

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

AMES, IOWA

MARCH 8, 2022

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on March 8, 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, and Anita Rollins. *Ex officio* Member Trevor Poundstone was absent. Council Member Junk arrived at 6:01 p.m.

CONSENT AGENDA: Mayor Haila stated that staff had requested to pull Item 5: Motion approving new 12-Month Class B Native Wine Permit - Oak Lane Candle Co., LLC, 121 Main Street, from the Agenda.

Moved by Beatty-Hansen, seconded by Betcher, to approve the following items on the Consent Agenda.

1. Motion approving payment of claims
2. Motion approving Minutes of Special City Council Meetings held February 10, 2022, February 15, 2022, and February 28, 2022, and Regular City Council Meeting held February 22, 2022
3. Motion approving Report of Change Orders for period February 16 - 28, 2022
4. Motion certifying Civil Service candidates
5. Motion approving renewal of the following Beer Permits, Wine Permits and Liquor Licenses:
 - a. Class E Liquor License with Sunday Sales - Tobacco Outlet Plus #530, 204 S Duff
 - b. Class E Liquor License with Class B Wine Permit, Class C Beer Permit (carryout beer), and Sunday Sales - Wal-Mart Store #749, 3105 Grand Avenue
6. RESOLUTION NO. 22-106 approving appointments to various Boards and Commissions
7. RESOLUTION NO. 22-107 setting March 22, 2022, as date of public hearing to vacate public utility and water main easements at 1915 Philadelphia Street
8. RESOLUTION NO. 22-108 approving Encroachment Permit Agreement with Tonya Rock Photography for a Sign at 300 Main Street
9. Request for Greek Week:
 - a. Greek Week Olympics, Saturday, April 2, 2022, with April 3, 2022, as rain date
 - i. Motion approving blanket Temporary Obstruction Permit for the closed area
 - ii. RESOLUTION NO. 22-109 approving closure of Ash Avenue, Lynn Avenue, Sunset Drive, Gray Avenue, Greeley Street, and Pearson Avenue from 7:30 a.m. to 3:00 p.m. on April 2
10. RESOLUTION NO. 22-110 approving preliminary plans and specifications for 2021/22 Shared Use Path Maintenance - Little Bluestem; setting April 20, 2022, as bid due date and April 26, 2022, as date of public hearing
11. RESOLUTION NO. 22-111 approving preliminary plans and specifications for 2022/23 Main Street Paver Replacement Program (Kellogg Avenue - Douglas Avenue and Douglas Avenue - Duff Avenue); setting April 20, 2022, as bid due date and April 26, 2022, as date of public hearing
12. Secondary Disc Screen Rollers:

- a. RESOLUTION NO. 22-112 waiving Purchasing Policies pertaining to formal bidding
 - b. RESOLUTION NO. 22-113 approving sole source purchase from Clarke’s Sheet Metal of Eugene, Oregon, in the amount of \$54,542 (including freight charges)
13. RESOLUTION NO. 22-114 approving contract and bond for 2021/22 Concrete Pavement Improvements (S. Kellogg Avenue and N. 2nd Street)
14. RESOLUTION NO. 22-115 approving contract and bond for 2021/22 Downtown Street Pavement Restoration - Alley (Duff Avenue to Sherman Avenue)
15. RESOLUTION NO. 22-116 accepting completion of 2020/21 Airport Improvements (Electrical Vault)

Roll Call Vote: 5-0. Motions/Resolutions declared carried/adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Council Member Junck arrived at 6:01 p.m.

PUBLIC FORUM: Mayor Haila opened Public Forum. No one requested to speak, so he closed Public Forum.

DISCUSSION OF ADDITIONAL QUESTIONS FOR RESIDENTIAL SATISFACTION SURVEY: Public Relations Officer Susan Gwiasda advised that it was time for the annual Residential Satisfaction Survey. She stated that before the entire process starts, she likes to present the Survey to the Council to see if there are any recommended changes. Typically, the Survey is sent out in April, and by July, staff has received the responses to the Survey with the final results being presented in September.

Council Member Beatty-Hansen suggested dropping the “What would make Ames cool” question. She wanted to add a question about people’s willingness to sort their waste stream. Ms. Beatty-Hansen would like to see what kind of tolerance citizens would have to sorting their garbage.

Moved by Beatty-Hansen, seconded by Gartin, to add a question about garbage sorting and to remove the “What Would Make Ames Cool” question from the Survey.

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

Council Member Junck said that in Section E, No. 8, of the Survey regarding the Ames Police Department it said, “School Resource Officer Services,” and she suggested removing this line from the Survey. She also recommended breaking up “Illegal drug use prevention and enforcement” as she felt it would be valuable to have a separate line about marijuana because that item is policed differently than other illegal drugs.

