

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

AMES, IOWA

APRIL 12, 2022

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on April 12, 2022, 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 Anita Rollins. *Ex officio* Member Trevor Poundstone was also present.

PROCLAMATION FOR “FAIR HOUSING MONTH,” APRIL 2022: April 2022 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 were Housing Coordinator Vanessa Baker-Latimer and Human Relations Staff Liaison Deb Schildroth. Ms. Baker-Latimer said everyone knows how important it is to have fair housing in the community. During the pandemic the community saw a lot of individuals and families lose their housing. She stated it was important, now more than ever, to continue to educate the public. Especially about educating landlords, Realtors, citizens, and non-profit organizations about the importance of fair housing and how it is important to the community. She noted that the City of Ames is partnering with the Ames Human Relations Commission (AHRC) and the Central Iowa Board of Realtors to host activities for citizens to participate. Ms. Schildroth explained that the AHRC has a “Home for Everyone” award that is awarded annually. An individual has been selected and the presentation for this award will be at the April 26, 2022, City Council meeting.

CONSENT AGENDA: Mayor Haila stated that staff had requested to pull Item 19: Resolution approving Amendment to Lease Agreement with T-Mobile to authorize an emergency standby generator to be installed adjacent to T-Mobile’s existing infrastructure located at the Bloomington Road Elevated Tank (BRET), from the Agenda, as the signed Agreement had not been received.

Moved by Betcher, seconded by Junck, to approve the following items on the Consent Agenda.

1. Motion approving payment of claims
2. Motion approving the Regular Minutes of March 22, 2022 and Special Meeting Minutes of March 30, 2022
3. Motion approving Report of Change Orders for period March 16 - 31, 2022
4. Motion certifying Civil Service candidates
5. Motion directing City Attorney to draft ordinance modifying Chapter 18 of the *Municipal Code* for parking changes at various locations
6. Motion approving new Class E Liquor License, Class B Wine Permit, Class C Beer Permit with Sunday Service - Liquor Land, 4518 Mortensen Road
7. Motion approving new Class E Liquor License, Class B Wine Permit, Class C Beer Permit - World Liquor & Tobacco + Vapors, 111 Duff Avenue
8. Motion approving new Class E Liquor License, Class B Wine Permit, Class C Beer Permit - Southgate Wine & Spirits, 110 Airport Road

9. Motion approving temporary Outdoor Service for Class C Liquor License with Outdoor Service and Sunday Sales - Tip Top Lounge, 201 E. Lincoln Way, for the following dates in 2022: pending Dram Shop Insurance
 - a. June 9
 - b. June 23
 - c. June 25
 - d. July 7
 - e. July 16
 - f. July 21
 - g. August 4
 - h. August 18
10. Motion approving Temporary Outdoor Service for Class C Liquor License with Outdoor Service and Sunday Sales - Sips and Paddy's Irish Pub, 126 Welch Avenue, for the following weekend in 2022:
 - a. May 6 - May 8, 2022
11. Motion approving renewal of the following Beer Permits, Wine Permits and Liquor Licenses:
 - a. Class C Liquor License with Catering Privilege, Outdoor Service, and Sunday Sales - Cyclone Experience Network - Hilton Coliseum
 - b. Class C Liquor License with Catering Privilege, Outdoor Service & Sunday Sales - Perfect Games, Inc., 1320 Dickinson Avenue
 - c. Special Class C Liquor License with Class B Native Wine Permit - Szechuan House, 3605 Lincoln Way
 - d. Class C Liquor License with Catering Privilege, Outdoor Service, and Sunday Sales - Provisions Lot F, 2400 North Loop Drive
 - e. Class C Beer Permit with Class B Wine Permit and Sunday Sales - Hy-Vee Gas #5018, 636 Lincoln Way
12. Requests from Ames Main Street (AMS) for Art Walk on Thursday, June 2, 2022:
 - a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License in Central Business District
 - b. RESOLUTION NO. 22-151 approving closure of 10 metered parking spaces for vendors from 1:00 p.m. to 9:00 p.m.
 - c. RESOLUTION NO. 22-152 approving waiver of parking meter fees and enforcement, usage and waiver of electrical fees, and waiver of fee for blanket Vending license for Ames Main Street from 5:00 p.m. to 8:00 p.m.
 - d. RESOLUTION NO. 22-153 approving closure of Douglas Avenue, from Main Street to Fifth Street from 1:00 p.m. to 8:00 p.m.
 - e. RESOLUTION NO. 22-154 approving usage of Tom Evans Plaza
13. Requests from Ames Main Street for 4th of July activities on July 4, 2022:
 - a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License in Central Business District
 - b. RESOLUTION NO. 22-155 approving usage and waiver of electrical fees and waiver of fee for blanket Vending License
 - c. RESOLUTION NO. 22-156 approving closure of portions of Main Street, Northwestern Avenue, Fifth Street, Douglas Avenue, Burnett Avenue, Kellogg Avenue, Clark Avenue, Allan Drive, and Pearle Avenue from 6:00 a.m. until end of parade

