

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

AMES, IOWA

DECEMBER 14, 2021

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

**CALL TO ORDER:** The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee meeting was called to order by Ames Mayor and voting member John Haila at 6:00 p.m. on the 14<sup>th</sup> day of December, 2021. Other voting members present were: Bronwyn Beatty-Hansen, City of Ames; Gloria Betcher, City of Ames; Amber Corrieri, City of Ames; Tim Gartin, City of Ames; Rachel Junck, City of Ames; David Martin, City of Ames; Linda Murken, Story County Supervisor; and Bill Zinnel, Boone County Supervisor. Jacob Ludwig, Transit Board, and Jon Popp, Mayor of Gilbert, were absent

**HEARING REGARDING AMENDMENT TO THE FFY 2022-2025 TRANSPORTATION IMPROVEMENT PROGRAM:** Public Works Director John Joiner mentioned there were two projects that had the project limits slightly modified. This public hearing is a required step by the Iowa Department of Transportation (IDOT). Director Joiner said there were no comments received from the public.

Chairperson Haila opened the public hearing and closed it when no one came forward to speak.

Moved by Betcher, seconded by Murken, to approve the Amendment to the FFY 2022-2025 Transportation Improvement Program.

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

**POLICY COMMITTEE COMMENTS:** No comments were made.

**ADJOURNMENT:** Moved by Murken to adjourn the Ames Area Metropolitan Planning Organization Transportation Policy Committee meeting at 6:01 p.m.

**SPECIAL MEETING OF THE AMES CONFERENCE BOARD**

The Regular Meeting of the Ames Conference Board was called to order by Chairman John Haila at 6:05 p.m. on December 14, 2021. Present from the Ames City Council were Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Rachel Junck, and David Martin. Linda Murken, Lisa Heddens, and Latifah Faisal represented the Story County Board of Supervisors. Other members in attendance were: Kelly Winfrey, Ames Community School Board of Directors. Joe Anderson, Nevada School Board of Directors was brought in via Zoom. Gilbert School Board of Directors and United Community School Board of Directors were not represented.

**APPROVING MINUTES OF CONFERENCE BOARD MEETINGS HELD FEBRUARY 23, MARCH 23, MAY 11, MAY 13, JULY 27, AND OCTOBER 14, 2021:** Moved by Beatty-Hansen, seconded by Heddens, to approve the Minutes of the Conference Board Meetings held on February 23, March 23, May 11, May 13, July 27, and October 14, 2021.

Vote on Motion: 3-0. Motion declared carried unanimously.

**AUTHORIZING THE HUMAN RESOURCES DEPARTMENT TO POST THE CITY ASSESSOR JOB VACANCY TO CLOSE ON JANUARY 28, 2022:** Assistant City Manager Deb Schildroth noted that, in November, the Examining Board was put together to work on getting a registered list of qualified Assessors. The list has been received and there are approximately 207 names on the list, but half of those are retired. There are 21 new names on the list compared to last year's list. Staff will proceed with sending out letters to all the qualified applicants letting them know of the open position and to apply if interested. She stated they will also include in the letter the activities that have taken place over the past year. Authorization from the Conference Board was needed to post the position.

The Mayor asked Ms. Schildroth to speak about what type of communication is going to be done regarding the Report that the Department of Revenue did. Ms. Schildroth noted that the Report is a public document and staff will make sure it is available to anyone who wants to review it. If there are any specific questions about the Report, they will be referred to Julie Roisen with the Department of Review as she prepared the Report.

Moved by Junck, seconded by Heddens, to authorize the Human Resources Department to post the City Assessor job vacancy and to close the posting on January 28, 2022.

Vote on Motion: 3-0. Motion declared carried unanimously.

**APPOINTING A SUBCOMMITTEE FOR CITY ASSESSOR INTERVIEW PROCESS:** Assistant City Manager Deb Schildroth explained that as part of the interviewing process staff is recommending having a subcommittee be a part of the process. She asked that there be an individual from each of the jurisdictions to help with crafting the questions and interviewing the candidates. Ms. Schildroth commented that the Conference Board should be included in the process.

The Mayor noted that the role of the Examining Board is to obtain a list of candidates, and after speaking with the City Attorney, the Conference Board can be included in the interview process with potential candidates. The final decision will come back to the Conference Board. Story County Supervisor Lisa Heddens asked to clarify if the entire Examining Board would be interviewing candidates or just a subcommittee. The Mayor indicated that either the entire Examining Board would do the interview process or a subcommittee could perform those tasks.

Council Member Betcher inquired how a subcommittee would differ from the Mini-Board. The Mayor said he did not have an answer to that question. Ms. Schildroth stated that her understanding is that one of the main duties of the Mini-Board is to review the budget that the Assessor's office

puts together. She commented that at this time they are still trying to figure out who is on the Mini-Board.

Moved by Winfrey, seconded by Anderson, to nominate Dr. Allen Bierbaum from the Ames Community School Board to serve as the representative for the School Boards on the subcommittee.

Moved by Martin, seconded by Betcher, to nominate John Haila to serve as the City Council representative on the subcommittee.

Moved by Murken, seconded by Faisal, to nominate Supervisor Lisa Heddens to serve as the representative for Story County on the subcommittee.

Moved by Gartin, seconded by Murken, to approve the appointment of Dr. Allen Bierbaum, Mayor John Haila, and Supervisor Lisa Heddens to serve as the members of the subcommittee for the City Assessor interview process.

Vote on Motion: 3-0. Motion declared carried unanimously.

**CONFERENCE BOARD COMMENTS:** No comments were made.

**ADJOURNMENT:** Moved by Heddens to adjourn the Ames Conference Board meeting at 6:18 p.m.

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

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:20 p.m. on December 14, 2021, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Gloria Betcher, Bronwyn Beatty-Hansen, Amber Corrieri, Tim Gartin, Rachel Junck, and David Martin. *Ex officio* Member Trevor Poundstone was also present

**GOVERNMENT FINANCE OFFICERS ASSOCIATION DISTINGUISHED BUDGET PRESENTATION AWARD FOR FY 2020/21 AND FY 2021/22:** Mayor Haila presented the award to Finance Director Duane Pitcher and Nancy Masteller. The 2020/21 and 2021/22 Budget was submitted to the Government Finance Officers Association (GFOA) of the United States and Canada. The Award was reviewed by the GFOA professional staff and by outside reviewers. These are the 35<sup>th</sup> and 36<sup>th</sup> consecutive years that the City of Ames has been honored with the award. Mayor Haila said that approximately 1,500 cities, counties, and school districts in the United States and Canada annually receive this Award. For budgets submitted for 2020/21, ten cities and three counties in Iowa received the Award.

Finance Director Duane Pitcher thanked the Mayor, Council Members, and staff for their support. He explained the Award felt extra earned after going through the derecho, pandemic, and staff turn-overs.

**CONSENT AGENDA:** Moved by Gartin, seconded by Beatty-Hansen, to approve the following items on the Consent Agenda.

1. Motion approving payment of claims
2. Motion approving Report of Change Orders for period November 16 - 30, 2021
3. Motion approving Minutes of Special City Council Meetings held October 28, 2021, November 16, 2021, and December 2, 2021, and Regular City Council Meeting held November 23, 2021
4. Motion setting the following Special City Council meeting dates:
  - a. January 18, 2021, at 5:15 PM for CIP Work Session
  - b. January 28, 2021, at 2:00 PM for Budget Overview
  - c. February 1, 2, 3, and 8, 2021, at 5:15 PM for Budget Hearings and Wrap-Up
5. Motion setting January 25 and February 22, 2022, as Conference Board meeting dates
6. Motion approving renewal of the following Beer Permits, Wine Permits and Liquor Licenses:
  - a. Class C Liquor License with Sunday Sales - 1 Night Stand, 124 Welch
  - b. Class C Liquor License with Sunday Sales - Cyclone Liquors, 626 Lincoln Way
  - c. Class C Liquor License with Outdoor Service and Sunday Sales - Mickey's Irish Pub, 109 Welch Avenue, Pending Dram Shop Insurance
  - d. Class C Liquor License with Outdoor Service and Sunday Sales - Café Beau, 2504 Lincoln Way
  - e. Class B Beer with Outdoor Service and Sunday sales - Torrent Brewing Co., LLC, 504 Burnett Avenue
  - f. Class C Liquor License with Sunday Sales - Time Out, 120 Kellogg Avenue
7. Motion accepting bi-annual Sustainability Coordinator Report regarding FY 2021-22 Activities
8. RESOLUTION NO. 21-600 approving appointment of Michael Zenor to the Zoning Board of Adjustment
9. RESOLUTION NO. 21-601 approving appointment of Kyle Hauswirth to the Public Art Commission
10. RESOLUTION NO. 21-602 setting January 11, 2022, as date of public hearing for approval of a lease for the property at 205 S. Walnut Avenue to Heartland Senior Services
11. RESOLUTION NO. 21-603 approving Commission on The Arts (COTA) Spring 2022 Special Project Grant contracts
12. Ladder Truck 3 Refurbishment:
  - a. RESOLUTION NO. 21-604 waiving Purchasing Policies and approving a sole source contract to Reliant Fire Apparatus, Inc. (Pierce), of Slinger, Wisconsin
  - b. RESOLUTION NO. 21-605 awarding contract to Reliant Fire Apparatus, Inc. (Pierce), of Slinger, Wisconsin, for Ladder Truck Refurbishment in the amount of \$113,686
13. RESOLUTION NO. 21-606 approving preliminary plans and specifications for 2021/22 Pavement Restoration Program (Slurry Seal); setting January 19, 2022, as bid due date and January 25, 2022, as date of public hearing
14. RESOLUTION NO. 21-607 approving preliminary plans and specifications for 2021/22 Asphalt Pavement Improvements - Opal Drive (Jewel Dr to Crystal St), Opal Circle, Harcourt Drive (Garnet Drive to Jewel Drive), Turquoise Cir, and Top-O-Hollow Rd (Bloomington

