mentioned that his wife and he had purchased the Crestview Mobile Home Park in 2003. Their goal was to clean up the property and run a respectful business in an industry that was needed in the area. Within six months, that was done, and the area was a vibrant community for many years. He pointed out that the area thrived, and people had stated that Crestview was a nice little community. Mr. Lemer expressed his concern over the comments made about the Crestview Mobile Home Park being in poor shape. He wanted to point out that the property was in poor shape at the time of closing as 50-plus homes were abandoned on the property. There were many missed opportunities for the sale of the property. He asked for the Council to work together and find a new use for the property.

Brent Campbell, 301 NE Trielein Drive, Suite 1, Ankeny, Campbell Engineering & Surveying, stated he was told by staff that his request was going to be on the Agenda, and he was not seeing his item listed. The Mayor mentioned that his item would be under Dispositions to see if the Council wanted to proceed with the item or not. Mr. Campbell appreciated that information.

No one else spoke up, and Public Forum was closed.

**SPLASH PAD:** Parks and Recreation Director Keith Abraham highlighted a few items regarding the Splash Pad. The splash pad will be a zero-depth pool with a combination of in-ground and above-ground spray features. It will be designed with accessibility, inclusiveness, safety, and playability at the forefront. There will be an activation button for patrons to turn on the features and a timer to limit when the features are operational.

Staff had presented the City Council with several water management options at its November 24, 2020, meeting, and the Council had directed staff to pursue a recirculation system for the splash pad. Staff had looked at several location criteria. One of the requirements of a splash pad is that it has to be within 200 feet of a restroom and clear side lines. All 38 City parks were looked at and it was narrowed down to eight parks that had restrooms. After taking several criteria into consideration it was recommended to have the splash pad located at either Emma McCarthy Lee Park or Daley Park. Staff held two public meetings on March 16, 2021, to gather feedback regarding potentially locating the splash pad at either of the final two location options. The first meeting was focused more on Emma McCarthy Lee Park while the second was geared toward Daley Park. The comments that were received were from people who were in favor of having a splash pad. The Parks and Recreation Commission met and voted to recommend City Council approve constructing a splash pad in Daley Park. Safety and visibility of the splash pad was important to the Commission. The Commission also felt that on-street parking should be moved from the west side to the east side of Wilder Boulevard from Thackeray Drive to the northern boundary of the Daley Greenbelt.

Council Member Betcher stated that one of the attendees for the Daley Park location mentioned there was occasionally minor vandalism that results in broken glass at the Park. She wanted to know how that type of situation would be addressed when the Park is not staffed. Mr. Abraham explained that with the recirculation system, staff will have to check the chemicals every morning and will check the site for any glass or vandalism.

Council Member Gartin inquired how many parking stalls were currently at Daley Park. Mr. Abraham estimated there were 18 parking stalls. Mr. Gartin wanted to know if there was a greater demand for the splash pad in the future, would there be any opportunity to expand parking. Mr. Abraham noted that there would be room for expansion if needed down the road. Mr. Gartin commented that a lot of people will be taking their kids along the bike path that is nearby and recommended putting in a bike rack.

Mayor Haila opened public comment and closed it when no one asked to speak.

Moved by Martin, seconded by Betcher, to adopt RESOLUTION NO. 21-183 approving the Splash Pad location in Daley Park.

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

Moved by Gartin, seconded by Corrieri, to direct staff to draft a Parking Ordinance Change from parking on the west side to the east side of Wilder Boulevard from Thackeray Drive to the northern boundary of the Daley Greenbelt.

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

**STAFF REPORT REGARDING THE REQUEST FOR AN AMES URBAN FRINGE PLAN MAP AMENDMENT PERTAINING TO THE VERBIO PROPERTY:** Planning and Housing Director Kelly Diekmann mentioned that the City of Nevada is scheduled for a public hearing at the

end of April for its Annexation proposal and then it will moving forward to the state.

The Mayor opened public comment and closed it when no one asked to comment.