Moved by Junck, seconded by Beatty-Hansen, to remove the “School Resource Officer Services” question and add a category for marijuana-related crime enforcement.

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

Council Member Rollins referred to Page 10 of the Survey under the “Your Health” section and

recommended combining question E and F, which would combine fruits and vegetables. She also wanted to add a question that asked citizens about accessing mental health services related to stress or feeling depressed.

Moved by Rollins, seconded by Betcher, to combine the section under “Your Health” regarding fruits and vegetables (Page 10, Item E and F) and add a mental health question to the survey.

Ms. Gwiasda wanted to clarify if the mental health question should be about how the citizens felt or if they accessed care. Council Member Beatty-Hansen mentioned that she preferred to ask how the citizens felt. Ms. Rollins stated that it would be nice to know how the citizen felt and then have another question to see if care was accessed.

Council Member Corrieri inquired if the question should be “During the last seven days did you feel depressed.” She explained that feelings are a very point-in-time question and she was not sure if that question would be a good gauge of mental health in the community.

Council Member Betcher wondered if the question should be “Have you accessed Mental Health Resources within the last six months.” Ms. Gwiasda pointed out that a lot of the other questions refer to the past seven days and that would be a change. She stated that the Council needs to think of what information they are trying to obtain and how a question can be formulated to get the information that the Council is seeking. Ms. Rollins explained that the goal is to see if people have suffered from depression and if they have accessed any resources. Council Member Corrieri stated that it would be good to know if people have felt they needed to access professional mental health care resources. She suggested that there be two questions: 1) If you felt you needed professional mental health resources; and 2) If you accessed professional mental health resources. Ms. Gwiasda mentioned that she could leave it as an open ended question.

Council Member Gartin said that Ms. Rollins’ question was actually asking “How would you rate your health.” Within the past few years they have learned that mental health is part of physical health. If the Council is going to ask a specific mental health question, there should also be a question asking “How would you rate your physical health.”

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

Council Member Betcher said that she would be interested in replacing the Letter E question under “Sense of Community” stating “What would make you feel welcomed and have a sense of belonging in Ames?” with “What could the City do to demonstrate its commitment to Diversity, Equity, and Inclusion.” She stated that she believed there was a difference in whether people felt welcomed or not and whether the City is doing enough to show that it is committed.

Moved by Betcher, seconded by Rollins, to replace the Letter E question under “Sense of Community” from “What would make you feel welcomed and have a sense of belonging in Ames?” to “What could the City do to demonstrate its commitment to Diversity, Equity, and Inclusion.”

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

Council Member Rollins asked if the Survey came in different languages. Ms. Gwiasda stated it did not. She said that she had never received any calls regarding offering the Survey in another language. Ms. Rollins suggested having the Survey available in the three other main languages. It was discussed to have something in the Mayor's letter about having the availability to obtain the Survey in a different language.

CONTRACTS FOR ARTS CAPITAL GRANT PROGRAM: Assistant City Manager Brian Phillips explained that this was a new Program that was implemented in the past year. A team of representatives from the Public Art Commission (PAC) and the Commission on the Arts (COTA) volunteered to evaluate the applications and made recommendations. A total of 11 applications were received, and after review, the evaluation team recommended awards to seven proposals. Granting the awards to the seven proposals will exhaust the \$200,000 available funding. Staff had prepared Contracts and held an orientation session for all the proposed awardees. Mr. Phillips said that all the proposed awardees have returned their Contracts. There are some unique projects that will potentially be moving forward with the Council's approval. All projects are to be completed by June 30, 2023.

Council Member Betcher asked if the Council would have any means to find out what the outcomes were for each project. Mr. Phillips indicated that as part of the Contracts, each of the recipients will be required to receive the Council's approval in order to close out their project. Staff will be bringing information back to the Council with photos and updates on the projects.

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

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 22-117 approving the seven Contracts for the Arts Capital Grant Program, in accordance with the recommendations provided by the review committee.

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

REQUEST FROM CAMERON GRAY REGARDING SCULPTURAL FREE LIBRARY TO BE PLACED ON CITY PROPERTY: Assistant City Manager Brian Phillips noted that the Council had previously received a memo outlining the basic details of the proposed project that was brought forth by Cameron Gray. Staff had identified a few questions that had come up if the Council wanted to proceed with the placement of the sculptural free library on City property. Information was provided to the Council on how this project may interact with some of the City's existing Programs. The proposal from Mr. Gray is unique as it is a combination of art and a free library, and the City has programs for those two items, but separately.