- Road to Dawes Drive); setting January 19, 2022, as bid due date and January 25, 2022, as date of public hearing
15. RESOLUTION NO. 21-608 approving preliminary plans and specifications for 2021/22 Seal Coat Pavement Improvements & 2021/22 Water System Improvements - Stafford Avenue (E 13<sup>th</sup> Street to South End); setting January 19, 2022, as bid due date and January 25, 2022, as date of public hearing
  16. RESOLUTION NO. 21-609 approving preliminary plans and specifications for 2020/21 City Hall Parking Lot Expansion; setting January 19, 2022, as bid due date and January 25, 2022, as date of public hearing
  17. RESOLUTION NO. 21-610 approving preliminary plans and specifications for 2021/22 Traffic Signal Program (University Blvd & South Fourth Street); setting January 19, 2022, as bid due date and January 25, 2022, as date of public hearing
  18. 2020/21 South Dayton Improvements:
    - a. RESOLUTION NO. 21-611 approving Iowa Department of Transportation (IDOT) Funding Agreement for \$400,000 in U-STEP Grant funds
    - b. RESOLUTION NO. 21-612 approving preliminary plans and specifications; setting January 19, 2022, as bid due date and January 25, 2022, as date of public hearing
  19. Resource Recovery Primary Rotor Replacement:
    - a. RESOLUTION NO. 21-613 waiving Purchasing Policies and approving a sole source contract to Hennen Equipment, Inc. (Komptech USA), of Shakopee, Minnesota
    - b. RESOLUTION NO. 21-614 awarding contract to Hennen Equipment Inc. (Komptech USA), of Shakopee, Minnesota, in the amount of \$59,795.35
  20. RESOLUTION NO. 21-615 awarding contract to Electric Pump of Des Moines, Iowa, for Water Distribution System Monitoring Network in the amount of \$232,375
  21. RESOLUTION NO. 21-616 awarding contract to Safety Vision of Houston, Texas, for CyRide Bus Camera System for an initial purchase price of \$52,381.80, with the option to purchase additional equipment during the contract period with relevant approvals
  22. RESOLUTION NO. 21-617 awarding contract to MHC Kenworth of Des Moines, Iowa, for purchase of four reconditioned engines for CyRide buses in the amount of \$129,343.68
  23. RESOLUTION NO. 21-618 approving reduction in retainage for 2018/19 Sanitary Sewer Rehabilitation (Siphon)
  24. RESOLUTION NO. 21-619 approving reimbursement of \$64,006.10 to IDOT for US Highway 69 Improvements - Lincoln Way (Duff Avenue to Gilchrist Street)
  25. RESOLUTION NO. 21-620 accepting completion of 2020/21 Pavement Restoration Program (Slurry Seal)
  26. RESOLUTION NO. 21-621 accepting completion of 2020/21 Seal Coat Street Improvements (Franklin Avenue)
  27. RESOLUTION NO. 21-622 accepting completion of 2020/21 Power Plant Maintenance Services
  28. RESOLUTION NO. 21-623 accepting partial completion of public improvements and reducing security for Scenic Valley, 6<sup>th</sup> Addition

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

**PUBLIC FORUM:** Mayor Haila opened Public Forum.

Hector Arbuckle, 2503 Bruner Drive, Ames, stated he lives in University Village where many students live. While living in this location, he had noticed that a lot of the students are dependent on the bus lines and many of them do not have cars. He had noticed that on Stange Road, there are three CyRide bus stops, and when anyone has to get on or off the bus, they have to cross Stange Road. There is not a crosswalk or flashing beacon at any of these bus stops. Mr. Arbuckle commented that anyone who has to cross the road is exposed to four lanes of traffic and there is no warning to the cars that pedestrians are crossing the road. He indicated that the nearest crosswalk is about a quarter mile from the bus stop. It was asked to either change the CyRide routes or add some type of crossing so it would be safer for pedestrians to cross the road.

Richard Deyoe, 505-8th Street, #2, Ames, stated he wanted to improve the national motto. He noted that the City of Ames had created a tag line a couple of years ago. He mentioned that he doesn't know who God is and the national motto starts off saying "In God we Trust."

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

**HEARING REGARDING ADOPTION OF A NEW LONG-RANGE COMPREHENSIVE PLAN FOR THE CITY OF AMES (KNOWN AS AMES PLAN 2040):** Planning and Housing Director Kelly Diekmann noted it has been almost three years to the day since this process started with RDG at a Workshop meeting. On August 24, 2021, City Council had directed staff to finalize the public draft of the Ames Plan 2040 and seek public feedback during the month of September. In October, City Council reviewed the feedback and suggested changes. The Complete Comprehensive Plan was presented to the Planning and Zoning Commission in November to have a public hearing, and the Commission voted unanimously to approve the Plan.

Director Diekmann let everyone know that for anyone who wants to view the Plan or any of the history of the development of the Plan it is available on the City of Ames website under Planning and Housing. He is looking for City Council approval at this meeting of a Resolution to replace the City's 1997 Plan with Ames Plan 2040. It was noted that there was a second part to the Resolution acknowledging that, in the Fringe Plan, there is an Intergovernmental Agreement with Story County and the City of Gilbert regarding joint administration of the two-mile fringe until August 1, 2022. Staff believed that the City Council should establish that it will follow the 28E Agreement for subdivision procedures within the two-mile fringe during the life of the Agreement.

Staff plans to present a cooperative approach with Story County to City Council in January 2022 about an update to the Fringe Plan. Director Diekmann pointed out that he received correspondence from Story County asking for clarification on the second part of the Resolution. He explained that, per the Agreement, the City can only annex certain areas that are identified cooperatively, and the City will still follow that, but if the City wanted to initiate an annexation process to start studies etc., the City could do so without amending the Fringe Plan. The County requested to change the "will consider" to say "may initiate, but will not approve" any annexation while the current Fringe Plan

is in place. Director Diekmann noted that staff is fine with what the County is recommending as it doesn't change the Plan.

Council Member Gartin asked if the proposed change from Story County would not delay the process of approving the Ames 2040 Plan. Director Diekmann commented that it would not as it would just change a "whereas" in the Resolution.

Council Member Martin stated that on Page 64 of the Plan, it mentions the development guidelines on civic or public land designations. He mentioned the text is about what happens when civic or public land is acquired by someone who wants to use the land for private purposes. The idea of the bullet on Page 64 is to say that if someone purchases land from a civic or public land designation, by default it is okay to use the land for RN-3 with single-family zoning, but if the land is going to be used for any other purpose, an amendment to the Land Use Map will need to be requested. Mr. Martin explained that he brought this up because he was concerned if the language was strong enough to explain that the amendment had to be done or if it was just a suggestion to get the amendment. He felt that if in the Civic and Public Use section of the Plan, and a cross-reference to this point was provided in the other section, it would make it clearer. Director Diekmann explained that on Page 48 of the Plan is where the cross-reference note would appear. Mr. Martin noted that he would suggest adding the cross reference to make it easier to find.

Moved by Martin, seconded by Junck, to add a cross reference on Page 48 of the Plan indicating there is more information on Page 64 regarding civic or public land designations.

Director Diekmann stated that on Page 64 of the Plan, there is a bullet that states "although not mapped, University property may be considered a redirection area," and then under the Development Guidelines it says "civic or public land designations will require a Future Land Use Map Amendment prior to rezoning for any use other than RN-3 with single-family zoning." Mr. Diekmann noted that what is not clear is under the Public and Civic Uses on Page 48 of the Plan is that it doesn't indicate any tie to the redirection page (Page 64), and that is why the cross-reference would be beneficial; otherwise it would be easy to miss.

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

The Mayor opened public input.

