

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

AMES, IOWA

MARCH 22, 2022

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

CALL TO ORDER: The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee meeting was called to order by Ames Mayor and voting member John Haila at 6:00 p.m. on the 22nd day of March, 2022. Other voting members present were: Bronwyn Beatty-Hansen, City of Ames; Gloria Betcher, City of Ames; Amber Corrieri, City of Ames; Tim Gartin, City of Ames; Rachel Junck, City of Ames; Anita Rollins, City of Ames; Linda Murken, Story County Supervisor; Jon Popp, Mayor of Gilbert; Bill Zinnel, Boone County Supervisor; and Jacob Ludwig, Transit Board.

CONSENT AGENDA: Moved by Murken, seconded by Ludwig, to approve the following on the Consent Agenda:

1. Motion approving Annual Self-Certification for FY 2023
2. RESOLUTION NO. 22-124 approving designation of AAMPO representatives to Central Iowa Regional Transportation Planning Alliance
3. Motion setting May 24, 2022, as date of public hearing regarding amendments to the FFY 2022-2025 Transportation Improvement Program

Vote on Motion: 11-0. Motion declared carried unanimously.

DRAFT FY 2023 TRANSPORTATION PLANNING WORK PROGRAM AND SETTING MAY 24, 2022, AS DATE OF PUBLIC HEARING: Transportation Planner Kyle Thompson stated that the Transportation Planning Work Program (TPWP) is a federally required document that the Metropolitan Planning Organization (MPO) develops annually. The TPWP identifies and budgets all the City's transportation planning activities and document updates that the MPO undergoes for the upcoming fiscal year. For FY 2023 the TPWP has been separated into seven work elements. Those elements were: 1] Administration; 2] Transportation Improvement Program (TIP); 3] Transit Planning; 4] Comprehensive Planning; 5] Long-Range Transportation Planning; 6] Transportation Data; and 7] Special Studies. The current proposed FY 2023 MPO budget totaled \$448,000 (\$358,400 in Federal funds and \$89,600 in local funds). The budget fully utilizes all anticipated carryover amounts and has \$42,928 in unobligated funds that can be programmed into future fiscal years as carryover. Mr. Thompson noted there will be a public input session on March 24, 2022, at noon via Microsoft Teams. Any public comments would be accepted until April 30, 2022.

Moved by Betcher, seconded by Ludwig, to approve the Draft FY 2023 Transportation Planning Work Program and set May 24, 2022, as the date of public hearing,

Vote on Motion: 11-0. Motion declared carried unanimously.

POLICY COMMITTEE COMMENTS: Gilbert Mayor Popp stated that the 190th Street Corridor Study is going to be important. He noted that having some federal money available would be helpful to accelerate the three roundabouts. Mayor Popp said that having roundabouts would work well with the City of Ames Climate Action Plan, particularly with the gas savings.

Supervisor Murken agreed with Mayor Popp regarding the 190th Street intersections. She noted that they are seeing more growth in North Ames and something needs to be done. Ms. Murken mentioned that she did see an article regarding potential gas savings when utilizing roundabouts instead of traffic signals.

Mayor Haila asked Public Works Director John Joiner to provide more information on the 190th Street Corridor Study and what the process would be. Director Joiner clarified how the projects work in the Long-Range Plan and what steps are taken. He indicated that the current Long-Range Transportation Plan does identify three intersections for potential improvements (Carver and Cameron, Carver and 190th, 190th and Hyde), but it did not identify any particular treatment. The intersections are not identified as roundaboutss, turn lanes, traffic signals, or anything specific. The three intersections are programmed into the Long-Range Transportation Plan in three different locations. The Carver/Cameron intersection appears in the developer-driven section, the Carver/190th is in the illustrative section, and 190th/Hyde is in the FY 2025-29 range. Director Joiner stated that since the Carver/Cameron intersection is developer-driven, it has been initiated with the annexation and the upcoming development on the southwest corner (Dankbar/Munch development). After looking at the traffic study and speaking with the engineers, County, and the developer, it was decided that the approach for the Carver/Cameron intersection will be obtaining funding for the developers for signalization and then the developers will create turn lanes. The 190th Corridor Study is more immediate in the Long-Range Transportation Plan and will be done from Carver easterly through Hyde. The Study will look at the traffic needs and what solutions could be done for the intersections and throughout the Corridor. The Study had been moved up in the Ames Capital Improvements Plan (CIP) to FY 2022/23 and in the Draft Work Plan through the AAMPO. Until the Study is done there are not any projects identified. Director Joiner noted that the intersections are in shared jurisdictions. The 190th/Hyde intersection is shared between the City and the County, and as of right now, the Carver/190th intersection is entirely within the County.