Moved by Beatty-Hansen, seconded by Betcher, to approve Option 1, which was to take no action at this time.

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

**CONSENT TO DEED RESTRICTION ON BEHALF OF MAINSTREAM LIVING FOR THE PROPERTY LOCATED AT 1417 DOUGLAS AVENUE:** Planning and Housing Director Kelly Diekmann explained that this property was sold to Mainstream Living, and is was asking for the City's consent to receive a grant and have a lien placed against the property. Director Diekmann stated that there was no risk to the City or the property by agreeing to the request.

Moved by Betcher, Seconded by Junck, to adopt RESOLUTION NO. 21-184 approving the Consent to Deed Restriction on behalf of Mainstream Living for the property located at 1417 Douglas Avenue.

Roll Call Vote: 5-0-1. Voting Aye: Beatty-Hansen, Betcher, Gartin, Martin, Junck. Voting Nay: None. Abstaining: Corrieri. Motion declared carried.

**STAFF REPORT REGARDING CHAPTER 23 (SUBDIVISION) AND CHAPTER 29 (ZONING) TEXT AMENDMENTS:** Planning and Housing Director Kelly Diekmann stated that staff was asking for approval of a number of changes related to application requirements and clarification of other procedures that would be beneficial for Chapter 23 (Subdivisions) and Chapter 29 (Zoning). In Chapter 23, staff wanted to address the City's Plat of Survey process. Staff would like for City Council to allow the Planning and Housing Director to administratively approve the Plats of Survey related to boundary line adjustments and conveyance parcels, rather than having City Council approve them by resolution. Any division of land where there is a split of a parcel or a block would still go through the Council for approval. Another change that Director Diekmann noted was when the Inspection Division went to an online service portal, they did not move the planning applications over to the online service portal. They would like to move forward with having online applications available. Mr. Diekmann stated that there is no notification process in the Subdivision Ordinance for the review of major subdivisions. Staff has previously had a hearing for these with the Planning and Zoning Commission and Director Diekmann recommended adding these into the Zoning Ordinance.

Director Diekmann mentioned that for Chapter 29 (Zoning), staff would like to change how staff handles the Zoning Board of Adjustment (ZBA). He noted that currently the Planning Department handles all the materials, but the City Clerk's office provides the support/secretarial role for the meetings. The Planning and Housing Department would like to be the ones responsible for administrative functions for the Zoning Board of Adjustment agendas and meetings instead of the City Clerk's Office; however, the City Clerk's Office would continue to maintain records of Decisions and Orders by the ZBA. Mr. Diekmann mentioned that there seemed to be some

inconsistencies with where it is in the *Code* that published notices are required. He noted that published notice for the Zoning Board of Adjustment meetings are not required. Staff would like to change the process to mailing out the notice, posting a sign, and posting the agenda, only. Director Diekmann stated that there was an issue with how the voting works with the Zoning Board of Adjustment. In the *Municipal Code*, it is stated clearly that you must have three votes to have any motion pass. He explained that they have had issues over the past couple of years with either a lack of a full Board or absent members. This has caused tie votes, and meetings have had to be continued in order to break a tie vote. Staff is recommending changing the voting by the Zoning Board of Adjustment to a majority of a quorum rather than the Board. Another change that was being recommended was the definition of the Zoning Enforcement Officer for interpretation of zoning. Currently, the Building Official is the Zoning Enforcement Officer and the recommendation was to amend the *Code* to provide the Planning & Housing Director with the authority to administer and interpret the Zoning Ordinance.

Council Member Betcher mentioned that a lot of the changes made sense and she wanted to make sure that staff in all departments has been included to make sure the changes worked well for everyone. Mr. Diekmann noted that there have been some discussions with the City Manager, Fire Department, City Clerk, and City Attorney's Office, but he will work on internal procedure updates next along with any ordinance updates.

Council Member Gartin wanted to know if the proposed changes have been vetted with other stakeholders/developers to get their feedback on the changes. He also inquired if the City's procedures have been compared to what other peer communities are doing. Director Diekmann mentioned that they didn't identify any stakeholders for these changes as it was more administrative. If they move forward with the Plat of Survey changes, staff would reach out to the surveyors in the City to make sure they are aware.