Hector Arbuckle, 2503 Bruner Drive, Ames, congratulated the Council on the completion of the Plan. He noted that the Plan is better than the current Land Use Plan, but felt there were still some fundamental drawbacks. Mr. Arbuckle felt the new Plan still embraced the urban planning ideas of the 1920's and 1950's, which are autocentric hierarchical networks and separation of uses and densities. He commented that the Plan forbids diversified walkable communities. Personally, he felt that the City should no longer create exclusive low-density residential districts, exclusive high-density districts, or exclusive commercial districts, but should instead allow all neighborhoods to have diversified development of different uses and densities. Mr. Arbuckle would like to have

businesses and homes near each other so that there can be more integrated communities. He would like to repeal the restrictive minimum parking requirements, minimum lot sizes, minimum setbacks, maximum dwelling unit densities, and minimum frontage requirements. He would also like to see the City relax the restrictions on commercial buildings in residential areas so that all neighborhoods can have access to goods and services within a five-minute walk. Mr. Arbuckle commented that these changes wouldn't necessarily cost the City anything, but it may allow the City to get more tax value out of the same amount of infrastructure. He thought it would be interesting for the City to attempt to calculate the future cost liability of maintaining and replacing all the existing infrastructure over the next 50 years. He noted that it will likely be impossible to know for certain what the values would be, but a former resident of Ames did a rough calculation and it was found that Ames might need to increase its property tax revenue by over 40% in order to pay for the maintenance of the existing streets. Mr. Arbuckle would prefer to see the City do this type of calculation to see the accuracy of the data.

Kim Christiansen, 2985 South Dakota Avenue, Ames, questioned the Tier 2 designation on the south part of Ames. He explained that on Page 40 of the Plan, it defines Tier 2 as "infrastructure is available with extensions of existing lines under ½ mile." The southwest part south of Hwy 30 is included as Tier 2, and it should be Tier 3 based on the definitions. Mr. Christiansen pointed out that on Page 41, under the bullet for "East Development Region" under the second paragraph, it states "for example, the Tier 2 area of the Southwest Growth Region, also contiguous to existing urban development, could experience development during the planning period," it implies that because it is Tier 2, it will be considered part of the planning. He felt there may be an error in the definition between Tier 2 and Tier 3. His concern was that by definition, the southwest south of Hwy 30 should not be Tier 2, but Tier 3 because it is at least a mile and half from infrastructure.

When no else came forward, the Mayor closed the public hearing.

Mayor Haila asked Director Diekmann to answer Mr. Christiansen's question regarding the Tier 2 definition. Director Diekmann commented that some of the scenario work was pulled into that background and the map on Page 39 was a critical decision point to the Plan process. The City Council had looked at scenarios that had the land use patterns for housing, commercial, etc., and they liked the 15,000-person scenario. Staff had asked RDG along with HDR to put some sense of what was readily available and that is when they broke down the different areas into Tiers. The quote Mr. Christiansen had read is in the Plan, but in totality, Tier 2 was viewed as a second step of progression of development; it was not a policy filter that excluded everything. The area that Mr. Christiansen referred to has been shown as a Tier 2 since staff started the Ames 2040 Plan process. The Council didn't pick that area to be a focus of growth for the City so when looking at the Future Land Use Map it doesn't show anything specifically to the south as it does to the north of Highway 30. Director Diekmann stated he didn't view the one quote about the infrastructure segment at a ½ mile as being a directive. There is not a great policy that says anything must happen in the area, but more background information. Mayor Haila stated on Page 42 there is a chart that shows priority growth areas, and it looks as if area "B" on the map is all north of Highway 30. Mr. Diekmann explained

that the chart reflects the Council's choices of what to focus on for the main area of growth for the Plan.

Council Member Betcher inquired if it would be advisable for the Council, given that the Tier 2 description on Page 40 sounds like it is prescriptive, to add the word "typically" so anyone looking at the Plan in the future understands this is not definitive. Director Diekmann stated staff could add that word, but that page in the Plan is a history lesson and not a directive of the Policy. Ms. Betcher worried that future users of the Plan wouldn't view the information as history and may take it as something more policy-oriented for decision-making. She would feel more comfortable if the Council was not as definitive as they currently are, but she is not sure if saying "typically" is accurate. Mr. Diekmann stated he would need to go back over the matrix that identified infrastructure needs for each area, but off the top of his head is not sure at this time.

The Mayor indicated that in the next year or so there may be some minor changes to the Plan, and if the Council was comfortable moving forward with approval, staff could look into adding the word "typically" or not. Director Diekmann explained they could still proceed tonight with the Plan and make any word changes later as the intent doesn't change. Council Member Betcher commented that she is satisfied at this time, but would like it noted to look at her recommended change in the future.

Moved by Gartin, seconded by Junck, to approve Alternative 1a and 1b, but with the modification of 1b to change "will consider" to "may initiate, but not approve."

Council Member Martin said that the Council had received a lot of public input on the Plan, but hadn't discussed the scope of the comments received during City Council meetings. He wanted to say a few comments about his impression of the Plan. He thought the Council had tried to identify and channel the significant forces that the Council foresaw coming to them in the future. The Council has heard a lot of interest from the community about removing housing options in favor of a more future oriented approach with higher densities and few automobiles. Mr. Martin pointed out that the Plan and the map has the Neighborhood Core Mixed-Used (NCMU) areas in new areas to the north and the south. He mentioned that this would be good as this was a special subset of neighborhood core that is associated with walkable urban neighborhoods. As a Council, they have repeatedly expressed their desire for infill and redirection even though it is going to be expensive and controversial. Mr. Martin stated that the Council knows that people are going to want to work and live in Ames. Ultimately, Mr. Martin is unconvinced that, if the City prevented additional low-density housing in Ames, it would reduce greenhouse gas emissions because there are numerous commuters coming in and out of Ames everyday already. It was hard for Mr. Martin to imagine that, if the Council removed housing options that attract people to Ames, it would force people to want housing in high-density areas and they will still commute from nearby communities.

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

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 21-624 adopting Ames Plan 2040 and recognizing that the Ames Urban Fringe Plan shall remain in effect for administration of

two-mile fringe until August 1, 2022, except that the City will consider annexation requests consistent with the Future Land Use Map of Ames Plan 2040 for the south and west expansion of the City without requiring amendments to the Fringe Plan.

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

**HEARING ON PROPOSED ZONING TEXT AMENDMENT TO THE STANDARDS FOR DETACHED GARAGES AND ACCESSORY BUILDINGS AND NONCONFORMING STRUCTURES:** City Planner Benjamin Campbell mentioned that Grant Thompson of 407 Pearson Avenue had contacted the City Council regarding his inability under *Municipal Code* to demolish and rebuild an existing, nonconforming, detached garage in the same location. The garage is at the rear corner of the lot with a straight driveway leading from the street. The garage is considered nonconforming with regard to its sides and rear-yard setbacks. Mr. Campbell explained that Mr. Thompson had stated that the garage was deteriorating, and he would like to replace it in the same location, but due to the configuration of the house on the lot, complying with the setback for a new garage will mean that the rear yard is mostly occupied by the new structure.

City Council had directed staff to proceed with two text changes in response to the request. The first was to modify the current rear yard accessory building setbacks along the rear lot line with the exception of three feet to apply to any building in the rear yard whether it is wholly behind the primary building or partially behind the primary building. The second was to amend the standards for nonconforming structures to enable existing accessory buildings to be demolished and replaced in the same location with the same dimensions.

The Planning and Zoning Commission met on November 3, 2021, to consider the proposed Text Amendments and voted 3-2 to recommend reducing the rear setbacks for detached garages and accessory buildings, allowing for the reconstruction of accessory structures in the same location as initiated by the City Council. Mr. Campbell indicated that the two Commission Members who voted nay did so in regard to grandfathering the nonconformities, but not in opposition to the reduced setback.

Council Member Gartin asked for clarification that the Text Amendment would not apply to just the Old Town area, but would be the entire City of Ames. Mr. Campbell confirmed that was correct. Mr. Gartin asked for a hypothetical situation where this Text Amendment would come into play. Mr. Campbell showed a couple pictures of houses where it would apply if the homeowner wanted to do something. Planning and Housing Director Kelly Diekmann pointed out that this would be a city-wide ordinance that will give a homeowner more options for side and accessory buildings. This was already a bifurcated standard; in the FS-RL (new suburban zones) zone; some of the homes have already benefitted from this rule while others didn't. By going to the three-foot yard requirement universally, it will ease administration consistency for staff as it will be one rule for everyone in the City.

Council Member Betcher stated that in the south campus area, there have been a number of garages taken down over the years because they couldn't be rebuilt, but the pads are still there. She noted that someone may want to rebuild would not be rebuilding, but building a new garage and wanted to know how this Text Amendment would impact those people. Mr. Campbell explained that the proposed changes for nonconformities would not apply retroactively. Director Diekmann mentioned that the way the *Code* is written for the rebuild option, the property owner would have 18 months from the time the structure was demolished.

Mayor Haila opened public input.

Grant Thompson, 407 Pearson Avenue, Ames, thanked the Council for taking up his request. He noted that, personally Option 2 in the Staff Report would be beneficial for his case, but felt that the three-foot side and three-foot rear addition from Planning and Zoning does give a bit of flexibility. Mr. Thompson said that the Amendment would be in keeping with the City's Goal to keep the City a vibrant place where people want to live, work, and have the ability to responsibly redevelop their properties.