Council Member Beatty-Hansen mentioned that she had spoken with Mr. Gray about some of the issues. One of the questions was regarding ownership of the structure. Ms. Beatty-Hansen indicated that when she spoke with Mr. Gray, it sounded as if he would be okay with the City eventually owning the structure. If the structure belonged to the City, it would take away some of the issues described in the Staff Report. She wanted to confirm with Mr. Gray that he was comfortable with the City owning the structure. The other topic was who would stock the free library and she was told that Mr. Gray would initially stock it and then the community would help to make sure that the free library was continually stocked.

Council Member Gartin stated it would be helpful to partner with organizations who have the structures that are already in place such as: Parks and Recreation, the Public Art Commission, and Raising Readers. If the structure was donated to the City, he would be in favor of it.

Council Member Betcher asked about the Raising Readers partnership and if there were rules to specify what the other free libraries can do. Parks and Recreation Director Keith Abraham commented that there are no regulations for colors or designs, and generally the free libraries are on a post, but have not discussed any further details.

Mayor Haila asked if there was a written policy or had it just been verbally communicated. Director Abraham stated that Raising Readers had worked with United Way to build the free libraries and give them to Parks and Recreation staff to install. If one of the free libraries gets damaged, staff lets Raising Readers know and they repair it, but nothing has been done formally.

Mayor Haila opened public input.

Cameron Gray, 505 Northwestern Avenue, Ames, thanked the Council for looking through his proposal. He noted he is committed to working with the Council to make the proposal happen. Mr. Gray felt this project could show that the City is acknowledging the presence of the black community. It was mentioned that Mr. Gray would be open to the City owning the structure; however, he was worried that over time the structure would be torn down. He didn't want to have the obelisk built only for it to be torn down five years later. Mr. Gray said that he would be happy to do a five-year contract with renewal options.

Mayor Haila asked staff if the sculpture would become an art piece. Mr. Phillips explained staff has not talked with the Public Art Commission (PAC) regarding this project. PAC has a couple of Programs that they operate and solicit proposals for. This proposal is unique as it is the artist coming up with a proposal rather than the other way around. There is a set of policies with PAC regarding acquisition of donated pieces. Mr. Phillips said there was a possibility of structuring an Agreement similar to a loan, where the City would take custody of the piece for a period of time and then turn it back over to Mr. Gray. Director Abraham stated another thing to consider is the parks system. He indicated that every year the Parks and Recreation Department gets requests from adjacent property owners to place items in the Parks, and he wanted to make the Council aware that random requests are made throughout the year. He would like to make sure there is a distinction between artwork and

“other” items. Council Member Beatty-Hansen commented that defining the structure as a free library would be helpful.

Council Member Gartin asked what the obelisk would be made from. Mr. Gray stated that he has hired an architect to help him build the obelisk to make sure it could stand up to all types of weather.

The Mayor inquired about restocking books and what Raising Readers’ policy was for content and variety of books. Director Abraham said that the City does not dictate what types of books are put in besides age appropriate books. There is one individual from Raising Readers that does go through the free libraries and restocks the books and takes out anything inappropriate. Director Abraham suggested having a conversation between Mr. Gray and Raising Readers to discuss how to get more diversity in the free libraries throughout the system. Mr. Gray indicated that he has already started collecting books and felt that Raising Readers would be able to help him find picture books showing black heritage. He wants to have books available for kids, teens, and adults. Mayor Haila noted that the Council is supportive of the project, but will refer to staff to obtain the rest of the details.

Mayor Haila closed public input when no one else came forward to speak.

Moved by Beatty-Hansen, seconded by Junck, direct staff to meet further with Mr. Gray, work out the ownership details as well as any structural requirements, and work on a Memorandum of Understanding.

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

STAFF REPORT ON AFFORDABLE HOUSING FOR OR RELATED TO THE ANNEX GROUP: Planning and Housing Director Kelly Diekmann noted that this item was in response to a referral request from the Annex Group requesting the City Council to establish an Urban Renewal Area (URA) to provide a tax abatement incentive in support of its planned 192-unit affordable housing project located within Hayden’s Preserve (formerly Rose Prairie) development. The approved Hayden’s Preserve Master Plan for the site allows for the development of up to 192 apartment units spread across two sites and with limitations on the mix of bedrooms and sizes. The Annex Group’s desire is to apply for a 4% Low Income Housing Tax Credit (LIHTC) project with 100% of the units as affordable units to households making 60% or less of the average median income (AMI) for Ames for a period of 30 years. The City has no current policy pertaining to providing incentives for affordable housing beyond the use of its CDBG and HOME funds. Director Diekmann commented that the Annex Group desired direction from the Council on its willingness to establish an URA for future tax abatement. At this time there is no policy in place to guide the City Council in determining which affordable housing projects should qualify for a tax abatement incentive. An affordable housing strategy is planned for later this year, which should identify targets, project eligibility criteria, and incentives. Staff’s early assessment of the proposed project indicated that the location’s lack of services, public transportation, and higher tax rates are negatives for the project. Director Diekmann stated that if the Council wanted to move forward, it would be just to direct staff to continue conversations with the Annex Group; it would not approve anything. The question before Council is if they want to look at this project as an opportunity right now or to wait

and see how the affordable housing strategy will line up with this particular location.