Supervisor Murken stated that the County and the City are sharing the costs for the 190th/Hyde, but the way the area was annexed made it become within the City limits. Director Joiner noted that as the City does the Study and identifies the projects, there will need to be an Agreement between the City and Story County regarding funding and development.

The Mayor asked what would be required for any federal funding and any potential grants. Director Joiner said that the federal funding would be for any projects that have already been identified, and since the Corridor Study has not been done yet, it would be difficult to put forward an application. He mentioned that on a federally competitive level, they will be looking to mitigate major safety concerns (fatalities and major injuries) and major property damage. Fortunately, there have not been

any fatalities or major injuries at the intersections. The State has a Traffic Safety Program that cities can apply to annually for grants; this would be a more likely avenue to obtain funding.

Supervisor Murken said that the temporary stop lights at 190th/Hyde have shown improvements in the area, but comments have been made that a roundabout would be better. Mayor Haila noted that the roundabout would be taken into consideration, but other steps must be taken first. It was asked when the Corridor Study would be done. Director Joiner stated the funding will be appropriated on July 1, 2022, but staff might be able to start working on the Request for Proposals (RFP) prior to that date.

Council Member Betcher asked what connection, if any, there was between what the MPO does and what will be recommended to the City Council in the Climate Action Plan. Director Joiner said staff could look at carbon impact and the different options that may help access grant funding.

ADJOURNMENT: Moved by Popp, seconded by Beatty-Hansen, to adjourn the Ames Area Metropolitan Planning Organization Transportation Policy Committee meeting at 6:17 p.m.
Vote on Motion: 11-0. Motion declared carried unanimously.

REGULAR MEETING OF THE AMES CITY COUNCIL

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:18 p.m. on March 22, 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.

The Mayor announced that the Council was working off an Amended Agenda. Under the Consent Agenda, an item had been added for the SCADA System for Electric Services.

CONSENT AGENDA: Mayor Haila stated that staff had requested to pull Item 13: 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 Beatty-Hansen, 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 8, 2022
3. Motion approving Report of Change Orders for period March 1 - 15, 2022
4. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor License with Sunday Sales - Dangerous Curves, 111 5th St., Pending Dram Shop Insurance
 - b. Class C Liquor License with Sunday Sales - Cinemark Movies 12, 1317 Buckeye Avenue
 - c. Class C Liquor License with Outdoor Service and Sunday Sales - Cornbred BBQ, 526 Main Street, Suite 106