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

Moved by Beatty-Hansen, seconded by Betcher, to pass on first reading an ordinance on a proposed Zoning Text Amendment to the standards for detached garages and accessory buildings and nonconforming structures to reduce the rear setback for detached accessory buildings and allow for the reconstruction of accessory structures in the same location and allow for reduced side-yard setbacks in the rear yard for single-story accessory buildings.

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

**FUTURE STATUS OF THE SCHOOL RESOURCE OFFICER PROGRAM IN THE AMES COMMUNITY SCHOOL DISTRICT:** City Manager Steve Schainker explained that the School Resource Office (SRO) program began in 1995/96 by the request of the Ames Community School District (ACSD). Originally, the Program included one full-time officer assigned to the Ames High School; however, in May 2019, the ACSD administrators requested a second SRO be assigned to the Ames Middle School. When the second SRO was added, a formalized agreement was approved between the City and the ACSD. Mr. Schainker stated that if anyone looked at the old Council Action Form from 2019, it emphasized that the SRO was not to be security officer for the schools, as that was never the intent of the City. The primary intent for the Program was to develop positive relationships with the youth in the schools. It has been well-documented that since the return of full-time, in-house classes in August 2021, the ACSD has faced many challenges in maintaining a stable and safe environment for all students. As a result, at the request of the ACSD administrators the SROs have spent more time during the recent months helping to restore order and enforcing ACSD rules than interacting with students in a more positive way to create the trusting relationships that were originally sought at the start of the Program. Realizing that this change in focus may not be meeting the needs of both parties, administrators from the City and ACSD have been discussing the future vision for the SRO Program.

Mr. Schainker said that it had become apparent during the discussions that the primary goals for the SRO Program for each party were diverging. The ACSD administrators believe that they have made the necessary changes in staffing and procedures to re-establish a stable learning environment and have reached a point where they would like to try other techniques and resources in lieu of utilizing Police Officers in the schools to serve the emotional and safety needs of the students. Mr. Schainker mentioned that, given the lack of a shared vision for the primary goal of the SRO Program at this time, and an indication that the ACSD officials would like to pursue a different service model, both the ACSD Superintendent and he are in agreement to recommend that the 28E Agreement related to the SRO Program not be renewed after June 30, 2022. He pointed out that the ACSD met and he believed the Board had adopted the Superintendent's recommendation and are giving notice to the City that they would like to discontinue the contract.

Mr. Schainker commented that he has been in contact with the City of Ames Police Chief and Chief Huff is in agreement with the decision that was made. Chief Huff has made progress in hiring more police officers, but once someone is hired, there is internal training and academy training. He noted that even though the Agreement will last until June 30, 2022, the Police Department does not have the workforce to provide two SROs, and the ACSD understood that there will only be one SRO for the remainder of the Agreement. Mr. Schainker didn't want anyone to believe that the City would stop providing safety at the schools. He noted that the officers will be there anytime there is an emergency, help the school with developing safety assessments for all the schools, and help develop emergency plans. It is the hope that the City will be asked to come back to the schools to help educate the students and staff on safety issues. The model is changing, and the City will move on; however, will still be supportive of the schools, students, and parents, but the safety will be done a different way.

Council Member Corrieri noted that she had watched the School Board meeting as she was interested as a Council Member and as a parent with kids in the District. During the first couple hours of the meeting, she saw teachers speaking through tears to describe the conditions that have been negatively impacting both the staff and students. There was a somewhat alarming presentation about the increase of staff absenteeism this year, and a request from the District to the Board to approve shortening the school day effective next semester to help mitigate some of the staffing shortages and to provide teachers with enough time to prepare for the day. Ms. Corrieri said that the Board then moved on to a discussion of ending the SRO program. She noted that the Program was deemed so successful that just two years ago the School District asked for a second officer to be added. Ms. Corrieri said that it seemed that a point, if you paid attention to the school district and some of the articles that have been published in the media, where we are cherry-picking statistics and allowing issues in other communities, and misguided agendas to led to where we have come to last night and tonight. She noted that if there is a motion, she will vote in favor of the City Manager's recommendation, but not because she thought the Program was not successful or necessary for the schools, but because she trusts the City Manager when he says, "the City's goals and the School District goals are not in alignment." As a Council Member, Ms. Corrieri, has a solid understanding of its goals, but she couldn't confidently say, as a parent, that she knows what the School District's goals are in fostering a safe, engaged, and relationship-oriented environment. Ms. Corrieri said, "that

probably the most unfortunate in all of this, in my eight years on City Council, I have routinely felt that we are not playing on the same team.” While the School District is responsible for the children during the school day, the kids are part of the community and the Council and the School Board should be working together to address the needs and priorities of the kids. She said she could safely speak for her colleagues when saying “we are here to help, even though past attempts have not been successful.” She didn’t think any of the Council was interested in running a School District, but they are interested in having meaningful discussion about how they can each use their resources and expertise to benefit the children. Ms. Corrieri didn’t believe that any of the Council Members believe that the SRO program coming to an end is a solution to any of the challenges facing Ames schools and she was confident that the Ames Police Department will continue to work in community policing and partnering with youth serving agencies to build relationships. The City’s goals remain unchanged with regard to how the Police Department views their role with the children and Ms. Corrieri hoped that in moving forward the School District recognizes that they are all on the same team and for the sake of the kids they should do a better job of working together.

Council Member Gartin wanted to add that he has been concerned that the discussions with the School Board have not adequately or fairly portrayed the work of the Ames Police officers and the SROs. He felt that people fail to remember the training that the SROs had received, and they try to engage the students in a positive way. He was proud of the work that the SROs have done and felt the SROs had been mischaracterized in their conduct. Mr. Gartin noted he appreciated Council Member Corrieri’s comments that were made.

Council Member Betcher commented that she agreed with Council Member Corrieri. She noted she is not a parent in the School District and doesn’t have first-hand experience of what is happening, and she appreciated the perspective that Ms. Corrieri brought to the discussion. Ms. Betcher wanted to point out that two years ago, in February 2020, the Council had approved the City Council’s Goals and Values and one of those was to meet with the Ames Community School District by the middle of 2020. Unfortunately, that was not done due to the pandemic, but Ms. Betcher was hopeful that the Council will continue to have the goal to work with the School District regardless of what happens with the SRO Program.

Moved by Beatty-Hansen, seconded by Junck, to approve the recommendation of the City Manager, which was to allow the Agreement for the City to provide School Resource Officers to not be renewed after June 30, 2022.

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

**XENIA WATER SERVICE TERRITORY:** Assistant City Manager Brian Phillips explained that on October 26, 2021, the City Council approved an Agreement with Xenia Rural Water District regarding the transfer of territory and Xenia’s operations within the City of Ames. The approved Agreement was subject to approval by Xenia’s Board of Directors and consent from the United States Department of Agriculture Rural Development (USDA). Mr. Phillips stated that Xenia has requested a couple modifications to the Agreement and the USDA has requested that the City of Ames submit an Assurances Agreement that addresses non-discrimination and related topics. He

noted that if approved by the City then Xenia's Board will approve the revised Agreement later in the week, and the executed Agreement should be available in a couple of weeks.

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

Moved by Beatty-Hansen, seconded by Junck, to adopt RESOLUTION NO. 21-625 approving the revised version of the Agreement for Water Service Operations and Territory Transfer with Xenia Rural Water District.

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

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 21-626 approving Form RD-400-4 USDA Assurance Agreement for the Xenia Water Service Territory.

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

**CITY ATTORNEY TO PREPARE DRAFT ORDINANCE ON ESTABLISHING THE MAP OF NEW WARDS AND PRECINCTS:** City Attorney Mark Lambert explained that present was GIS Coordinator Ben McConville who created the alternative maps. Attorney Lambert stated that Census happens every ten years and the legislature did the redistricting. Governor Kim Reynolds signed the new state legislative and Congressional districts into law on November 4, 2021. Iowa law requires that cities draw new wards and precincts. The precincts have to fit into the state legislative districts. The wards are the areas that the Council Members run from, and each ward has to contain approximately 16,600 residents. Attorney Lambert said that tonight the Council needs to choose a map and then direct him to draft an ordinance. It was noted that the Council started off with a map from the County, and back in October, the Council had wanted to look at the County map first and if they decided to reject the map, the City would create a different map. The City did not receive the map from the County Auditor's office until December 6, 2021, which was later than the City and the County had anticipated. Staff had discussed the options and decided to create a couple alternative maps for the Council to review. A motion would need to be made to consider all three maps and eventually a motion needs to be done to approve one of the maps to move forward. Mr. Lambert commented that the software that the Secretary of State's office purchased and provided to all the cities and counties was amazing. The software has the population in it, the census blocks, and state legislative districts.

Moved by Gartin, seconded by Beatty-Hansen, to move forward with the County map.

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

Council Member Beatty-Hansen stated that if the City can't consider demographics, the first map the City gets from the County is what it is. Attorney Lambert explained that the following items cannot be taken into consideration when drawing ward boundaries: 1) addresses of incumbents, 2) political affiliations of registered voters, 3) past election results, and 4) other demographic information beyond census head counts.