Council Member Beatty-Hansen said that the creation of the Strategy is scheduled for later in 2022. She and wanted to know what the time estimate would be. Director Diekmann explained the Strategy was added to the Work Plan about three weeks ago and the hope was to kick-off the Strategy in the late summer with the first step being to identify the issues. Ms. Beatty-Hansen asked if the Annex Group would have any issues with a delay. Director Diekmann mentioned that the Annex Group has the option to purchase the land sometime in the Spring; the Subdivision is not complete yet. If the Council did decide to work on the Strategy later in the fall, the Annex Group would need to see about getting an extension to their purchase option.

Council Member Corrieri asked if any conversations had occurred with the Annex Group regarding its project in Cedar Rapids, Iowa. She noted that the project was similar in terms of size and what was being requested. Director Diekmann said he had not, but the Annex Group did indicate that they are accustomed to having a smaller tax rate or a tax abatement for their projects.

Council Member Gartin asked if staff was confident that all 192 units would be able to be filled. Director Diekmann was sure that they would be filled. He commented that the apartments would be built in phases. It was mentioned that there have not been any new apartments in the City for the past several years. Director Diekmann said that all 192 units would be income-restricted at 60% or less of the average median income.

Council Member Betcher commented that there were a lot of challenges with this proposal and she loved the idea of having that many affordable units being brought to Ames, but it is an area that is not readily served by CyRide. At this point, the Council doesn't know what the assessment is, there isn't a lot of information available, and there is not a City Assessor. Ms. Betcher stated there were a lot of unknowns and some challenges, which made her lean towards waiting for a Policy to be in place first.

Council Member Corrieri said that she also believed the Council needed to have a policy in place. She stated that whatever conversation that staff has with the developer should be to inform them that the Council is trying to put a policy in place and would be interested in continuing to entertain a potential project from them if they are able to extend their purchase option. Ms. Corrieri stated that the Annex Group does have a history of affordable housing developments and this would be exciting for the City of Ames.

Director Diekmann stated that he looked at the Planning and Housing's Work Plan and the Affordable Housing Strategy is slated to begin in September 2022. The Mayor asked, if the Annex Group was interested in obtaining an extension, would there be any flexibility in moving the Affordable Housing Strategy up on the list. Director Diekmann commented that the biggest task was to start the Accessory Dwelling Unit Ordinance in the middle of this summer, and this would be a project that could be moved back a few months. Council Member Beatty-Hansen asked if the Accessory Dwelling Unit Ordinance and the Affordable Housing Strategy could trade priority levels

in the Work Plan.

Moved by Beatty-Hansen, seconded by Corrieri, to switch the Accessory Dwelling Unit Ordinance task with the Affordable Housing Strategy in the Work Plan.

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

Moved by Beatty-Hansen, seconded by Betcher, to direct staff to communicate with the developer that the City wants to work on its Affordable Housing Policy first, but is interested in their proposal and the City is working to speed up the process of a new policy.

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

Council Member Gartin commented that he would like to have a conversation about having mixed units incorporated into the policy discussion for affordable housing.

UPDATE ON STATUS OF THE LOW-INCOME HOUSING TAX CREDIT (LIHTC) APPLICATION FOR MULTI-FAMILY HOUSING DEVELOPMENT IN THE BAKER SUBDIVISION (321 STATE AVENUE): Housing Coordinator Vanessa Baker-Latimer stated that in December 2020, the City entered into a partnership Agreement with Prairie Fire Corporation and Builder's Development Corporation to submit a Low-Income Housing Tax Credit (LIHTC) application to the Iowa Finance Authority (IFA) for 37 multi-family housing units in the Baker Subdivision (321 State Avenue). In late September 2021, staff learned that the 9% LIHTC application was not funded due to the large group of disaster set-aside projects that absorbed most of the funding allocation. However, staff was still hopeful as the developer was notified that the governor's priority was to allocate an additional \$100 million dollars to affordable housing that the State was eligible to receive through the US Treasury. Unfortunately, the final US Treasury guidelines did not permit for the State to use the funds as they hoped. As a result, the State is only using the funds for previously awarded LIHTC projects. Therefore, the Agreement with Prairie Fire and Builder's Development Corporation is no longer valid, and staff would like to know how to proceed.