- d. RESOLUTION NO. 22-157 approving closure of Parking Lot MM, south portion of Lot M, Depot Lots V and TT from 6:00 a.m. to 2:00 p.m.
- 14. Requests from Ames Main Street for Summer Sidewalk Sales on July 28 - July 31, 2022:
 - a. Motion approving Blanket Temporary Obstruction Permit and Blanket Vending License
 - b. RESOLUTION NO. 22-158 approving suspension of parking regulations and enforcement for the Downtown from 8:00 a.m. to 8:00 p.m. on Saturday, July 30
 - c. RESOLUTION NO. 22-159 approving waiver of fee for Blanket Vending License
 - d. RESOLUTION NO. 22-160 approving request from Ames Main Street for Saturday, July 30 to transfer \$1,370.25 from the Local Option Sales Tax Fund to the Parking Fund
- 15. RESOLUTION NO. 22-161 approving the accession of three sculptures for the Neighborhood Sculpture Program
- 16. RESOLUTION NO. 22-162 approving the designs for the seven transformer wraps for the Downtown Electric Transformer Art
- 17. RESOLUTION NO. 22-163 in support of the City of Ames RAISE 2022 Grant Application for the Lincoln Way Corridor Connectivity Project (North Dakota - South Skunk River)
- 18. RESOLUTION NO. 22-165 awarding 1-year renewal with Arthur J. Gallagher & Co., of Centennial, Colorado, to provide Health Benefits Consulting Services & Actuarial Valuation Services, beginning July 1, 2022, in an amount not to exceed \$40,000
- 19. Ames on the Half Shell:
 - a. RESOLUTION NO. 22-166 approving waiver of enforcement of *Municipal Code* Section 17.17 related to alcohol consumption in City parks with respect only to Bandshell Park from 5:00 p.m. to 9:00 p.m. on Fridays, May 27 - June 24, 2022
 - b. Motion approving 6-month Class B Beer Permit with Outdoor Service - Ames on the Half Shell, Bandshell Park - pending Dram Shop Insurance
- 20. Transportation Alternatives Program (STBG-TAP) Application for 2025/26 Shared Use Path System Expansion (South Dayton Avenue):
 - a. Motion approving the AAMPO TAP Application
 - b. RESOLUTION NO. 22-167 to commit local funding in the amount of \$335,000 from the Local Option Sales Tax Fund
 - c. RESOLUTION NO. 22-168 accepting and maintaining the 2025/26 Shared Use Path System Expansion (South Dayton Avenue) in accordance with the Iowa DOT's Application Form for Iowa's Transportation Alternatives Program Funds
- 21. 2019/20 Storm Water Erosion Control Program (Ioway Creek - Brookside):
 - a. RESOLUTION NO. 22-169 approving Water Quality Initiative Urban Conservation Demonstration Project Funding Agreement with Iowa Department of Ag Land Stewardship (IDALS) in the amount of \$100,000
 - b. RESOLUTION NO. 22-170 approving Water Infrastructure Funding Agreement from the Iowa Finance Authority in the amount of \$500,000
- 22. RESOLUTION NO. 22-171 awarding contract to Jaspering Electric, Inc., Ames, Iowa, for the CyRide Electric Bus System Upgrades in the amount of \$282,800 (Base Bid)
- 23. RESOLUTION NO. 22-172 approving renewal of Tree Trimming Contract with Pitts Lawn & Tree Service of Huxley, Iowa, in an amount not to exceed \$85,000
- 24. RESOLUTION NO. 22-173 approving contract and bond for 2021/22 Collector Street Pavement Improvements (Hoover Avenue)
- 25. RESOLUTION NO. 22-174 accepting completion of Art Capital Grant Project for Reliable Street,

Inc., and authorizing full payment in the amount of \$4,725

26. RESOLUTION NO. 22-175 accepting completion of Water Treatment Plant Dehumidification Project

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

PUBLIC FORUM: Mayor Haila opened Public Forum.

Richard Deyoe, 505-8th Street, #2, Ames, said that a couple meetings ago the Council had discussed a Naming Policy. He noted that in the Policy it mentioned “Amenities.” Several years ago he had wanted to name the dragon sculptures “Please Let Us Be Naked.” Mr. Deyoe had attended a Public Art Commission (PAC) meeting where he told a little bit of his story. He commented that PAC had decided to change what he wanted to name the sculptures to “Sunrise to Sunset.” He said that he went to a couple PAC meetings after this had happened to complain about the recommendation. Mr. Deyoe then mentioned that he felt he was an employee of the City during the times he was able to hold the door open for people.