Council Member Gartin asked for clarification as to when the new maps would go into effect. Mr. Lambert stated the new precincts and wards will go into effect, per state law, January 15, 2022. He explained that even though the new maps go into effect on January 15, 2022, no Council Member will lose their seat due to the change. If more than one Council Member is put into the same ward, it will shorten the Council Member's term to two years, instead of four. Mr. Gartin stated his Ward 2 had changed boundaries and to clarify he would be representing new areas of the County as of January 15, 2022. Attorney Lambert commented that would be correct and would be tricky because if there is more than one incumbent in a ward, there are two representatives for one ward, but there is no way to avoid that until after the next election. He mentioned that he will do more research on having more than one incumbent in a ward and when the Council comes back to consider the ordinance, he will have a better answer to how that will be dealt with.

Council Member Gartin said that he is not sure how big of a deal it is going to be to have more than one incumbent in a ward as the Council Members are not focused on just their wards, but think broadly about the community. Each Council Member cares about the entire City.

Attorney Lambert mentioned that per state law the County Auditor's Office has seven to ten days to review the City's ordinance and give any feedback on it. He had spoken with the County Auditor and was told that they should be able to review the ordinance before the City's next Council meeting on December 21, 2021. The Mayor noted that the Council will need to make a motion to suspend the rules to approve the adoption of the Ordinance.

**CITY OF AMES PARTICIPATION IN THE NATIONAL OPIOID SETTLEMENT AND APPROVING THE NATIONAL OPIOID SETTLEMENT AGREEMENTS AND THE AGREEMENT AMONG THE STATE OF IOWA AND LOCAL GOVERNMENT ENTITIES:** City Attorney Mark Lambert stated that a few years ago there was a litigation filed and various lawsuits across the country suing opioid manufacturers and distributors seeking to recover costs by state and local governments in dealing with the opioid abuse epidemic. The federal courts combined all the cases into one case and now there is a big national settlement. The City was not one of the plaintiffs in the lawsuit, but have been invited and encouraged to sign on as a participant. Signing on to participate in the settlement does not guarantee that the City will receive any money. According to the terms of the settlement, the settlement funds will go to the State of Iowa, and then the State will allocate 50% of the funds to Iowa counties. The cities will have the opportunity to negotiate with their counties for a portion of the funds. It was pointed out that Story County had voted to be a participant in the lawsuit at its Board meeting. Both the State of Iowa and the County have asked that any cities over 10,000 people sign-on to participate in the settlement. The more counties that sign-on, the more money the State of Iowa will get. If any funds are received, the use of the funds would be limited to opioid abatement and prevention. His recommendation is to have the Council agree to sign on as a participant as he didn't see any downside to doing so.

Moved by Junck, seconded by Corrieri, to adopt RESOLUTION NO. 21-627 approving the City of Ames participation in the National Opioid Settlement, and approving the National Opioid Settlement Agreements and the Agreement among the state of Iowa and local government entities.

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

**RESTRICTIVE COVENANTS AND REGULATIONS FOR SINGLE-FAMILY HOMES IN BAKER SUBDIVISION (321 STATE):** Housing Coordinator Vanessa Baker-Latimer explained that the approval of the restrictive covenants and regulations for the Baker Subdivision is one of the final steps before homes can start being built. Last year, staff had approved a Plat of Survey, and they are 90% done with infrastructure (including the geothermal wells). The next step before they can start building homes or selling the lots is to develop the Restrictive Covenants and Regulations for the 26 single-family lots. She mentioned that she had been working with the Legal Department and Planning staff to put the covenants together. Ms. Baker-Latimer explained that she had worked with Legal staff on the Covenants and one of the attorneys had to leave to go out of the town and staff got the versions mixed up. The draft Restrictive Covenants and Regulations attached to the Council Action Form was the incorrect version.

Ms. Baker-Latimer clarified the following corrections were done:

1. On Page 2, Number 6, it states, “all lots may have fences in the rear yard only,” and should include the side yard as well. It will state “all lots may have fences in the rear and side yard only”
2. On Page 3, Section i: remove the wording “tonnage exceeds 3.25 tons”
3. On Page 3, Section l: remove the word “street”
4. On Page 4, Section o: remove the word “annoyance”
5. On Page 4, Section p: add the word “cats” to the last sentence
6. On Page 4, Section q: adding the “within six months” to the end of the first sentence
7. On Page 4, Section r: remove “12 months” and change it to “18 months”
8. On Page 5, Section u: remove the word “Christmas” and change it to “Holiday”

Council Member Gartin questioned the change to Page 4, Section “r,” as he thought *the City Code* directed that sidewalks be completed within 18 months. Ms. Baker-Latimer explained that they are trying to allow a little more time for the sidewalks to be put in due to weather. Mr. Gartin asked if the 18 months was the same standard as other Subdivision Covenants. Ms. Baker-Latimer mentioned the 18 months is a couple more months than the standard.

Council Member Junck inquired on Page 4, Section p where dogs and cats must be tied, controlled, or contained within the Lot by an underground, invisible fence, or on a leash at all times. She noted that it only lists an invisible fence, but asked if a regular fence would be okay as well. Ms. Baker-Latimer confirmed it would be.

Council Member Beatty-Hansen stated she had a question regarding chickens. She explained that chickens are allowed elsewhere in the City, and she wanted to know why they wouldn't be allowed in the Baker Subdivision. Council Member Corrieri commented that chickens are not allowed if there are Restrictive Covenants in Subdivisions. Ms. Beatty-Hansen explained that raising chickens is a way for someone to cut food costs and become more self-sufficient. She said this may be something

for the Council to consider adding to the Covenants, not for commercial purposes, but to supplement one's food source; that seems reasonable.

Council Member Corrieri asked if they allowed chickens, would there be a limit. Ms. Beatty-Hansen stated that the Nuisance Law would still be in effect, but if the Council would feel more comfortable with a cap, then she would be fine with that.

Moved by Beatty-Hansen, seconded by Martin, to add that chickens will be allowed on Page 4, under Section p.

Council Member Gartin asked if chickens were considered when staff was drafting the Restrictive Covenants. Ms. Baker-Latimer mentioned they are draft covenants and they had obtained verbiage from other covenants; chickens were not discussed specifically. Council Member Corrieri noted that the draft Restrictive Covenants are exactly like her Homeowner Association's (HOA) Covenants. Ms. Baker-Latimer pointed out that they do not have a HOA for this Subdivision. Ms. Corrieri commented that there was no one to enforce anything. Ms. Baker-Latimer said it would be neighbor-against-neighbor complaint based.

Council Member Gartin stated that there are two things that are true: 1) all new Subdivisions are going to have restrictions that will not allow poultry, and 2) most of Ames allows poultry. There is no state law that restricts poultry in a Subdivision. Mr. Gartin felt that having chickens in a Subdivision may impact marketability of the units. He was worried that they didn't have enough time to get staff's feedback on chickens as it could materially impact the marketing of the units. Ms. Beatty-Hansen felt that it wouldn't be a problem as she didn't think it would be that big of a problem as not everyone is going to want chickens. She stated she would guess that there are some houses that have chickens right next door and currently it is not affecting home values in a significant negative way. Ms. Betcher wanted to know if that is true, because there are some people who do not like chickens. She can see both points of view that chickens can be an additional food source; however, there are people who may not want to live next to someone with chickens.

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

Ms. Baker-Latimer highlighted a few of the Covenants. She mentioned that Lots 1 through 8, 10 through 13, 15, 24, and 25 were designated as Affordable Housing; while Lots 9, 14, 16 through 24, and 26 were designated as Market Rate Housing. Language has been added that included a prohibition against the rental of the homes. Ms. Baker-Latimer notified the Council that in the draft Restrictive Covenants and Regulations under Section 12 there is a provision that states the Covenants can be amended as long as the City owns the lots.

Council Member Gartin asked Ms. Baker-Latimer for more information as to the decision about not having a Homeowners Association. Ms. Baker-Latimer said that staff had discussed the cost for affordable housing and the fee to the homebuyers, and staff didn't want the cost to be passed onto

the affordable housing homeowners. Mr. Gartin pointed out that an HOA doesn't have to have dues, and without an HOA there is not an enforcement mechanism for the Covenants.

Moved by Gartin, seconded by Betcher, to ask the City Attorney and Housing Coordinator Vanessa Baker-Latimer to consider the merits of having a Homeowner's Association (HOA) and bring the information back to the Council with a recommendation.

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

The Mayor asked about the timeline and wanted to know if this item came back on January 11, 2022, would that be adequate. Ms. Baker-Latimer explained that moving it to January 11, 2022, would push her timeframe back as her next step would be working with the Homebuyer Counseling in January to start qualifying buyers, get lenders lined up, and get a Request for Proposals (RFP) sent out. It was asked if this item could be added to the Workshop Agenda on December 21, 2021. The Mayor confirmed that would work.

**INITIATION OF VOLUNTARY ANNEXATION FOR 2105 AND 2421 DAYTON AVENUE:**

Moved by Corrieri, seconded by Beatty-Hansen, to direct staff to initiate the process of annexation for the properties at 2105 and 2421 Dayton Avenue.