Council Member Martin questioned the proposed changes to the voting procedures with the Zoning Board of Adjustment. He was concerned because the applicants come to ZBA wanting approval for something and the proposed change will get faster results, but it appeared to provide more ways to have the applicants walk away with a "no" answer. He pointed out that there would be two ways to say "no" and only one to say "yes". He wanted to know if there was a way to tweak the rule to allow applicants to decide, if flexible on timing, to wait for the entire Board to be present. Director Diekmann stated that the due process is important and believed they could look into it. It was noted that Director Diekmann would need to speak with the City Attorney to see what options were available. Mr. Martin mentioned he felt it would be worth the effort to get more information.

The Mayor opened public comment. It was closed when no one came forward.

Moved by Gartin, seconded by Betcher, to move forward with the changes recommended in the Staff Report, and direct staff to coordinate preparation of ordinances with the City Attorney with the goal of having the changes approved prior to July 1, 2021.

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

Moved by Martin, seconded by Betcher, to ask staff to consider ways to ensure that applicants aren't disadvantaged due to the increased number of ways to end up with a "no" outcome when fewer than five members of the Zoning Board of Adjustment are voting.

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

**STAFF REPORT REGARDING AMES COMPREHENSIVE HISTORIC PRESERVATION PLAN AMENDMENTS:** Planning and Housing Director Kelly Diekmann mentioned that on March 9, 2021, the City Council reviewed the proposed amendments to the Ames Comprehensive Historic Preservation Plan and recommended a few changes. Those changes along with a few other staff-recommended changes were included in the Staff Report for approval.

Council Member Betcher commented that the new proposed amendments were a lot clearer to anyone reading the Plan. She questioned the statement regarding supporting a minimum maintenance code for rental housing as she believed the original discussion regarding Goal #3, Objective F was to change the word "the" to "a," only, but noticed that the wording "and owner-occupied" was removed. Director Diekmann stated it was open to interpretation, but he was very confident that if staff put "owner-occupied" back into the Plan it would be consistent with Historic Preservation Commissions goals.

The Mayor asked if anyone from the public wished to speak. No one requested to speak.

Moved by Betcher, seconded by Beatty-Hansen, to approve the Ames Comprehensive Historic Preservation Plan Amendment with the change to Goal #3, Objective F to reinstate the words "and owner-occupied."

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

**AUTHORIZING STAFF TO REIMBURSE 660 EURO (APPROXIMATELY \$777) IN FEES FOR THREE STUDENT REGISTRATIONS TO THE INTERNATIONAL CONFERENCE ON COMPUTATIONAL URBAN PLANNING AND URBAN MANAGEMENT (CUPUM) FROM THE FUNDS BUDGETED FOR THE COMMUNITY AND REGIONAL PLANNING CLASS:** The Mayor asked if there was anyone from the public who wished to speak. There was no one wishing to speak.

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 21-185 authorizing staff to reimburse 660 Euro (approximately \$777) in fees for three student registrations to the International Conference on Computational Urban Planning and Urban Management (CUPUM) from the funds budgeted for the Community and Regional Planning class project.

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

**COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2020:** Finance Director Duane Pitcher mentioned that everything looked good for the year except for one item. The one exception was related to some reporting with Mary Greeley Medical Center



(MGMC). Director Pitcher explained that MGMC is reported on the City's financials as a component unit. All the City is doing is consolidating the reports and the City is unable to change or adjust them. In this case the auditor's report included a qualified opinion based on the Mary Greeley Medical Center (MGMC) decision to classify CARES Act grant funds received as operating income rather than nonoperating income as required by applicable accounting standards. Mr. Pitcher noted that was a significant change, and the City has had a completely clean auditor's report for several years.