Ms. Baker-Latimer mentioned that the Staff Report listed four options for the Council to choose from. She reviewed, in detail, what the four options were:

1. Submit an application for the next round of 9% LIHTC funding with the current developer.
2. Partner with the current developer as a 4% LIHTC project and grant local assistance of approximately \$2.9 million.
3. Partner with the current developer as a 4% LIHTC project and local assistance of approximately \$2.0 million.
4. Request new proposals.

City Council Member Gartin asked if the numbers had been run for the amount of subsidy there would be per unit. The Mayor said the subsidy would come to around \$100,000 per unit. Mr. Gartin noted that the Council needed to think about if this would be a good investment for the City. Director Diekmann said for the development and the land it was discussed as being around \$40,000 per unit.

This would be a 30-year commitment for affordable housing.

Council Member Rollins inquired about what would happen to the funding that has already been set aside if the Council wanted to delay the project. Ms. Baker-Latimer stated staff will continue to hold the funding.

Council Member Betcher wanted to clarify the numbers of units. There are 32 affordable units in the current version and Option 3 would change the number to 30 affordable units. Ms. Baker-Latimer confirmed that was correct.

City Manager Steve Schainker stated a good question would be what would happen to the HOME funds if the City had to wait a year. Ms. Baker-Latimer advised that if the City Council wanted to use more than \$650,000 and go back out for proposals, some construction will need to be started on at least one house to use the available funding.

Council Member Gartin asked what the original proposals were for the number of units for affordable housing. Director Diekmann stated there was one proposal for 50 townhome units and this proposal was for 37 mixed-use units. Mr. Gartin stated that the Council has been talking about the need for affordable housing and wanted to know why the Council would want to reduce the number of affordable housing units. He said he would like to go back to the discussion of having 50 units instead of 37.

Council Member Beatty-Hansen inquired if the number of units would help on the LIHTC application. Director Diekmann explained that it is about maximizing the amount of credits and not maximizing the number of affordable units. He noted that 50 units was pushing the maximum amount for the site; 40 units would be a more comfortable number.

Council Member Betcher commented that when she thought about the options available, she was concerned about the option to start over as construction costs will not be going down and the City's subsidies will have to go up, which will make the project cost even more. She would be in favor of Option 3, which would get the City fewer units, but it would leave the City with some funding to do other things in the community.

Mayor Haila wanted to know the status of single-family homes and if it would be a slow, methodical roll-out so some money would be available to help. Ms. Baker explained that the HOME funds have been a blessing as you can use the HOME funds for construction. As far as finding home buyers, she has already gone through 50 applications and she is struggling to find people who could potentially qualify for a mortgage loan. She stated there are restrictions on the HOME funding, and they could have a house built, but if it sat empty for too long, the house would convert to a rental property, which staff is trying to avoid. The CDBG funds can't be used to build, but the money can be used for down payment and closing cost assistance. Ms. Baker-Latimer pointed out that she had spoken with several modular home developers to get an idea on pricing, and the current rates were between \$250,000 and \$300,000. She said staff would also look at working with non-profit developers to help

build.

The Mayor asked if the developer would be open to a lower front-end load and doing a partial tax abatement for a period of time. Director Diekmann commented that they can evaluate that option with the developer; however, he doesn't know what the actual project is yet. He pointed out that the HOME funds need to be spent. Ms. Baker-Latimer said that the City is in need of low-income units for families, and especially those with Section 8 vouchers.

Council Member Gartin asked if the City Council chose Option 4: to have the City rebid the project and ask for new Proposals, what would the City's monetary contribution be. Director Diekmann stated it would depend on if the City would be going with the 4% or 9% amounts, and it would also depend on if the project was going to be this year or next year.

Council Member Corrieri said she was not interested in starting over as that had already been done once. She was not convinced that a proposal would come in that was a lot more cost-effective.

Mayor Haila asked if there was a timeline. Ms. Baker-Latimer indicated that the 4% option had an open-ended application window while the 9% option would have applications due by May 18, 2022. Ms. Betcher asked how long it would take to get a decision after the applications were submitted. Ms. Baker-Latimer noted that it would be around November 2022.

Council Member Rollins wanted to know, if the City decided to move forward when the current builder would be able to start. Ms. Baker-Latimer indicated that they could be ready in May if the City went with the 4% option. Director Diekmann stated if it was agreed to do the 4%, the City would need to enter into a new Agreement with the developer, and concurrently, do a Site Plan review, and create building plans, while going through the Iowa Finance authority to get the award. It would be around September before the developer would get any notice from the State that it would be awarded the 4%, and the earliest any groundbreaking would happen would be October 2022.