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

**BUDGET ISSUES/GUIDELINES:** Finance Director Duane Pitcher explained that tonight was to give the Council a "big picture" look on the upcoming year's budget, including factors that may later impact the Council's budget decisions, share budget-related input and requests that have been received by local citizens and organization, seek the Council's direction on select components of the budget, and to receive any general funding or service level direction that Council wished to incorporate into the budget. Director Pitcher stated that overall economic conditions in the City of Ames remain strong though there has been considerable turbulence over the past several months. He noted that most of the revenues have recovered, but with the recovery comes some level of inflation and scarcity of goods that could impact operations in the Capital Improvement Plan (CIP). The biggest item that needs to be discussed is on the expenditures of the American Rescue Plan (ARP) funds. The ARP funding equates to over \$14 million that the City has received. This grant program is administered by the US Treasury. The City has received half the funds already and anticipate the other half to be given to the City in March 2022. The City Managers had laid out a proposal for the use of these funds. Mr. Pitcher indicated there are restrictions as to what the funds can and cannot be used for and a time limit as to when those funds need to be spent.

American Rescue Plan Act: City Manager Steve Schainker explained there were two categories for the use of the American Rescue Plan Act (ARPA) funds. One of the categories is to use lost revenues, which will need to be calculated. There was approximately \$1.3 million that was lost and could be used for any purpose the City would want. Mr. Schainker recommended not using all the funds on operations as the funds are a one-time fund only. He estimated the additional "lost revenue" for FY 2021/22 and FY 2022/23 would be around \$630,822. Mr. Schainker noted that he is asking the Council to set aside \$450,496.82 for the Downtown Plaza, \$868,681.18 for the Indoor Aquatics

Center, and \$50,000 for the Ames/ISU Ice Arena. He noted that \$900,000 should be committed to fund the water and sewer extensions to 580<sup>th</sup> Street. This would leave \$11,357,623 as a remaining balance that would be available for other CIP Projects. Mr. Schainker mentioned that there were eight projects that he would recommend spending the rest of the \$11.3 million on. One of the projects was for the City Hall Auditorium HVAC Improvements that was previously bid out twice, and each time the bids came in over budget. The other seven projects were related to the implementation of the 2040 Plan.

Council Member Beatty-Hansen asked at what point does the list get approved; she had one of the projects of the eight that were being recommended. She had some concerns about the Sanitary Sewer Extension Project along 13<sup>th</sup> Street across Interstate 35. Ms. Beatty-Hansen had some concerns about this area because of the lack of accessibility for anything besides cars. She had previously been told that adding bike/pedestrian facilities would be very costly. She thought that if using one-time money, the Council should consider using some of the funds to facilitate improving the bike/pedestrian facilities under Interstate 35. Mr. Schainker mentioned that he has not calculated any of the other lost revenue for the future, and the City may not even use the funds planned for the Downtown Plaza or the Indoor Aquatics Center.

Council Member Betcher indicated that in the Report, there were four categories listed for eligible uses of the funds and category C and D were discussed, but she thought A would be a category for funding ASSET at a higher level. Mr. Schainker explained that could be done, but he is only giving the Council the City Manager's recommendation of how to use the funds; the Council does not have to approve it. Ms. Betcher explained that the Council received a request for \$455,846 in ASSET funding, which is 28.48% over the current fiscal year budgeted amount. Council Member Corrieri pointed out that you don't want to use one-time monies to support ongoing operations. Ms. Betcher stated she is unsure if the increased amount is for ongoing operations or due to the pandemic.

Council Member Gartin noted he would like to see connectivity along 13<sup>th</sup> Street across Interstate 30, but felt that what Mr. Schainker is proposing is just the sewer aspect. Ms. Beatty-Hansen commented that either way there is a cost; with the sewer extension there would be utility fees, but for bike/pedestrian infrastructure it would come from property tax money. She would rather see the cost incurred through utility fees opposed to increasing property tax.

Municipal Engineer Tracy Peterson explained that the Iowa Department of Transportation (IDOT) has discussed with the City about the long-term plans of the interchange at 13<sup>th</sup> Street and I35. If the IDOT is planning on redoing the interchange, it may accommodate the bike/pedestrian facilities to go under the bridge at a more reasonable cost. Ms. Peterson stated staff could prepare a cost estimate of how much it would cost to add the bike/pedestrian facilities now opposed to when the IDOT may do it. Ms. Peterson asked if that data could be presented in January during the CIP discussions. It was confirmed that it would work.

Mayor Haila asked Council Member Betcher if she had any thoughts regarding Category "A" to respond to the public health emergency. Ms. Betcher commented that she did not as she was not sure

if category “A” was eligible under the guidelines. She knew in some cases there has to be proof that money was lost due to the pandemic and she was not sure if that applied to Category “A,” and whether Category “A” would encompass some of the ASSET funding or not. Council Member Gartin mentioned that the Council looks to the agencies to articulate what is needed during the application process. It was noted that most of the time the ASSET requests are all operational requests. Council Member Corrieri stated she can’t speak for all agencies, but she knows that there has been a significant amount of money available to nonprofits through the state. Assistant City Manager Deb Schildroth explained that most of the services that fall under Category “A” would be the rent and utility assistance. Ms. Betcher clarified that the requests the Council gets from ASSET are for operational costs that are not being covered by the state funding and the City is looking for one-time expenses. Ms. Schildroth stated that in the ASSET budgets the agencies include all revenue sources, and this would show any state-received funds.

Moved by Beatty-Hansen, seconded by Corrieri, to request that staff investigate the cost of a bike/pedestrian passage under I35 at 13<sup>th</sup> Street and have this ready for CIP budget time.

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

Changes to the Iowa Property Tax System: Director Pitcher indicated he had put a little more information in the Report for this section than previously as the system is changing this year. The biggest area of impact is the rollback change. The rollback on residential properties dropping from 56.4% to 54.13%; this will reduce the taxable value of residential properties. Another big change is the elimination of backfill for the rollback of commercial and industrial properties. For the City of Ames, this will mean a five-year phase out beginning in FY 2022/23 of around \$900,000 in promised funding from the State of Iowa and a shift in cost to the local property taxpayers. The Council had planned for this contingency by reserving an additional amount of General Fund balance. Council can use this contingency amount to extend or soften the phase-out of backfill revenue from the state, or free up the funds for other uses now that the amount and schedule is known. Director Pitcher mentioned that another impact will be the elimination of the property tax funding for mental health. He was unsure how this will impact the property tax bills in total.

General Fund: The General Fund ended FY 2020/21 with a balance of approximately \$15.6 million. This created a beginning balance for FY 2021/22 that was almost \$5.4 million higher than what was anticipated in the adopted budget. Excluding carryovers, a balance of approximately \$540,000 remains and is available for programming into the FY 2021/22 adjusted budget. Additionally, due to open position and better than expected Local Option Tax revenue staff expects there will be substantial funds available at the close of FY 2021/22, and some amount can be programmed for one-time needs.

CyRide: CyRide was hit hard due to reduction of ridership and the reduced enrollment at ISU. The FY 2022/23 budget will include timely and substantial one-time federal support from the Coronavirus Response and Relief Supplemental Act (CRRSAA) and the American Rescue Plan Act (ARPA). These two sources have provided \$1,081,492 and \$6,163,516, respectively, for CyRide,

which will be spent over two budget years. The City's financial support for CyRide is expected to increase by approximately 2% in FY 2022/23.

Council Member Gartin asked if there was any indication from the federal government about decreasing the subsidies for public transit. Director Pitcher commented that he is not aware of anything. Mr. Gartin was concerned that the subsidy that is helping on the operational side would be removed and the City would not be prepared for the shortfall. Council Member Beatty-Hansen said that she felt that mass transit would be safe as it is seen as better for the climate; the government will have to put in more resources to combat climate change and CyRide would see the benefit from it.

Council Member Beatty-Hansen inquired what the current transit levy was along with the max. Director Pitcher indicated that the City was below the max at \$0.61. Ms. Beatty-Hansen noted she had asked CyRide staff to look at the concept of fair-free CyRide and what that might cost and how it could be funded.

Utility Rates: Last year the City had forecasted a rate increase for FY 2022/23 for both water utility at 2% and wastewater utility at 5%. The updated forecast eliminates the water increase, but the wastewater rate increase is expected to remain at 5%. The electric rates are expected to remain flat; however, the cost of commodities and increased power demands across the grid may impact the energy cost adjustment.

Resource Recovery: After several years of flat fees, the Resource Recovery Plant increased tipping fees from \$52.75 per ton to \$55.00 per ton on July 1, 2017, and to \$58.75 per ton on July 1, 2019. The per capita fee charged was increased from \$9.10 to \$10.50 in January 2018. The adjustment in RDF payment does not provide adequate funding for Resource Recovery operational and capital needs over the five-year planning period. To better provide for these needs and to maintain an adequate on-going fund balance, the current tipping fee of \$58.75 per ton is proposed to be increased by \$3.75 per ton to \$62.50 per ton beginning in FY 2022/23.