Council Member Gartin asked if there was a timing aspect for the Council to receive the report. Mr. Pitcher stated that he would ask that the Council receive the report tonight as there was nothing else that could be done to change the outcome. Mr. Gartin mentioned that he would like a little more time to review the Report and wanted to know if this could be delayed until the next City Council meeting. Director Pitcher stated there would not be an issue with waiting to receive the Report.

Moved by Gartin, to table the voting of acceptance until the next City Council meeting. Motion failed due to lack of second.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 21-186 accepting the Comprehensive Annual Financial Report as presented.

Council Member Beatty-Hansen mentioned that even though they are going to accept the Report it didn't mean they still couldn't discuss important matters on the Report. Ms. Betcher commented that she made the motion knowing that the Report was a done deal, but would like to discuss what to do moving forward.

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

**HEARING ON SALE OF CITY-OWNED PROPERTY AT 1126 GRAND AVENUE TO HABITAT FOR HUMANITY OF CENTRAL IOWA:** Planning and Housing Director Diekmann stated that the Plat of Survey is a conveyance parcel review to consolidate Lot 9 and the north 5.4 feet of Lot 10, Block 2, Lee's Addition. The property is now vacant since the house and detached garage were recently demolished. The purpose of consolidating the lot and the conveyance parcel is to establish a Parcel, which is necessary to obtain a building permit for a new house.

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

Moved by Beatty-Hansen, seconded by Junck, to adopt RESOLUTION NO. 21-187 approving the Plat of Survey for 1126 Grand Avenue.

Roll Call Vote: 5-0-1. Voting Aye: Beatty-Hansen, Betcher, Corrieri, Martin, Junck. Voting Nay: None. Abstaining due to Conflict: Gartin.

Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Beatty-Hansen, seconded by Corrieri, to adopt RESOLUTION NO. 21-188 approving the

sale of City-owned property at 1126 Grand Avenue to Habitat for Humanity of Central Iowa.  
Roll Call Vote: 5-0-1. Voting Aye: Beatty-Hansen, Betcher, Corrieri, Martin, Junck. Voting Nay: None. Abstaining due to Conflict: Gartin.

Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON APPROVING EASEMENT AGREEMENT BETWEEN THE CITY AND IOWA STATE UNIVERSITY TO ALLOW A PEDESTRIAN BRIDGE TO BE LOCATED WITHIN AND OVER TOP OF THE CITY’S RIGHT-OF-WAY ON UNIVERSITY BOULEVARD:** It was noted that Traffic Engineer Damion Pregitzer was available to answer any questions.

Council Member Betcher inquired if the pedestrian bridge would be enclosed to avoid people from throwing objects on to the road. Mr. Pregitzer stated it will be an open bridge with a very high barrier. There was a courtesy review done with staff including the Police and Fire Department. The bridge was designed in a way to deter anyone from going over the bridge. Mr. Pregitzer noted that it is hard to tell from the picture, but the barrier is very high. It would be difficult for anyone to go over the side or throw anything over the side.

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

Council Member Beatty-Hansen stated that the Council received an email regarding public input opportunities. She noted that this is an Iowa State University (ISU) project and wanted to know if the City knew of any opportunities for public input with ISU regarding this project. Mr. Pregitzer stated that from his understanding ISU went through its own public input process already. The request tonight is the next step for ISU to move forward with bidding the project and getting a contractor on board. He didn’t believe there would be any additional input opportunities before the project goes to bid.

Mayor Haila mentioned that the City owns the land for the rights-of-way, but the University owns the other portions. He wanted to know if the multi-modal paths would be maintained on the west side. Mr. Pregitzer noted that none of the infrastructure on University Boulevard will be impacted. The pedestrian bridge will help expand access for non-motorized activity, especially during special events.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 21-189 approving the Easement Agreement between the City and Iowa State University to allow a pedestrian bridge to be located within and over top of the City’s Right-of-Way on University Boulevard.

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

**HEARING ON FIRE STATION #1 HVAC REPLACEMENT:** The Mayor opened the public hearing. It was closed when no one asked to speak.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 21-190 approving plans and specifications and awarding a contract to Mechanical Comfort, Inc., of Ames, Iowa, in the amount of \$114,434.