Ms. Baker-Latimer reminded the Council that, when using the HOME ARP funds, they still needed a public input/comment period.

Mayor Haila asked, if the project gets designed and bid and the amount comes in above what is estimated would the designer have the option to ask for money or not do the project at all. Mr. Schainker replied that it would depend on what the current Agreement said.

Mayor Haila recessed the meeting at 7:50 p.m. and reconvened it at 7:55 p.m.

Director Diekmann stated that, under the current Agreement, the developer had complete discretion to execute the Agreement within nine months of the LIHTC award. If the developer chose not to execute the Agreement, there would be no penalty. Prairie Fire would have had to show the City proof of financing before the land could be sold to them.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 22-123 to partner with the current developer as a 4% LIHTC project and local assistance of approximately \$2.0 million.

Council Member Gartin wanted to know at what point the City would consider the legality of going with a Contract that is significantly different than the first arrangement. He wanted to make sure that whatever the Council decided to do would be legal to make a change without having to do a new RFP. Ms. Baker-Latimer said she had a conversation with the Purchasing Agent and the Assistant City Attorney about that exact question. She was told that since the project has not changed, the City would be okay to renegotiate the Agreement. Director Diekmann pointed out that the entity needed to be the same as what the City first dealt with; the name can't change. Mr. Gartin said he had hoped that the City could get a better project for the community and was concerned that housing advocates were not at the initial meetings and were not present now. He felt that the people who were really losing on this project were not present. He wished the Council would have stayed with the original proposal of 50 units.

Roll Call Vote: 5-1. Voting Aye: Beatty-Hansen, Betcher, Corrieri, Junck, Rollins. Voting Nay: Gartin. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

REQUESTS FOR PROJECTS IN CONJUNCTION WITH CDBG-CV ROUND 2 CARES FUNDING THROUGH THE STATE OF IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT AUTHORITY: Housing Coordinator Vanessa Baker-Latimer explained that the City has received a significant amount of CARES funding. Staff's priority was to administer the City's CDBG-CARES-CV to first ensure that 80% of the direct allocation of funds of \$710,970 would be spent addressing one of the City's most urgent needs. Those needs included providing rent, mortgage, and utility assistance to low-income households about to face eviction, foreclosure, and/or utility disconnections. In recent meetings with IDEA staff, they encouraged the City to expend the funds quickly and to focus on small prevention through service capacity building and/or facility expansion types of projects. Staff had reviewed services to determine a list of specific groups that provide services in the areas of food distribution, meal delivery for the elderly, and facility-based daycare. Staff recommended supporting these types of programs due to the feasibility and the need in the community. A Workshop would be held for related organizations describing grant-eligible activities and soliciting grant applications. The process would occur over the next few months with funds being potentially available later in calendar year 2022.

Moved by Betcher, seconded by Rollins, to direct staff to proceed with hosting a grant application workshop and requesting funding proposals from area organizations that provide services, such as a food distribution, meal delivery for the elderly, and facility-based daycare services for potential funding through the CDBG-CV Round 2 CARES Program administered by the IDEA.

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

SETTING DATE OF PUBLIC HEARING FOR MARCH 22, 2022, FOR THE SALE OF AIRPORT PROPERTY AT 1101 AVIATION WAY TO MULMAC, LLC: Moved by Betcher,

seconded by Beatty-Hansen, to adopt RESOLUTION NO. 22-118 setting the date of Public Hearing for the sale of airport property at 1101 Aviation Way to Mulmac LLC, for March 22, 2022.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON PROPOSAL TO ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$11,225,000: Mayor Haila opened the public hearing. It was closed when no one asked to speak.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 22-119 approving the proposal to enter into an Essential Purpose Loan Agreement for the purpose of paying the costs of undertaking essential public improvements and acquiring vehicles and equipment for the Municipal Fire Department and providing for the levying of taxes to pay the same.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON PROPOSAL TO ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$700,000: The public hearing was opened and closed by Mayor Haila when no one came forward to speak.

Moved by Gartin, seconded by Junck, to adopt RESOLUTION NO. 22-119 approving the proposal to enter into a General Purpose Loan Agreement for the purpose of paying the costs of undertaking the Downtown Plaza Improvements and providing for the levying of taxes to pay the same.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON PROPOSAL TO ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$350,000: The Mayor opened the public hearing. There was no one wishing to speak, and the hearing was closed.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 22-119 approving the proposal to enter into a General Purpose Loan Agreement for the purpose of paying the costs of concrete surfacing improvements for a municipal fire station and providing for the levying of taxes to pay the same.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON AMENDMENTS TO FISCAL YEAR 2021/22 BUDGET: Mayor Haila declared the public hearing to be open.