Storm Water: The last rate increase for the storm water utility was seen in FY 2017/18 to the \$4.95 Equivalent Residential Unit (ERU) fee that is charged on monthly utility bills to finance the maintenance of the storm sewer system. A fee increase to \$5.20 per ERU is proposed for FY 2022/23.

Parking: There are no increases projected at this time. In FY 2021/22, the revenues are trending upwards and are slowly returning to pre-pandemic levels.

Hotel/Motel Tax Fund: The hospitality industry was one of the most impacted by the COVID-19 pandemic. The first quarter was strong in FY 2021/22 and the City is expected to meet its revenue budget. Director Pitcher noted that the City should remain cautious and not recommend any increase to the budgeted revenue for FY 2022/23.

Fire and Police Retirement and IPERS: The City contribution rate to the Municipal Fire and Police Retirement System of Iowa (MFPRSI) will be reduced. The current rate is 26.18% of covered wages and will be 23.90% for FY 2022/23, reducing property taxes to fund this benefit by about \$200,000. Director Pitcher noted that IPERS will remain the same.

Health Insurance: The City of Ames experienced health insurance increases between 5% and 9% per year. For FY 2022/23, staff is planning to increase the self-insured premium rates by 7%. The City expects the fund balance will remain well above the required levels to maintain a self-insured plan and provide an adequate balance to fund possible claim fluctuations.

Local Option Sales Tax: These have shown significant recovery in FY 2021/22, reflecting the national trend of what may have been some delayed demand due to the pandemic. Staff is expecting to end the current year with local option revenue exceeding the adopted budget by around 25%. Much of this was due to the large adjustment distribution received in November of 2021 related to FY 2020/21 retail sales being higher than expected. Director Pitcher is expecting a 10% increase in Local Option Sales Tax.

Council Member Gartin stated that the 10% increase is a high estimate and wanted to know if there was a reason why the City was projecting such a high increase. City Manager Steve Schainker explained that a lot more people are buying items on the internet. He noted that the City is being a little more aggressive, but he still feels comfortable doing that. Director Pitcher explained online shopping is what a lot more people are doing, and the City can now benefit from the sales tax for online sales. Mr. Schainker reminded the Council that of those funds, 60% will be transferred to the General Fund for property tax relief and 40% goes to community betterment.

ASSET Human Services Funding: Assistant City Manager Schildroth stated that ASSET funding requests for FY 2022/23 have been reviewed and the total request for all funders was \$5,745,183. This amount is up about \$1.1 million from the current allocation from all four funders. The City's share is up over 28%, and the total requested was \$2,056,939. Ms. Schildroth commented that she outlined in the Report some of the agency requests that were significant. All Aboard for Kids wants to expand their service to serve kids with a higher level of special needs. The Bridge Home request was up about 190% or \$548,567. The City portion of this request is \$375,000 which is 228% increase over the current fiscal year contracted amount. The Bridge Home is wanting to provide more units of service within the shelter, providing more units of service for transitional living, and assistance with basic needs.

Council Member Gartin inquired if The Bridge Home had provided any documentation substantiating the need for the increased funding. Ms. Schildroth mentioned that there is the ASSET budget and they are continuing to see an increased need for shelter space. She noted that The Bridge Home has limited beds at the shelter, and when they are full, they utilize hotels to house individuals, which adds to the cost.

Council Member Corrieri stated that when she looked at the mid-year reports she noticed the agencies that have not turned away any clients during the first half of the fiscal year, and if that would help justify the needed increases. She also was not sure for multi-county agencies and how the data is separated out, so the City is funding City of Ames services versus outside City/County services. Ms. Schildroth explained that about over half the agencies are considered multi-county agencies and an agency has the option to include the figures from their budget that is just from the County or a percentage of the total budget. The agency's statistics page does list how many of the clients are City of Ames residents, in Story County, and outside Story County. Ms. Corrieri noted that when she served on ASSET, they tried to get concrete data as to why a drastic increase is needed. She explained that one thing that is unique is that the non-profit industry is having a "crisis in staffing," and she is worried that those agencies that are asking for a large increase may not have the capacity to serve those people as they will not be able to hire staff. Ms. Corrieri explained there are a lot of questions, given everything that is going on in the world and the labor market; that makes her ask more questions than she normally would. Ms. Schildroth commented that the questions Ms. Corrieri had brought up will be addressed during the hearings that ASSET will do, and she noted that a few of the agencies had indicated increases to help hire and retain staff.

The Mayor inquired what the Outcome summary in the Report was supposed to show. Ms. Schildroth noted that the Council only has a portion of the story. The Outcome summary used to historically have a column where it indicated whether or not an agency ran out of funds and had to turn people away. With this data not being collected by every agency anymore, the Outcomes comes from Clear Impact Scorecard. It is a snapshot, but would like to get a report from the funders where the Council could see the trends. Ms. Schildroth explained that they have started tracking how much of the ASSET funding makes up an agency's budget. She pointed out that some agencies rely heavily on local funding to provide their programs whereas other programs only use 2% of the funding. It was noted that United Way will meet on Thursday to make its recommendations and Story County is meeting on December 21, 2021.

Council Member Martin explained that the motion for funding is an allocation question and if the Council over-allocates funding, the money would be returned as the City only pays for the services that are delivered.

Moved by Martin, seconded by Corrieri, to approve an 8% increase for ASSET.

Council Member Gartin commented that he was leaning towards a more conservative number, because he would like to see the ASSET funding to be sustainable and consistent.

Council Member Beatty-Hansen stated she liked Council Member Martin's point that if they overallocate the funds if the services aren't provided the funds won't be utilized. Council Member Corrieri pointed out that the ASSET volunteers don't have to allocate all the funding as well.

Council Member Gartin noted that he was concerned as the 8% recommended increase is the highest they have ever done. Council Member Junck pointed out that there was a loss of a joint-funder a

couple years ago. Mr. Gartin explained that the City still has a responsibility to the taxpayers to be prudent. He noted he was intrigued with the Local Option Sales Tax, because the last couple of years it has not been an optimistic prediction. Mr. Gartin stated that they had discussed previously that the Local Option Sales Tax won't be a sustainable option for funding. He noted that he liked the boldness, but would like to stay conservative at 5%.

Council Member Beatty-Hansen mentioned that prices are going up and services are costing more.

Council Member Corrieri noted she has been very vocal about not allocating money to just allocate money, but she was comfortable with the 8% recommended increase. She had full faith that the volunteers will ask the really hard questions, and if the full 8% is not warranted to be allocated, the volunteers won't do it.

Council Member Gartin stated that next year the 8% will be a precedent, and there will be pressure to continue increasing the funding. He pointed out that it will look bad if the funding gets cut back further. He wanted to avoid a "rollercoaster" in the way ASSET funding is handled.

Council Member Betcher inquired what the actual amount of money would be if approved at 8%. Ms. Schildroth explained it would be \$128,087.

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

Commission on the Arts: Assistant City Manager Brian Phillips stated that the Commission on the Arts (COTA) highlighted that the current funding is a little different than what is typically done. The City Council originally authorized a 5% increase from the prior fiscal year, or a total of \$193,093; however, in February 2021, the City Council provided an additional one-time funding authority to COTA in recognition of the hardships faced by arts agencies during COVID-19 pandemic. The additional funding has been distributed to the agencies, but it has been categorized in the Contracts that it is a one-time COVID related supplement funding. Mr. Phillips explained that for FY 2022/23, COTA organizations have requested funding in the amount of \$216,470 (excluding Special Spring and Fall Grants). This is a 12.1% (\$23,377) increase from the FY 2021/22 base appropriation of \$193,093. It was pointed out that there had been some shifting of the agencies that are participating in the process. One agency that had previously applied had not applied, and two agencies that are not in the current year that applied for next year. Mr. Phillips explained that the amount that the Council will authorize to COTA will be fully recommended by COTA through its annual grants, and any funding that is left over will be set aside for the spring/fall Special COTA grants.

Council Member Gartin stated that the requested increase of 12.1% (\$23,377) is not a lot of money.

Moved by Gartin, seconded by Junck, to increase the funding for COTA at 12.1%.

Council Member Martin commented that with COTA the funding will be fully used. Council Member Gartin stated that the representatives for COTA will make sure that the money is being utilized correctly. Mr. Martin asked if COTA has any indication of the requests yet. Mr. Phillips stated that all the applications have been received and COTA has held its hearings, and it appeared that the amounts being requested by about half of the agencies are requesting exactly what their total is plus the one-time supplement. He indicated at this point he didn't have any insight into each request. Mr. Gartin felt that, as a City, they put little funding towards the arts and the City is way behind where they should be.

Council Member Betcher stated she thought the Staff Report showed that the City put a lot of money into the arts, but it is distributed in ways that do not make it obvious that the City is putting money into the arts.