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

**HEARING ON 2020/21 ASPHALT STREET PAVEMENT IMPROVEMENTS & WATER SYSTEM IMPROVEMENTS (MCKINLEY DRIVE, JENSEN DRIVE, LUTHER DRIVE):** The Mayor opened the public hearing. There was no one wishing to speak, and the hearing was closed.

Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 21-191 approving plans and specifications and awarding a contract to Manatt's Inc., of Ames, Iowa, in the amount of \$1,799,294.43.

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

**HEARING ON 2020/21 CONCRETE PAVEMENT IMPROVEMENTS - 8<sup>TH</sup> STREET (NORTHWESTERN TO DUFF):** The Mayor opened the public hearing and closed it after there was no one wishing to speak.

Moved by Beatty-Hansen, seconded by Junck, to adopt RESOLUTION NO. 21-192 approving plans and specifications and awarding a contract to Manatt's Inc., of Ames, Iowa, in the amount of \$1,256,246.21.

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

**ORDINANCE AMENDING SECTION 22.32 OF MUNICIPAL CODE PERTAINING TO SIDEWALK CAFES:** Assistant City Manager Brian Phillips stated this Ordinance addresses the referral that the Council made in 2020. There were some temporary changes to sidewalk cafes during the pandemic in order to make it easier for restaurants to space out its patrons. In 2020, the City Council also directed staff to prepare an ordinance change to the *Sidewalk Café Code* to permanently address two aspects of operating a sidewalk café. One change would be to remove the requirement for barriers separating the sidewalk café from the traveling path on the sidewalk for sidewalk cafes where alcohol is not served. The other change would allow sidewalk cafes to extend along in front of an adjacent business, provided the extension is approved by the adjacent business owner and the ingress/egress from the adjacent business is not blocked.

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

Moved by Gartin, seconded by Corrieri, to pass on first reading an ordinance amending Section 22.32 of the *Municipal Code* pertaining to Sidewalk Cafes.

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

The Mayor inquired if it was being recommended by staff to suspend the rules for this ordinance. Mr. Phillips stated the sidewalk café season had already started, the season begins on April 1 and ends on October 31. If the rules were suspended, staff would be able to make sure that any businesses that have yet to set up their sidewalk café would be able to start with the new rules.

Moved by Corrieri, seconded by Beatty-Hansen, to suspend the rules necessary for the adoption of an ordinance.

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

Moved by Junck, seconded by Betcher, to pass on second reading an ordinance amending Section 22.32 of the *Municipal Code* pertaining to Sidewalk Cafes.

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

Moved by Corrieri, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4436 amending Section 22.32 of the *Municipal Code* pertaining to Sidewalk Cafes.

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

**ORDINANCE NAMING THE ACCESS ROAD ON SOUTH RIVERSIDE DRIVE “AVIATION WAY:”** The Mayor asked for public input. There was no one wishing to speak, and the hearing was closed.

Moved by Corrieri, seconded by Beatty-Hansen, to pass on first reading an ordinance naming the access road on South Riverside Drive “Aviation Way.”

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

**ORDINANCE TO INCREASE WATER RATES BY 6%, EFFECTIVE JULY 1, 2021:** Moved by Betcher, seconded by Corrieri, to pass on second reading an ordinance to increase water rates by 6%, effective July 1, 2021.

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

**ORDINANCE ADOPTING BY REFERENCE THE 2020 EDITION OF THE NATIONAL ELECTRIC CODE WITH TWO STATE OF IOWA AMENDMENTS AND ONE LOCAL AMENDMENT:** Moved by Beatty-Hansen, seconded by Martin, to pass on second reading an ordinance adopting by reference the 2020 Edition of the *National Electric Code* with two State of Iowa amendments and one local amendment.

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

Moved by Corrieri, seconded by Betcher, to suspend the rules necessary for the adoption of an ordinance.

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

Moved by Corrieri, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4435 adopting by reference the 2020 Edition of the *National Electric Code* with two State of Iowa

amendments and one local amendment.