Hector Arbuckle, 2503 Bruner Drive, Ames, stated he wanted to talk about Subdivisions, but wanted to clarify that what he was going to say is not in any way related to the Ansley Subdivision. He said that the City Council is considering a new subdivision and thought the Council should consider applying a cost-benefit fiscal analysis approach to evaluating proposed subdivisions to ensure that any new subdivisions would be financially beneficial to the City in the long term. Mr. Arbuckle explained that through the Climate Action Plan the City has shown that it wants to thrive, not just today, but also for future generations. He commented that when a new subdivision is created, the City gets two things. The first would be new tax revenues and service fees and the other would be new infrastructure maintenance obligations as well as an increased land area that will require fire and police protection. Mr. Arbuckle felt the trouble with subdivisions was that the City gets a new tax revenue immediately, but the City doesn’t have to start repairing or replacing the infrastructure for a couple of decades. He noted that a subdivision might improve the City’s finances in the short term, but after a couple decades when the streets need resurfacing and the sewers need repaired, the revenue and fees from the subdivision might not be enough, making the City’s finances worse in the long run. Mr. Arbuckle asked the City to think long-term (20 or 40 years) about subdivisions being a net gain, allowing the City to maintain its low tax rates and maintain its high quality service, or will it be a net drain and for future Councils to increase tax rates, cut services, or take on more debt to maintain the streets and sewers. He asked the City to estimate the future revenues and fees of a development versus the infrastructure and service costs over multiple decades. It was pointed out that the City of Fate, Texas does that. Mr. Arbuckle said that the creation of a subdivision is an important task that could set the City of Ames up for future success or it could burden future generations with difficult burdens. He asked the Council to investigate the fiscal analysis done by Fate, Texas, in order to ensure that a new subdivision will work out.

Sarah Dvorsky, 304 Main Street, Ames, said she was present on behalf of Ames Main Street. She commented that Ames Main Street had spent the last few months revisiting its visioning process for the organization and where they see the “Next Big Thing” for Downtown Ames. She invited the

Mayor and Council to attend upcoming public forums to discuss the “Next Big Thing.” They will be hosting three one-hour sessions, all identical, just different dates and times. Ms. Dvorsky said Ames Main Street believes that public input, including community, Downtown stakeholders, and business owners is very important to the process. The forums will be held Monday, April 18, 2022, at 4:00 p.m., Tuesday, April 19, 2022, at 7:30 a.m., and Thursday, April 21, 2022, at 12:00 p.m. All forums will be held at the Ames Chamber of Commerce.

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

REASSESS CHANGING LIGHTS ON HIGHWAY 30 AND BANDSHELL TO UKRAINE FLAG COLORS: Assistant City Manager Brian Phillips stated that at the March 22, 2022, City Council meeting, the Council had directed staff to change the color of the lights along Highway 30 and the Bandshell to yellow and blue, in support of the nation of Ukraine. City staff does not have any specific light shows scheduled in the foreseeable future. Therefore, if the Council wished to extend the Ukraine-themed light display through late spring, there were not any scheduling conflicts.

Council Member Betcher inquired about when the City makes decisions about changing the light colors for events, (e.g. Iowa State game) if it was staff’s decision to make the change for the event occurring or if there is a request submitted. Mr. Phillips confirmed it was the staff’s decision. Ms. Betcher stated that if there were not any upcoming events then the lights could be left as they are until staff has another event that would require the changing of the lights.

Council Member Rollins mentioned she would like to see the lights left the color they are, but wondered if the Council should come up with a policy for requests to change the light colors. Mr. Phillips said that the current Policy primarily deals with how requests can be made for changing the lights (Highway 30 lights only). The lights can only be changed for a city, state, or federal recognized event. He noted that the lights are changed to recognize Ames High School or Iowa State University home football games.

Council Member Gartin explained that the change to the Ukraine colors was an ad-hoc that came up as other cities were changing its lights to show support for the Ukraine. He commented that, for right now, it would be best to leave everything the way it already is as there has not been a demand to change the lighting.

Council Member Junck noted that there were a few requests from citizens to change the lights to support the Ukraine and noted that the Council may see more requests in the future.

The Mayor asked when the next anticipated event would be. It was noted it would be sometime this summer.

Moved by Betcher, seconded by Corrieri, to leave the lights blue and yellow in support of the Ukraine until the next event that has been approved to change the lighting color.

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

Moved by Rollins, seconded by Beatty-Hansen, to have the Council consider modifications to the current Policy for lighting in order to determine how to consider other types of events that the Council would be willing to support.

Council Member Beatty-Hansen stated that the lights at the Bandshell and the programmability of those lights has changed, and the Council should bring the Bandshell lighting under the same Policy as the Highway 30 lights. Ms. Rollins accepted the friendly amendment to include the Bandshell lighting into the current Policy.

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

DISCUSSION ON TAX-INCREMENT FINANCING REQUEST FOR A SMALL LOT INDUSTRIAL DEVELOPMENT SUBDIVISION LOCATED AT 2105 & 2421 DAYTON AVENUE:

Planning and Housing Director Kelly Diekmann explained that at the March 22, 2022, City Council meeting, the Council had reviewed a request from the developers who own 72.99 acres along Dayton Road for a Tax Increment Financing (TIF) incentive of up to \$2.6 million to help pay for infrastructure components of a 13 small lot industrial subdivision. The discussion at the last meeting brought up some concerns regarding the appropriation clause. After reviewing the appropriation clause, staff had come up with three basic models for TIF development. The three models were:

1. TIF used to generate revenues to reimburse the City for the cost of basic Subdivision Infrastructure that will be owned by the City.
2. TIF Revenue used to fill a gap in the developer's project pro-forma by rebating the Incremental Tax Revenues to the developer.
3. TIF used to generate revenues to reimburse the developer for the cost of basic Subdivision Infrastructure that will be owned by the City.