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

Outside Funding requests: Mr. Phillips indicated that for most of the requests the funding will come out of the Local Option Sales Tax Fund, and there is one request from the Ames Economic Development Commission that comes every year that comes out of the Hotel/Motel Tax Fund. This year all the organizations applied for funding for next year. Mr. Phillips stated that it appears that Campustown Action Association has had a transition in leadership and the Ames Chamber is taking on the role of applying for funding on their behalf. The portion of the requests that would be financed from the Local Option Sales Tax Fund totals \$277,659 for FY 2022/23, which is a 20% increase over the amount budgeted in the current year from Local Option funds. Mr. Phillips explained there were two items he wanted to highlight regarding the increased requests. The first was from Hunziker Youth Sports Complex; they requested a substantial increase in FY 2022/23, moving from \$45,000 to \$80,000 in City funds. The other request was from the Farmers' Market, which asked for \$10,000 for FY 2022/23. Last year an application was not made by the Farmers' Market to the Ames Convention and Visitors Bureau (ACVB) Grant program, so they had asked the City for \$7,000 in funding. The City Council had authorized \$7,000 in the budget for the Farmers' Market in FY 2021/22, but as a one-time amount. Mr. Phillips explained that the Farmers' Market did submit a request to ACVB for funding. Therefore, the City Council would have to decide whether to hold the Farmers' Market to the FY 2021/22 pledge that the funding was "one-time," or to entertain requests from the Farmer Market to receive City funds on a regular basis. Mr. Phillips noted there is no policy in this Program that states an explicit requirement that an agency can't receive funding through both programs. There is a requirement that the agency has to indicate if they have applied for other sources of funding. He then indicated that the Ames Main Street request is broken into two separate requests to allow for the parking waivers for Special Events.

Council Member Martin said he didn't mind that an organization applies for funding from more than one grantor as they are not sure who will say "yes" or "no," but wanted to know if there was a way to modify the City's Policy form to clarify the duplication of requests. Mr. Phillips indicated there was an application document that contains some criteria for how funding is done, and if the Council

adopts a prohibition about having duplicate requests, it can be added to the Contracts. Ultimately, the process is highly discretionary on the Council's part.

Council Member Betcher asked if Council Member Junck knew what amount of funding ACVB was going to award to the Farmers' Market. Ms. Junck stated that the Ames Farmers' Market asked ACVB for \$5,000 and they were awarded the full amount.

Council Member Beatty-Hansen mentioned she didn't see on the Farmers' Market application where it lists its revenue sources or a line item that indicated any previous ACVB funding. She was curious as to where that revenue went and where they plan on putting the funding this year.

Moved by Martin, seconded by Betcher, to ask staff to implement a policy about duplicate funding. Vote on Motion: 6-0. Motion declared carried unanimously.

Council Member Martin stated he liked both highlighted projects (Hunziker Youth Sports Complex and Farmers' Market) and recommended supporting both. He felt it was healthy to set the limit a little below the total asking amount.

Moved by Martin, seconded by Beatty-Hansen, to approve \$275,000 in total funding for the Outside Funding Requests.

Council Member Betcher asked why the motion wasn't for the full amount as the total ask, which was \$277,659. Council Member Beatty-Hansen commented that the organizations will "tighten their belt" a little bit. Ms. Betcher stated that amount will not force anyone to "tighten their belt" a lot, and as she recalled from previous years, there have been a lot of disagreements about what organizations are important.

Council Member Martin withdrew his motion.

Moved by Betcher, seconded by Beatty-Hansen, to fund all the funding requests for the Outside Organizations in the amount of \$277,659.

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

Public Art Commission: Assistant City manager Phillips noted that the Public Art Commission will be asking for the same amount as they have the past two years.

Council Member Betcher noted that she was hoping the Council will fund another one-time Small Art Grant Pilot Program, and she will be asking for this in the future.

Road Condition/Road Use Tax Fund: This funds the operations of the street maintenance and some of the Capital Improvement Plan. Census numbers came in late and the allocation of the Road Use Tax is based on Census numbers. Staff is currently forecasting the Road Use Tax revenue of \$8,336,588 for the adjusted FY 2021/22, or about 6.4% over the adopted budget. For the 2022/23

budget, staff is forecasting Road Use Tax revenue of \$8,403,015, a 7.25% increase over the FY 2021/22 adopted budget.

Town Budget Meeting: Mr. Pitcher noted that there were several attachments in the Report. The attachments were: 1) Local Option Sales Tax Fund Summary, 2) Clear Impact Scorecard: Summary of Outcome, 3) Town Budget Meeting Minutes, 4) Town Budget Meeting Letter, and 5) Outside Funding Requests.

Council Member Martin stated that there was a request from Tam Lawrence about asking for more trees. Mr. Schainker noted that a good time to bring it up would be during budget time.

Moved by Martin, seconded by Beatty-Hansen, to ask staff for a recommendation on Tam Lawrence's request regarding trees.

Council Member Gartin asked if staff was still working on the Ash Borer expenditures. He noted that one of the challenges is that the City only has the capacity to work on so many trees, and his understanding is that City staff is already maxed out on what staff can take care of. Council Member Beatty-Hansen questioned if the capacity is an issue of funding. Council Member Betcher stated that the request was for more money and staff to plant trees.

Council Member Betcher indicated that Tam Lawrence's letter also indicated allocating money for the four-inch water mains.

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

Council Member Martin stated he recalled from the Town Budget Meeting that there was a request from Home Allies that was not finalized, but the intention was to ask for City support for an affordable housing project along Duff Avenue. He believed there hasn't been any paperwork yet. Mr. Martin noted that he would like to get more information on this project and hoped that the Council will receive and consider it a new project.

City Manager Schainker indicated there was also a request from Steve Goodhue for additional funding that will need to be considered during budget time as it is a one-time funding.

**ORDINANCE CHANGING THE NAME OF SQUAW CREEK DRIVE TO STONEHAVEN DRIVE:** Mayor Haila opened public input and closed it when no one came forward.

Moved by Beatty-Hansen, seconded by Corrieri, to pass on first reading an ordinance changing the name of Squaw Creek Drive to Stonehaven Drive.

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

**ORDINANCE AMENDING THE PARKING REGULATIONS TO INCORPORATE THE RENAMING OF SQUAW CREEK DRIVE TO STONEHAVEN DRIVE:** Mayor Haila opened public input. It was closed when no one came forward to speak.

Moved by Betcher, seconded by Junck, to pass on first reading an ordinance amending the parking regulations to incorporate the renaming of Squaw Creek Drive to Stonehaven Drive.  
Roll Call Vote: 6-0. Motion declared carried unanimously.

**DISPOSITION OF COMMUNICATIONS TO COUNCIL:** The Mayor stated there were three items for discussion. The first item was a letter from Bob Haug that gave recommendations for an effective Climate Action Plan and ideas on how to implement them. City Manager Steve Schainker noted that Mr. Haug's request fits in with the City's Resource Recovery study. He indicated that the City will take Mr. Haug's letter under advisement. The Council Members felt it would be beneficial to notify Mr. Haug on what the current status is on the study for the Resource Recovery Plant. The Mayor indicated that he will reply to Mr. Haug.

The second item was a Staff Memo from Tracy Peterson, Municipal Engineer, providing the City Council with staff's proposed Outreach Plan for the Erosion Control Project planned for Ioway Creek in Brookside Park. Mr. Schainker noted that sometimes these projects become controversial and this item gave a robust plan to reach out to the public; the project will not be popular with some people.

Council Member Beatty-Hansen inquired if additional people were being brought in to consult on the project. Municipal Engineer Tracy Peterson noted that staff had spoken with ecologists and landscape architects, and the project may come with additional change orders, but they are still working through the process. The Mayor indicated that he has two individual couples come up to him to address their concerns over this project and the additional outreach would be helpful.

Mr. Schainker asked if the proposed Outreach Plan was agreeable to the Council. They confirmed that they agreed it was.

The Mayor asked how the outreach was going to be done. Ms. Peterson indicated that staff will be hand-delivering some letters, *Facebook*, and Press Releases.

The last item was an update from Housing Coordinator Vanessa Baker-Latimer on the status of the Low-Income Housing Tax Credit (LIHTC) application with Prairie Fire Development for the Baker Subdivision. Mr. Schainker stated that no action is required at this time as it was an update.

**COUNCIL COMMENTS:** Council Member Betcher noted that Tam Lawrence had sent a letter back in 2019, and she would like to get a memo from staff on the status of the replacement of four-inch mains.

Moved by Betcher, seconded by Corrieri, to get a memo from staff on the status of the four-inch main installations.

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

**CLOSED SESSION:** Council Member Martin asked City Attorney Mark Lambert if there was a legal reason to go into Closed Session. Mr. Lambert replied in the affirmative, citing Section 21.5(1)c, *Code of Iowa*, to discuss matters presently in or threatened to be in litigation.

Moved by Martin, seconded by Junck, to go into Closed Session.

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

The City Council entered into a Closed Session at 9:44 p.m. and reconvened in Regular Session at 9:46 p.m.

Moved by Corrieri, seconded by Gartin, to approve the Settlement with Tyler Culjat in the amount of \$35,000 with payment contingent upon receiving a signed release of all claims.

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

**ADJOURNMENT:** Moved by Corrieri to adjourn the meeting at 9:48 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