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

**DISPOSITIONS OF COMMUNICATIONS TO COUNCIL:** Mayor Haila mentioned there were several items tonight to review. The first item was a letter from Ron Frantzen, Executive Director of Facility Management at McFarland Clinic requesting updates to crosswalks at Duff Avenue and 12<sup>th</sup> Street. Assistant City Manager Brian Phillips noted that this request would be appropriate to refer to staff for a memo.

Moved by Beatty-Hansen, seconded by Betcher, to ask staff for a memo regarding Ron Frantzen's request to update the crosswalks at Duff Avenue and 12<sup>th</sup> Street.

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

The second item was a letter from Brian R. Campbell of Campbell Engineering & Surveying requesting an Ames Urban Fringe Map revision for the property located at 2359-210th Street, Ames (Boone County).

Moved by Martin, seconded by Betcher, to request a memo from staff regarding Brian Campbell's letter requesting an Ames Urban Fringe Map revision for the property located at 2359-210th Street, Ames (Boone County).

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

Mayor Haila mentioned the third item was an email from Kim Olmstead on behalf of Leon Weubker requesting a waiver of the City's platting authority in the Ames Urban Fringe Plan for properties located at 2227, 2233, 2239, 2245, and 2249-229th Place, Ames (Boone County).

Moved by Betcher, seconded by Beatty-Hansen, to refer the email from Kim Olmstead on behalf of Leon Weubker requesting a waiver of the City's platting authority in the Ames Urban Fringe Plan for properties located at 2227, 2233, 2239, 2245, and 2249-229th Place, Ames (Boone County) for a memo from staff.

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

The fourth item was an email from Dan Culhane, President and CEO, Ames Chamber of Commerce and Economic Development following up on its February 2, 2021, request for beautification improvements to the medians on Lincoln Way through Campustown from Beach Avenue west to Sheldon Avenue. Assistant City Manager Brian Phillips stated that staff had met with Mr. Culhane to discuss some of the details of the proposed landscaping. Mr. Phillips mentioned that staff was comfortable with a few elements that were proposed for the landscaping and noted that the City is not being asked for any funds for the installation; however, the City would be responsible for the maintenance and a few other issues. He told the Council it would be appropriate to refer the request to staff for a memo listing what action steps would need to be taken to proceed.

Moved by Corrieri, seconded by Martin, to place the request from Dan Culhane, President and CEO,

Ames Chamber of Commerce and Economic Development regarding beautification improvements to the medians on Lincoln Way through Campustown from Beach Avenue west to Sheldon Avenue on an Agenda.

Council Member Gartin stated he is supportive of the motion; however, it seemed odd to him that the City is not contributing any money towards the project. He asked if this would normally be under the City's purview and is the City comfortable not contributing anything. Council Member Beatty-Hansen explained that when this item is on an Agenda it would be a good time to discuss funding from the City.

The Mayor mentioned that there was some history with this item. Mr. Phillips noted that information could be included in the memo.

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

The Mayor mentioned that the fifth item was a letter from Chuck Winkleblack, General Manager, Hunziker Companies requesting to amend the Ames Urban Fringe Plan for designation of industrial development for approximately 73 acres located at 2105 Dayton Avenue.

Council Member Martin pointed out that the letter also asked for a new TIF district to be established.

Moved by Martin, seconded by Corrieri, to request a memo from staff regarding the letter from Chuck Winkleblack to amend the Ames Urban Fringe Plan for designation of industrial development for approximately 73 acres located at 2105 Dayton Avenue.

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

The next item was a memo from Deb Schildroth, Assistant City Manager regarding the selection status of a Climate Action Plan consultant. The Mayor stated that the memo was informational only and no action was required by the Council. Assistant City Manager Deb Schildroth provided an update on the status of hiring a consultant for the Climate Action Plan. The plan is to have the recommendation for a consultant on the next City Council Agenda.