After further conversations with the developer, City staff had agreed to recommend to City Council that the requirement for an annual appropriation clause be excluded from the final Agreement.

Council Member Betcher said that she appreciated that staff continued to work with the developer on the appropriation clause. She asked if it was known if the non-appropriation clauses were for projects that did not involve infrastructure that would have been required anyway by the City. Director Diekmann stated that staff did not have that information. Ms. Betcher commented that it might be worth knowing that information for future projects that might need that distinction.

The Mayor opened public input and closed it when no one came forward to speak.

Director Diekmann noted that a Developer Agreement will not be brought back immediately, but will be brought back later after the Preliminary Plat is approved.

Moved by Corrieri, seconded by Gartin, to direct staff to prepare a Development Agreement that includes the terms for approval in early fall 2022.

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

Council Member Gartin stated that prior discussions yielded a point that the Council did not fully understand and that is the idea of having annual votes on certain types of commitments and how it affects the City's bond rating. In visiting with the City Attorney, it was the opinion that it may be beneficial for the Council to have some guidance from the City's bond counsel regarding the legality and propriety of having an appropriations clause in the future. Mr. Gartin said he would defer to whatever the bonding agent says, but felt it would be helpful to work through this issue prior to the Lincoln Way project.

Moved by Gartin, seconded by Betcher, to direct the City Attorney to provide a legal memorandum to the Council with respect to the propriety and legality of appropriation clauses that require an annual approval.

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

UPDATE ON LOW-INCOME HOUSING TAX CREDIT (LIHTC) DEVELOPMENT OPTIONS FOR MULTI-FAMILY HOUSING IN THE BAKER SUBDIVISION (321 STATE AVENUE): Housing Coordinator Vanessa Baker-Latimer explained that at the March 8, 2022, City Council meeting, the Council received an update on the 37-unit Low Income Housing Tax Credit (LIHTC) Development Agreement with Prairie Fire Corporation and Builder's Development Corporation (BDC) for the Baker Subdivision (321 State Avenue). The application to the State for the 9% LIHTC funding was unsuccessful. Staff had reviewed other options to fund the Baker Subdivision project. One of the options was to continue the partnership with the current developer as a 4% LIHTC project and use part of the HOME funds and possibly HOME American Rescue Plan (ARP) funds to come up with \$2 million. Ms. Baker-Latimer noted that prior to contacting Prairie Fire, staff reviewed its HOME grant funding availability and options. Staff concluded that to fulfill the City's funding commitment, the City should consider its current HOME allocation balance of \$1.53 million, plus a portion of the anticipated 2022-23 HOME allocation. The total anticipated 2022-23 HOME allocation is \$350,000. Therefore, the current HOME funding balance plus the programming portion of the anticipated 2022-23 allocation would total approximately \$1.8 million of HOME funds. Staff also reviewed the guidelines for HOME ARP funds and the Program guidelines are still unclear. Further research is required before staff could recommend committing a portion of the \$1.02 million in HOME ARP funds to this project.

Ms. Baker-Latimer explained that staff did speak with Prairie Fire about proceeding with the \$1.8 million and were told that Prairie Fire could be interested in pursuing a 4% LIHTC project, but would reduce the number of units from 37 to 30 affordable housing units. The design would be similar, but would be eliminating a building located on the south portion of the site. It was mentioned that construction costs were a big concern, but the developer is hopeful that prices will start to decline. If the Council proceeded with the partnership with Prairie Fire, they would pursue applying for the 4% credits through the Iowa Finance Authority (IFA). A commitment letter from the City stating that the funding for the 2022-23 HOME allocation would be coming in at a later date and would be sufficient to proceed with the application.

Ms. Baker-Latimer stated that the City is required to provide a 25% local match to the HOME funds

and in order to achieve this, the City may also need to consider using partial property tax abatement with the project. That detail would be determined at a later date with a Development Agreement. It was noted that if the Council desired to have this project break ground by fall of 2022 then the 4% LIHTC with local assistance would be the best option.

The Mayor asked if the City provided the partial property tax abatement would it reduce the \$1.8 million contribution or if it would be in addition to that amount. Ms. Baker-Latimer explained it would be in addition to as it would help get the amount closer to the \$2 million.

Ms. Baker-Latimer stated another option would be to request new proposals. The current Agreement with Prairie Fire was with the initial assumptions that the project would have 37 units, securing 9% LIHTC funding, and the City would assist with the land and \$350,000 in HOME funds. Since the project did not receive a 9% LIHTC allocation in 2021, the Agreement is not currently binding. Before seeking any new proposals, a series of steps would need to occur. City staff would need to complete the 2022-23 Annual Action Plan for the use of CDBG and HOME funds and integrate the HOME ARP funds into the 2020-21 Action Plan. Although final allocations have not yet been received from the Housing and Urban Development (HUD), staff anticipated being able to complete the plans for submission on or by August 16, 2022. Ms. Baker-Latimer noted that there is no guarantee that the City would receive any proposals or if an application was submitted for the 9% LIHTC funding that the City's application would be selected.

