

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

AMES, IOWA

NOVEMBER 18, 2022

The Special Meeting of the Ames City Council was called to order by Mayor John Haila at 8:35 a.m. on the 18<sup>th</sup> day of November 2022. As the City Council Members were in Kansas City for the National League of Cities Conference and it was impractical for the members to attend in person, Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Tim Gartin, and Rachel Junck were brought in telephonically. Council Member Anita Rollins and *Ex officio* Member Bryce Garman were absent.

Director of Public Works John Joiner explained on November 8, 2022, the City Council approved the Union Pacific Railroad (UP) maintenance and construction agreement for the 24<sup>th</sup> Street crossing; such approval was contingent upon receipt and review by the City of Ames Legal Department. Mr. Joiner shared at the time of approval by the City Council, the estimated costs for UP to make the crossing improvements was \$52,270, plus a \$5,000 fee for on-going crossing rights. In the final agreement, UP increased the estimated costs to \$102,270 to account for additional plan review and engineering inspection by UP, along with the \$5,000 crossing fee. Unfortunately, the City has no recourse but to accept this new cost if there is interest in accomplishing this project, furthered Director Joiner.

Council Member Gartin asked what the City would normally anticipate investing in a sidewalk similar to the one proposed in the project. Director Joiner replied he would anticipate a cost of \$8,000; however, for this project the City must consider all the expenses UP will incur for engineering, inspection, planning, and crews traveling to the site.

Council Member Betcher inquired as to why the additional costs were not originally included in the agreement by UP, as it seemed as though they should have been able to foresee the expenses. Director Joiner agreed the costs should have been included, clarifying that the costs were forecasted for plan review and site selection.

Mayor Haila shared a representative from UP is present at the National League of Cities conference and would be holding walk in appointments this morning. He stated he would stop by to discuss the agreement with them to better understand the associated costs.

Director Joiner assured the City Council that DOT SWAP funding would be fully utilized for the overall project, which would help offset the additional expense.

Council Member Gartin noted staff has been working for years on this project and the lack of communication from UP has been appalling. He acknowledged Director Joiners efforts to keep the project moving forward.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 22-591 approving the updated estimated costs of \$102,270 for the Union Pacific Railroad maintenance and construction agreement for the 24<sup>th</sup> Street crossing.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Council Member Betcher asked if future maintenance expenses are covered in the additional expense. Director Joiner replied in the negative, stating any future maintenance needs will be at cost of the City.

**DISPOSITIONS OF COMMUNICATIONS:** Mayor Haila noted that there were no items to consider.

**COUNCIL COMMENTS:** Council Member Betcher expressed support for Mayor Haila's discussion with the UP representative present at the conference and offered to be present for the conversation if desired.

**ADJOURNMENT:** Moved by Beatty-Hansen, seconded by Betcher, to adjourn the meeting at 8:42 a.m.

Vote on Motion: 5-0. Motion declared carried unanimously.

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Carly M. Watson, Deputy City Clerk

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John A. Haila, Mayor

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Renee Hall, City Clerk