Lauris Olson, 1705 Buchanan Drive, Ames, thanked the Council for its commitment to affordable housing. She stated she would like to ask the Council to amend the award to Home Allies. Ms. Olson commented that they were grateful for the \$25,000. She asked if the Council would consider

awarding the \$24,522 or rounding up to \$25,000 for construction. They are currently at 30% for funds raised to match for the bank loan, and they are at 50% for the subsidies. Ms. Olson said she was waiting on the leases and a Memorandum of Understanding from The Bridge Home.

Council Member Gartin asked for clarification on what Ms. Olson was requesting. Ms. Olson stated she was previously awarded \$25,000 by City Council for rent subsidies and now she is asking for another \$25,000 for construction for a total of \$50,000. City Manager Steve Schainker asked Finance Director Duane Pitcher if the Council was able to add money to the budget at this time. Director Pitcher explained that the Council could not add money, only reduce the amount; however, the Council could reallocate funding. Ms. Olson stated it was her understanding that there was money in “Council Priorities” that could be utilized. The Mayor recommended that Ms. Olson speak to staff for further information.

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

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 22-120 approving amending the budget for Fiscal Year ending June 30, 2022.

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

HEARING ON ADOPTION OF FY 2022/23 BUDGET: The Mayor opened the public hearing and closed it after there was no one who wished to speak.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 22-121 approving the FY 2022/23 Budget.

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

Council Member Corrieri left the meeting at 8:22 p.m.

HEARING ON MAJOR SITE DEVELOPMENT PLAN FOR 913 AND 915 DUFF AVENUE AND 115-9TH STREET: City Planner Benjamin Campbell explained that Lauris Olson of Home Allies, Inc., is the developer of the properties. The properties on Duff Avenue are located in the Residential Medium Density Zoning District (RM) and within the Single-Family Conservation Overlay Zoning District (O-SFC). Each of the lots on Duff Avenue is proposed to have one, four-unit one-story apartment building. The O-SFC Zoning District allows for single- and two-family homes by right and for multi-family buildings with City Council’s approval of a Major Site Development Plan. The O-SFC requires that all new projects comply with design standards intended to conserve the existing single-family residential character and to protect single-family neighborhoods while guiding the transition to higher density and compatibility with the surrounding uses where intensification is permitted. The standards include requirements for roof slope, facade design, and height. All other development standards of the Zoning Ordinance, such as parking and landscaping also apply to development of the site. The proposed project includes two, one-story buildings with

mirrored floor plans and architectural features. Each building contains four efficiency apartment dwellings with a shared laundry facility that are accessed via a common corridor. The proposed project includes a single, shared driveway to Duff Avenue with all parking at the rear of the site. The Planning and Zoning Commission did recommend approval. Mr. Campbell explained that a neighbor across the street had mentioned that there is a large evergreen tree near the northeast corner and asked for it to be taken into consideration when the water line is installed so that the roots are not damaged. Staff recommended approval of the Major Site Development Plan for 913 and 915 Duff Avenue and 115 9th Street with the following conditions:

1. Record a shared-access easement for the shared driveway prior to issuance of a building permit.
2. Include tree protection during project construction for the large evergreen tree to the north of 915 Duff Avenue and shift the proposed water line south to minimize impact to the tree's critical root zone.

Council Member Gartin commented that he didn't remember making accommodations for a tree before and wanted to know if it changed the project at all. Mr. Campbell stated he had spoken with the Public Works Department and it wouldn't change the size of the water line.

Mayor Haila opened the public hearing.

Lauris Olson, 1705 Buchanan Drive, Ames, stated she has no problems saving the tree and the architect was fine with it. She said that there were unintended consequences and increased costs related to the Zoning and Overlay Districts. She was concerned about the shared-access easement as she was not aware that this would need to be done before the issuance of a building permit. Ms. Olson stated that Home Allies will not own the property until construction is done and it will be up to the current owner if the shared-access easement is possible before. She had sent the information to the current owners who sent the information to their attorney and she is still waiting to hear back from them. Ms. Olson noted that she is getting American Rescue Plan Act (ARPA) funds from Story County, and unlike the City of Ames HOME funds, the ARPA funds will allow her to host people with bad credit and prior evictions. In order to meet the federal acquisition requirements, it has to be a sole-source, which means they can't own the land in advance. The land and building must be purchased together as a sole-source. If the current owners want to come up with a Purchase Contract first, Home Allies would not be able to proceed as they do not have all the money raised yet, and she can't in good faith commit to a Contract until all the money and the grants are in. Ms. Olson asked for staff to consider allowing the shared-access easement to be filed before an Occupancy Permit is issued.