Council Member Rollins asked if the Council chose Option 2, then it would also involve going back out to the community with the new developer to make sure that the Plan was one that the community would be comfortable with. Ms. Baker-Latimer noted that staff would go back out to the neighbor to get their input on any new proposals. She noted that the neighborhood has been made aware of the two options that were presented to the Council.

Council Member Gartin said he was lost when trying to figure out the amount of the subsidy per unit for affordable housing. He noted that what was a 37-unit project is now down to a 30-unit project, so the amount of money that is going to be spent per unit would increase. He inquired if there was any idea on the amount of subsidy that each unit would be. Planning and Housing Director Kelly Diekmann indicated that originally 70% of the project was to be funded by tax credits, but now it is closer to 40% from tax credits and 60% coming from the City. Mr. Gartin stated he was a little more concerned with the taxpayer's portion. He felt it was important to understand the amount of subsidy of Ames tax dollars per unit. Council Member Beatty-Hansen commented that she thought all the money was federal money. Director Diekmann said that essentially it is all federal money, but any time the City spends a HOME dollar, the City has to pay \$0.25 of its own money. The \$1.8 million would be the match amount. He indicated that if the Council wanted to use the HOME match for what the taxpayer has to pay into the project, it would be around \$15,000 per unit in the 30-unit project.

Council Member Gartin asked about density. He indicated, when looking at this project, it has changed a lot since the process started. The project was initially proposed to be 50 units, then

changed to 37 units, and now the density has been lowered again to 30 units. He asked Director Diekmann if this were a normal project how many rental units could a property this size sustain. Director Diekmann said if it was comparable FSM Zoning, it would be similar. He indicated that it is a 2.7-acre site and would have approximately 30-40 units. Mr. Gartin felt the City was moving in the wrong direction regarding density.

Mayor Haila asked for more information on timing. He mentioned that the developer still has an out if the costs come in too high and the Council doesn't want to put more money into the project. He wanted to know when the developer would let the City know if they would be able to move forward with the project. Ms. Baker-Latimer stated if Option 1 was chosen, Prairie Fire would attempt to get its application in sometime in May 2022, and the IFA has a turn around time of about 30-45 days. Director Diekmann noted that Option 1 had a lot of next steps and a Developer's Agreement would need to be done. If Prairie Fire is not willing to commit to the Agreement, that would be their way out and this information would come out sometime in the summer. The Mayor noted that if Prairie Fire backed out, the City would have to start all over again anyway. Director Diekmann pointed out that the entire process is not all dependent on Prairie Fire as currently the City cannot commit \$1.8 million yet as the funding has not been fully received. The Mayor indicated that he hoped that Prairie Fire doesn't back out, but wanted everyone to think of the timing and how everything could be affected. Director Diekmann noted that if for any reason everything did fall apart in August the City would still be in the perfect timeframe for the next cycle in the Spring. Ms. Baker-Latimer indicated that if HUD is true to what it had indicated, the allocations should be coming out next month.

Council Member Betcher asked, if the City was to put out a new Request for Proposals (RFP), would the RFP be the same as what it was previously or would there be a need to make a lot of changes. Ms. Baker-Latimer said she felt staff would be able to revise the RFP and not start from scratch.

The Mayor opened public input.

Hector Arbuckle, 2503 Bruner Drive, Ames, indicated that he agreed with what Council Member Gartin said regarding the decrease in density. He said that from what he has read and studied, allowing for increased housing density tends to be beneficial for increasing the housing supply in places people where want to live, which increases affordability. He wondered if the Council considered doing another RFP, should they change the zoning from FS-RM to RH, CSC, or DSC.

Council Member Beatty-Hansen stated she wanted to answer Mr. Arbuckle's question about zoning. She mentioned that this particular piece of land has a lot of history with the zoning. The City was in a lawsuit so that the land would not become RH. She understands what is being said about density, but for this property, the Council is looking at a fair compromise as it is more than what anyone in the neighborhood wanted.

Moved by Beatty-Hansen, seconded by Corrieri, to approve Option 1, which states to continue the partnership with the current developer as a 4% LIHTC project with local assistance of approximately

\$1.8 million of HOME funds.

Council Member Gartin said he would be voting against the motion. He wanted to note that when the Council first heard this proposal, it was a different opportunity for the City and felt this is now an inferior project. The City had the opportunity to put in 50 units with a 90% mix and the City is now going in the opposite direction. The goal of having this project started soon is valuable, but it has to be outweighed by the possibility of getting a much better project.