- d. Class B Liquor License with Sunday Sales - Radisson Ames, 2609 University Blvd.
 - e. Class C Liquor License with Outdoor Service and Sunday Sales - Brick City Grill, 2640 Stange Road
 - f. Class E Liquor License, Class C Beer Permit, Class B Wine Permit - Off Campus Beer & Spirits LLC, 4518 Mortensen Rd, Suite 109
5. RESOLUTION NO. 22-125 approving and adopting Supplement No. 2022-2 to *Municipal Code*
 6. RESOLUTION NO. 22-126 approving appointment of Mike LaPietra to the Planning and Zoning Commission
 7. RESOLUTION NO. 22-127 setting April 12, 2022, as date of public hearing for sale of City-owned property at 241 Village Drive to Habitat for Humanity of Central Iowa in the amount of \$100,000 and authorize staff to finalize terms and conditions for the sale
 8. RESOLUTION NO. 22-128 approving Certified Local Government (CLG) Annual Report
 9. RESOLUTION NO. 22-129 approving the State Historical Society of Iowa Grant-in-Aid Agreement for the Chautauqua Park - Ridgewood Intensive Survey, Certified Local Government Grant Project
 10. RESOLUTION NO. 22-130 authorizing Public Art Commission to enter into agreements with artists for 2022/23 Ames Annual Outdoor Sculpture Exhibition selections
 11. RESOLUTION NO. 22-131 approving exception to Section 22.32(c)(2)(v) to allow alcohol service in Sidewalk Café at Della Viti, 323 Main Street, Ste. 102
 12. RESOLUTION NO. 22-132 approving exception to Section 22.32(c)(2)(v) to allow alcohol service in Sidewalk Café at Noir, 405 Kellogg
 13. SCADA System for Electric Services:
 - a. RESOLUTION NO. 22-148 waiving City's Purchasing Policies and Procedures requirement for formal bidding
 - b. RESOLUTION NO. 22-150 awarding contract to Open Systems International, Inc., of Medina, Minnesota, for The Monarch Support (Diamond/Gold/Diamond/Gold) for a four-year term in the total amount of \$321,021.00
 14. RESOLUTION NO. 22-134 approving the adoption of the 2022 Electric Reliability Plan statement
 15. RESOLUTION NO. 22-135 approving request from ChildServe to modify its FY 2021/22 ASSET Contract to transfer \$6,000 from Daycare Infant to Daycare Children
 16. RESOLUTION NO. 22-136 approving request from Heartland Senior Services to modify its FY 2021/22 ASSET Contract to transfer \$23,012 from Activity/Resource Center and \$16,912 from Congregate Meals to Home Delivered Meals
 17. Requests from Frederiksen Court Community Center for Freddy Fun Run on Saturday April 23, 2022:
 - a. Motion approving blanket Temporary Obstruction Permit for the closed area
 - b. RESOLUTION NO. 22-137 approving closures of portions of 6th Street from 9:30 a.m. to 11:30 a.m.
 18. Requests from Ames Main Street (AMS) for Music Walk on Thursday, April 28, 2022:
 - a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License in Central Business District from 3:00 p.m. to 9:00 p.m.

- b. RESOLUTION NO. 22-138 approving closure of 10 metered parking spaces for vendors from 3:00 p.m. to 9:00 p.m.
 - c. RESOLUTION NO. 22-139 approving waiver of parking meter fees and enforcement and usage and waiver of electrical fees, and waiver of fee for blanket Vending License for Ames Main Street from 3:00 p.m. to 9:00 p.m.
19. RESOLUTION NO. 22-140 approving an Electric Utility Easement on State of Iowa property for the installation of electrical pull boxes along the east side of Beach Avenue between Sunset Drive and Country Club Boulevard
 20. RESOLUTION NO. 22-141 approving an Electric Utility Easement on State of Iowa property adjacent to the CyRide building that covers a new pad-mounted transformer and existing City-owned electric facilities not previously covered by an easement
 21. South 16th Street Improvements:
 - a. Motion rejecting bids
 - b. RESOLUTION NO. 22-142 approving preliminary plans and specifications; setting April 6, 2022, as bid due date and April 12, 2022, as date of public hearing
 22. RESOLUTION NO. 22-143 approving preliminary plans and specifications for 2020/2021 Concrete Street Improvement (Ford Street, Bell Avenue, S. 17th Street, S. Kellogg Avenue); setting April 20, 2022, as bid due date and April 26, 2022, as date of public hearing
 23. RESOLUTION NO. 22-144 accepting completion of Contract with Blade Runner Turbomachinery Services, LLC, for Unit 8 Turbine Generator Overhaul 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, stated that he had filled out the Satisfaction Survey before, and he had added a comment that the Police should be getting the door for people instead of him. He said it was ironic that he can't open the door anymore. Mr. Deyoe said that in the *Story County Sun*, it referenced a 45-page document that was approved by the City Council last November, and he was unable to pull up the document as he does not have a computer. He read through the Report and it had mentioned the Police Department participating in "National Night Out" and other activities, but it doesn't mention that they get the door for anyone at City Hall. Mr. Deyoe believed that someone should be opening the door to the public. He noted that he held the door open as a courtesy and considers it a job that he doesn't get paid for. Mr. Deyoe then said that he couldn't go to the City Concerts in the Ames City Hall Auditorium even when he has paid to get in because it is not official City business.

Mayor Haila closed Public Forum when no one else came forward to speak.