Mayor Haila stated the next item was an email and report from James Pease, President of Friends of Ada Hayden Heritage Park Board requesting the City to reconsider Rose Prairie as park land.

Council Member Betcher inquired if there was anything preventing the Council from re-considering the request. The Mayor mentioned that since the prior request there was an update to a Developer's Agreement. Director Diekmann explained that Rose Prairie had filed for a rezoning with the Master Plan application. Rose Prairie is moving forward with the direction that was given by the Council in March 2021. Council Member Gartin explained that Mr. Pease put a lot of work into making the Report and wanted to know if Planning could incorporate some of the aspects of the report that could be included with the housing development. Director Diekmann stated that when staff eventually gets to the subdivision stage, there is a natural resource inventory that must be prepared and evaluated.

Some of the same information will be part of the subdivision, and the Report could be used as a comparison. Council Member Betcher mentioned that the Friends of Ada Hayden were open to discussions about the plan and that it would be an opportunity for developers to use Mr. Pease's information. Director Diekmann commented that it would depend on what aspects would be considered as the Report was given regarding a park not a development.

The eighth item was a memo from Kelly Diekmann, Planning and Housing Director with a response to the request to rezone properties between Grand Avenue and Grove Avenue from Residential High Density to Residential Medium Density. Director Diekmann commented that if the Council was interested in moving forward, he would recommend placing the item on an Agenda as the request is unique. The request is from a neighbor and not a property owner.

Council Member Gartin inquired if the request would cause a lot of work for Planning staff. Mr. Diekmann mentioned that it would not be an inordinate amount of work, but it would have to follow the normal process of notifying neighbors and having a hearing. He noted that this area was noted in the Ames Plan 2040 and was worth discussing, but he wasn't sure if the Council wanted to do that now or later.

The Mayor asked if it was normal to get a request from a neighbor instead of the actual property owner. Director Diekmann commented that he had not seen one during his time with the City.

Council Member Betcher mentioned she wanted to give a little bit of background information on the request. Mr. Long had originally reached out to her and had indicated that the request was originating from the Neighborhood Association and not just him.

Council Member Martin noted that he would like more direct evidence from someone that this is an imminent situation or that there is a large number of property owners that want to move forward. As of right now there is only one letter. He thought the Council should not take any action on the request right now, but leave open the possibility that if more evidence was brought forward, they would re-address the issue.

Moved by Martin, seconded by Junck, to approve Option 1, which was to retain the existing zoning at this time.

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

The last item was a memo from Keith Abraham, Parks and Recreation Director reviewing the criteria/approach to offering and opening Parks and Recreation programs and facilities. No discussion was had regarding the memo.

**COUNCIL COMMENTS:** *Ex officio* Nicole Whitlock mentioned that the City Council meeting on April 27 will be her last meeting. The new *ex officio* will be introduced sometime in the near future.

The Mayor inquired if there were any updates on the Ames Plan 2040 as the community has been asking for updates. Assistant City Manager Brian Phillips mentioned that he had spoken with Planning and Housing Director Kelly Diekmann and had asked him to put together an email giving the Council an update on where staff is on the Plan.

Moved by Gartin, seconded by Beatty-Hansen, to direct staff to begin the process of getting things ready for the Council to move back into in-person meetings with the date to be left unknown at this point.

Mayor Haila inquired about what Mr. Gartin meant by “begin the process.” Assistant City Manager Brian Phillips explained that staff will need some direction from the Council about what its expectations are for meeting options, specifically, would the Council’s expectations be to come back and have meetings in-person only or a hybrid option. If the Council wanted to have a hybrid option, there would be some technological issues that would need to be addressed along with potential cost and staffing needs. He noted that staff would also want to ensure that the facilities are equipped to handle the public being in person at a meeting. Mr. Phillips mentioned that staff would begin to research the different options and bring those back to the Council for discussion.

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

**ADJOURNMENT:** Moved by Corrieri to adjourn the meeting at 8:07 p.m.

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Amy L. Colwell, Deputy City Clerk

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John A. Haila, Mayor

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Diane R. Voss, City Clerk