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

NAMING THE INDOOR AQUATIC CENTER AS THE “FITCH FAMILY INDOOR AQUATIC CENTER;” NAMING THE THERAPEUTIC POOL AS THE “MARY GREELEY THERAPEUTIC POOL;” AND NAMING THE ZERO-DEPTH ENTRY POOL AND PLAY STRUCTURE AS THE “FAREWAY FUN ZONE;” Parks and Recreation Director Keith Abraham stated there is a lot of information in the Council Action Form, so he won’t go into detail, but wanted to highlight a few items. Regarding donations he wanted to thank Dan Culhane, President and CEO of the Ames Chamber of Commerce, for raising over \$8 million in donations for the Indoor Aquatic Center. Director Abraham said that the City does have a Parks and Recreation Naming Policy and there are three categories in which a park, facility, or major feature may be named. Those are: 1) Historic Events, People, and Places; 2) Outstanding Individuals; and, 3) Major Donations. He indicated that the three requests that were received were regarding major donations. He explained that Mary and Rich Fitch have pledged \$3 million and it was recommended to name the Indoor Aquatic Center the “Fitch Family Indoor Aquatic Center.” Mary Greeley Medical Center had pledged \$4 million and was requesting the Therapeutic Pool be named the “Mary Greeley Medical Center Therapeutic Pool.” Fareway Stores had pledged \$500,000 and requested the Zero-Depth Entry Pool and Play Structure be named the “Fareway Fun Zone.” The Parks and Recreation Commission had met and voted to recommend to the City Council to approve the naming requests. The Commission also directed staff to research whether there should be a feature named in memory/honor of Geitel Winakor since her \$2 million donation is being used for the construction of the Indoor Aquatic Center. Director Abraham said that on April 26, 2022, staff will be recognizing all donors for the Indoor Aquatic Center.

Council Member Betcher asked about the status of naming something after Geitel Winakor. Director Abraham said that some research had been done and the people who were involved from the City’s perspective of getting the donation advised that Ms. Winakor did not have any interest in having anything named after her.

The Mayor opened public input and closed it when no one came forward to speak

Moved by Beatty-Hansen, seconded by Betcher, to adopt RESOLUTION NO. 22-176 approving the naming of the Indoor Aquatic Center as the “Fitch Family Indoor Aquatic Center;” naming the Therapeutic Pool as the “Mary Greeley Therapeutic Pool;” and naming the Zero-Depth Entry Pool

and Play Structure as the “Fareway Fun Zone.”

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

AUTHORIZING THE MAYOR TO SIGN THE WATER INFRASTRUCTURE FUND GRANT AGREEMENT WITH THE IOWA FINANCE AUTHORITY PROVIDING \$61,500 TOWARDS THE COST OF RETIRING 40 ACRES OF LAND WEST OF MOORE MEMORIAL PARK AND RESTORING IT TO NATIVE VEGETATION: Water Pollution Control Facility Director John Dunn stated that he wanted to give a high level summary of what the \$61,500 will do for the City. He said the funding will restore 40 acres to native prairie. The modeling suggested that making this change will result in a 69% reduction in the nitrogen export off the area and a 98% reduction in the phosphorus loss. The grant that the City will be receiving from the Water Infrastructure Fund through the Iowa Finance Authority will cover the cost of the Contract for mobilization, clearing/grubbing, and seeding/fertilization. When everything is done the area will be ready for future improvements.

Council Member Betcher said there had been some negative public reactions when the City has cleared trees in the past, especially around Ioway Creek. She wanted to know if any outreach will need to be done to ensure the public is aware of what the project is and how the City is intending to move forward. Director Dunn indicated that it would be staff’s intent to publicize what is going to be happening. The prairie restoration will take place immediately after the clearing/grubbing so the area will look restored in a fairly short period of time.

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 22-177 authorizing the Mayor to sign the Water Infrastructure Fund Grant Agreement with the Iowa Finance Authority providing \$61,500 towards the cost of retiring 40 acres of land west of Moore Memorial Park and restoring it to native vegetation.

Council Member Gartin stated that Assistant City Manager Brian Phillips had provided some financial information to the Council regarding the area. He indicated that if the Council was going to make a decision that would have a financial implication, there should be a record of it. Mr. Gartin noted that Mr. Phillips confirmed that the City receives \$3,050 from Iowa State University as rent for the farm; this will be money that will no longer be received.

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

HEARING ON REZONING OF 3210 CEDAR LANE FROM AGRICULTURAL (A) TO FLOATING SUBURBAN-RESIDENTIAL LOW DENSITY (FS-RL) WITH A PLANNED UNIT DEVELOPMENT OVERLAY (PUD) AND MASTER PLAN: City Planner Benjamin Campbell explained that the Ansley development is owned by the Burgason family of Burgason Enterprises, LLC. They are proposing to rezone and develop four parcels totaling 58.7 acres at the end of Cedar Lane on the south edge of Ames. The site is accessed from Cedar Lane, Aurora

Avenue, and the future extension of Lunetta Drive. The proposed development will include approximately 170 dwelling units, open space amenities, and a small neighborhood commercial area. The property was annexed in 2019 and is subject to a Pre-Annexation Agreement. The owner agreed to buy out the rural water provider (Xenia) at the time of development. The developer is responsible for extending water and sewer service to the site. The property owner is requesting to rezone from Agricultural (A) to Floating Suburban - Residential Low Density (FS-RL) with a Planned Unit Development Overlay (PUD). The proposed PUD Overlay allows for flexibility in lot patterns, uses, and certain development standards, such as setbacks. Private streets are also permitted within a PUD. The PUD process requires common open space and amenity areas along with a description of uses and design details. A Master Plan accompanies the rezoning request to identify the range of uses and layout of the site in connection with the requirements of the PUD Overlay. At the time of approval of the PUD there is a Zoning Agreement required for administration of the Master Plan and PUD. The developer intends for Ansley to be a mix of housing types: traditional detached single-family homes; homes on smaller lots, referred to as "cottage court homes," clustered about short, shared driveways; and town homes clustered on several lots. Dispersed throughout the site are common open spaces and storm water management areas. The larger cottage court area in the middle of the site has a communal space that will serve as the open space for the surrounding homes. The individual yards for each property are intended to be small and the setbacks will be five feet on each side. Many of the properties will be served by alleys and many will also face onto communal space, creating a diversity of housing topologies. The application has also developed detailed architectural standards to guide the individual house construction for consistency with the vision of the PUD.