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

Director Diekmann stated that staff could change the requirement of the shared-access easement to be done before the Occupancy Permit is issued.

Moved by Gartin, seconded by Junck, to adopt RESOLUTION NO. 22-122, to approve Alternative

1, which is to approve the Major Site Development Plan for 913 and 915 Duff Avenue and 115-9th Street with the two conditions being recommended by staff and with the exception that the shared-access easement Agreement be filed prior to issuing the Occupancy Permit.

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

ORDINANCE REZONING 525 SE 16TH STREET FROM AGRICULTURAL “A” TO HIGHWAY ORIENTED COMMERCIAL “HOC” AND RETAIN THE ENVIRONMENTALLY SENSITIVE AREA OVERLAY “O-E” FOR THE FLOODWAY: Moved by Betcher, seconded by Junck, to pass on second reading an ordinance rezoning 525 SE 16th Street from Agricultural “A” to Highway Oriented Commercial “HOC” and retain the Environmentally Sensitive Area Overlay “O-E” for the floodway.

Roll Call Vote: 5-0. Motion declared carried unanimously.

ORDINANCE REZONING 2098 W. 190TH STREET FROM FLOATING SUBURBAN RESIDENTIAL MEDIUM DENSITY (FS-RM) TO FLOATING SUBURBAN RESIDENTIAL MEDIUM DENSITY PLANNED UNIT DEVELOPMENT (FS-RM PUD) OVERLAY: Moved by Rollins, seconded by Junck, to pass on second reading an ordinance rezoning 2098 W. 190th Street from Floating Suburban Residential Medium Density (FS-RM) to Floating Suburban Residential Medium Density Planned Unit Development (FS-RM PUD) Overlay.

Roll Call Vote: 5-0. Motion declared carried unanimously.

ORDINANCE TO ALLOW TEMPORARY YARD WASTE PROCESSING FACILITIES THROUGH APPROVAL OF A SPECIAL USE PERMIT BY THE ZONING BOARD OF ADJUSTMENT: Moved by Betcher, seconded by Junck, to pass on second reading an ordinance to allow for temporary yard waste processing facilities through approval of a Special Use Permit by the Zoning Board of Adjustment.

Roll Call Vote: 5-0. Motion declared carried unanimously.

DISPOSITIONS OF COMMUNICATIONS TO COUNCIL: Mayor Haila said there were two items on the list. The first item was a letter from Josh Abate, Director of Facilities for Green Hills Retirement Community, requesting to wrap the transformer boxes located on the Green Hills Campus.

Moved by Beatty-Hansen, seconded by Junck, to communicate to Josh Abate, Director of Facilities for Green Hills Retirement Community that the Council is doing a pilot project and will entertain his request once the pilot has been completed.

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

The second item was a letter from Delaney Good and Elijah Cosby requesting for the placement of signs and community outreach to educate residents of the dangers of harmful algal bloom (HAB) Toxins.

Moved by Beatty-Hansen, seconded by Gartin, to thank them for their letter and state that the City Council will take it under advisement.

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

COUNCIL COMMENTS: Council Member Betcher mentioned that she had attended the Iowa State Conference on Race and Ethnicity (ISCORE) and it was a great celebration of diversity on Campus and in the community.

Council Member Gartin stated his heart has been heavy since the invasion of Ukraine. Cities across the country are expressing their support for Ukraine, and Des Moines has shown their support with lighting.

Moved by Gartin, seconded by Beatty-Hansen, to direct staff to change the color of the lights on Highway 30 and Bandshell Park to the national colors of Ukraine, and to place this matter on the City Council Agenda for April 12, 2022, to consider the status.

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

CLOSED SESSION: Council Member Junck asked City Attorney Mark Lambert if there was a legal reason to go into Closed Session. Mr. Lambert replied in the affirmative, citing Section 21.51(1)c, *Code of Iowa*, to discuss matters presently in or threatened to be in litigation.

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

Roll Call Vote: 5-0. Motion declared carried unanimously.

The City Council entered into a Closed Session at 8:43 p.m. and reconvened in Regular Session at 8:55 p.m.

Moved by Betcher, seconded by Gartin, to pursue the recommendation of staff.

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

ADJOURNMENT: Moved by Junck, seconded by Betcher, to adjourn the meeting at 8:56 p.m.

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

Amy L. Colwell, Deputy City Clerk

John A. Haila, Mayor

Diane R. Voss, City Clerk