The applicant requested several deviations from setbacks. A PUD requires a minimum of 10% as usable open space. Approximately 35% of this development is proposed as open space, in the form of a large retention pond and several shared green spaces in the center of the development and at the south end. The site abuts existing and planned City infrastructure. Public road extensions will tie into the site from Cedar Lane, Aurora Avenue, and the future Lunetta Drive. The Planning and Zoning Commission voted to recommend approval of the project subject to conditions outlined by staff regarding corrections and updates to the PUD Plan for setbacks and unit types. The conditions also included: 1) complete the buyout of Xenia Water Service Territory with completion of the territory transfer prior to the Preliminary Plat approval; 2) Prior to Preliminary Plat approval, include improvement plans for Cedar lane that include dedication of right-of-way, sidewalks, and street paving from the north edge of the site to the south edge of the site; and, 3) Development of the site shall not occur until such time as the City of Ames has approved a Subdivision Plat for the site. Mr. Campbell indicated at the Planning and Zoning Commission meeting the applicant did request that the height of the town homes match the height of the other structures. The town homes should be at the same height as the single-family homes.

Council Member Gartin stated he was having difficulty conceptualizing the access to the bike trail system. He wanted to know if there were dedicated trails within the Subdivision and how close the trails are to the existing system. Planner Campbell indicated on an overhead map where the bike trails would be.

Mayor Haila opened the public hearing.

Keith Arneson, 4114 Cochrane Parkway, Ames, said that he is the developer of the Domani project to the north of Ansley. He stated he had two concerns that had to deal with transition. The third phase of Domani has been approved. The first two phases were 51 homes that are all one- or one-half story homes. Mr. Arneson mentioned that what is confusing to some people is that the base zone of RL supports a three-story building with a two-story garage. He noted that he has been building homes since 2003, and he has never built a three-story home. He was concerned about allowing for three-story buildings adjacent to the future Domani sites that would have rear yards of homes about the development and questioned the compatibility and transitions. He asked that the properties that will border his Subdivision be limited to a two-story house and one-story garage, and he will pledge to do the same with his third phase. Mr. Arneson noted that another concern of his was the rear setbacks and asked for some consistency shown for the outside perimeter where it abuts his property. Council Member Gartin asked what Mr. Arneson was requesting the rear setbacks to be. Mr. Arneson said 25 is consistent with all the other lots in the Subdivision and didn't see why the three lots that border his property are different.

Hector Arbuckle, 2503 Bruner Drive, Ames, said he didn't think there should be a precedent from people on one property to subjectively use their aesthetic preferences to limit what other people can do on their land. He mentioned he lives in a townhouse and felt it was awesome. Mr. Arbuckle said there are a lot of different people in Ames that have different views on what they want to live and didn't feel the City should limit their choice on how to live. He felt that abutting property owners should not be the ones who get to decide how other people should live their lives.

Mayor Haila closed the public hearing when no one else came forward.

Planning and Housing Director Diekmann said that Lots 7 and 8 back up to the Domani Subdivision and are corner lots. In the Zoning Ordinance, there is a unique standard for corner lots that establishes that corner lots do not have rear yard and corner lots have two fronts and two sides. Director Diekmann mentioned that was what Mr. Arneson was concerned about as normally rear setbacks would be 25; however, since it is a corner lot the setback is only six.

Council Member Junck asked if the Domani property that abuts the Ansley property by Lot 7 and 8 are also corner lots. Director Diekmann noted that there is a 50-foot setback that Mr. Arneson agreed to with the Burgason's, which the City was not part of, that shaped his project. Due to the private Agreement, Mr. Arneson is forced to orient the house one way. Mr. Diekmann explained that he is not trying to answer all of Mr. Arneson's comments, but wanted to mention the setbacks for the two corner properties.

Council Member Gartin said that there have been issues in other parts of the City regarding stormwater retention ponds and wanted to know if there would be an agreement for the maintenance of the ponds. Director Diekmann indicated that there will be an agreement with the Homeowners Association (HOA) for the day-to-day responsibilities; however, the City will take over the long-term

maintenance of the ponds.

Council Member Betcher asked about the potential for three story homes being done on Lots 7 and 8 and wanted to know if any other lots in the Subdivision could potentially have three-story homes. Director Diekmann said all lots could potentially have three-story homes on them. He mentioned that town-homes were more likely to be three-stories opposed to single-family homes. Ms. Betcher said that she lives in a one-story home that is next to three story homes and she doesn't have a problem with the compatibility; it hasn't posed any issues.

Director Diekmann wanted to clarify that if the Council chose Alternative 1, there is a long list of conditions. He said when staff does a rezoning with a Master Plan, the *Code* requires a Zoning Agreement to eventually come; with this and that is done during the third reading to make sure all the details are correct. When this item comes back to the Council, it will have all the relevant details packaged together to make it simpler for administration to understand what the requirements are for the PUD.

Moved by Junck, seconded by Gartin, to pass on first reading an ordinance rezoning 3210 Cedar Lane from Agricultural (A) to Floating Suburban - Residential Low Density (FS-RL) with a Planned Unit Development Overlay (PUD) and Master Plan.

Council Member Gartin noted that he wanted to mention Mr. Arneson's concern and hoped there would be some good faith between the developers to hopefully work on some of the issues between themselves.

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

HEARING ON CONVEYANCE OF CITY-OWNED LAND COMMONLY KNOWN AS 241 VILLAGE DRIVE: Council Member Rollins said that the land was purchased by the City for \$161,000 and inquired why the City would be selling the property for only \$100,000. Housing Coordinator Vanessa Baker-Latimer noted that the City has owned the property for a while, and it was always the intent to sell the property to use the funding to go towards the Baker Subdivision. She indicated that staff had a lot of items on their plate regarding CDBG and CARES funding and they didn't want the property to sit any longer. Staff had reached out to Habitat for Humanity of Central Iowa as the City has done a lot of partnerships with them. By selling the property to Habitat for Humanity, it would guarantee a low-income family would be able to live in the home.

Public comment was opened and closed by Mayor Haila when no one came forward to speak.

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 22-178 approving the sale of city-owned land commonly known as 241 Village Drive to Habitat for Humanity of Central Iowa, Inc., in the amount of \$100,000.

Roll Call Vote: 5-0-1. Voting Aye: Beatty-Hansen, Betcher, Corrieri, Junck, Rollins. Voting Nay: None. Abstaining due to Conflict of Interest: Gartin. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON ADA HAYDEN HERITAGE PARK DREDGING OF WETLAND G (CELL 1):

The Mayor opened the public hearing. There was no one wishing to speak, and the hearing was closed.

Moved by Rollins, seconded by Corrieri, to adopt RESOLUTION NO. 22-179 approving the final plans and specifications and awarding a contract to Nagel Construction, LLC, of Allerton, Iowa, in the amount of \$118,323 (Base Bid & Alt. 1).

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

HEARING ON SOUTH 16TH STREET IMPROVEMENTS: Mayor Haila declared the public hearing to be open. It was closed when no one came forward to speak.

Moved by Rollins, seconded by Junck, to adopt RESOLUTION NO. 22-164 approving the final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$4,085,830.80.

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

ORDINANCES: None.

DISPOSITIONS OF COMMUNICATIONS TO COUNCIL: Mayor Haila said there were two items on the list. The first item was a letter from Lee Grassley, Senior Manager, Mediacom Government Relations providing the City with information regarding its participation in the FCC's Affordable Connectivity Program (ACP). The Mayor indicated the letter from Mr. Grassley was for the Council's information only.

The second item was an email from Mary Warren requesting crosswalks to be repainted at the following intersections in her neighborhood: 1) Valley View Road and Aspen; 2) Valley View Road and Bayberry; and 3) Valley View Road and Northridge Parkway. Ms. Warren also requested to have a pedestrian crossing light or four-way stop signs be installed at the intersection of Northridge Parkway and Stange Road.

Assistant City Manager Brian Phillips stated that the repainting request can be incorporated into the annual pavement marking repainting. Staff is currently waiting on paint supplies to arrive. He indicated that the other request regarding concerns about the intersection of Northridge Parkway and Stange Road has already been studied, but if the Council wanted, staff could provide a memo regarding what was found during the study.

Council Member Junck asked how long ago the last memo was sent out. Public Works Director John Joiner said a study was done in 2015 and it was then updated in 2020.

The Mayor asked if there was any indication that another study would be warranted for the area. Director Joiner said the area was reviewed two years ago and at that time the enhanced crosswalks and dynamic feedback signs were appropriate. He indicated that this has been the only citizen comment regarding the intersection lately and it would be hard to say if anything has changed within the past two years.

Council Member Betcher asked if the 2020 study was done during COVID traffic conditions when there were not as many cars out and about. Director Joiner said it was.

The Mayor stated that if the Council does not want to move forward, he would like to respond back to the citizen regarding the prior studies.

Moved by Junck, seconded by Gartin, declining to initiate a new traffic study for the intersection of Northridge Parkway and Stange Road.

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

COUNCIL COMMENTS: *Ex officio* Poundstone said that the next *ex officio* has been named, and it will be Bryce Garman. He said that Mr. Garman works for the Story County Board of Supervisors, so he has some experience with local government. Mr. Garman will be confirmed by the Student Government. Mr. Garman will be attending the City Council meeting on April 26, 2022.

ADJOURNMENT: Moved by Gartin, seconded by Corrieri, to adjourn the meeting at 7:35 p.m.

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

Amy L. Colwell, Deputy City Clerk

John A. Haila, Mayor

Diane R. Voss, City Clerk