STAFF REPORT REGARDING OUTSIDE FUNDING REQUEST PROCESS: Assistant City Manager Brian Phillips explained that during the Budget approval process, there was a discussion regarding a couple of requests for outside funding that did not go through the adopted process for reviewing and making recommendations for requests. Staff had provided this Report to the Council

to clarify the procedures for future requests. Several years ago, before there was an adopted process, outside funding requests would come at all times of the year and it was difficult to understand what the grand total was for all the funding being requested. He noted what was key in the Report was the recommended process, which was listed on Page 2 of the Staff Report. Mr. Phillips went over the recommended process/timing of outside funding requests. It was advisable that the City Council stand firm on requiring each requesting party (either a citizen or Council Member) to comply with the established Outside Funding Program procedures, criteria, and deadlines, and be prepared to disqualify from consideration those requests that are not compliant. While it is possible to justify approval of outside funding at other times of the year, this should be the exception rather than the rule.

Council Member Betcher asked if the identification of funding sources for the one-time requests would occur in conjunction with the February meeting. Mr. Phillips confirmed that would be correct, and staff would then look at the nature of the request, the total amount requested, the condition of the budget, and where it would make the most sense to take funding from if the City Council wanted to approve it. City Manager Steve Schainker clarified that during the budget process input is received from the public on how to spend the City budget and does not include requests from staff that are requesting more money for services that the City provides, but outside funding is about giving money to a third party/outside agency.

Council Member Beatty-Hansen asked if it would be helpful to codify the Outside Funding process and have it made into a Policy to better broadcast to agencies that the City Council is attempting to be serious about the parameters.

Moved by Beatty-Hansen, seconded by Gartin, to codify the Outside Funding process and have it made into a Policy to better broadcast to agencies that the City Council is attempting to be serious about the parameters.

Mr. Schainker asked for clarification on what Ms. Beatty-Hansen meant by “codify.” Ms. Beatty-Hansen stated she wanted it to be understood that this would be the City Council’s Policy. Mr. Phillips noted that on the most recent applications, criteria, and documents that the City Council approved for the Outside Funding Program already state this information, but that could make sure that it was brought up to the agencies on the application to make sure it is clear. Mr. Schainker noted that when staff publicizes the upcoming budget process, staff can emphasize the process. Mr. Phillips indicated that during the Town Budget meeting, staff will get these types of requests and the citizens can be told that they would need to fill out an application for their request. Mr. Schainker said that some requests come in by email as well, and if they are received that way, they can send a reply back referring them to fill out the application.

Council Member Beatty-Hansen withdrew her motion.

The Mayor asked if staff was envisioning a hard deadline of when requests will no longer be accepted. Mr. Phillips indicated that the existing application process has November 15 as the

application deadline each year. He said this could be challenging for some requests as the City does have a lot of lead time in planning for the next budget cycle, but that time is needed to review requests and come up with recommendations for the February budget review process.

Council Member Corrieri pointed out many grant programs are done only once a year and have very strict deadlines and didn't think the November 15 deadline would be a problem.

Moved by Beatty-Hansen, seconded by Betcher, to accept the Outside Funding Request process.
Vote on Motion: 6-0. Motion declared carried unanimously.

STAFF REPORT REGARDING NAMING POLICY: Assistant City Manager Brian Phillips explained that in February 2022, the City Council had directed staff to develop a proposed policy for municipal properties, similar to the existing Parks and Recreation Policy. Using the Parks and Recreation Naming Policy as a guide, staff has drafted a policy that would be applicable to City facilities that are not related to Parks and Recreation features. The proposed policy divides properties that may be named into three categories: facilities, major features, and amenities. Naming proposals may be considered for historic events, people, or places, outstanding individuals, or major donations.

Council Member Rollins asked for clarification on No. 4 in the Policy. She stated that it says, "that will best serve the interests..." and she wanted to know what the general intent was of the language used. Mr. Phillips said he did not think about the wording that significantly, as it was the same language used in the Parks and Recreation Policy. He explained that the City Council decides what is in the City's best interest and it would be up to the Council to make that judgment.

Moved by Betcher, seconded by Corrieri, to approve the proposed City of Ames Naming Policy.
Vote on Motion: 6-0. Motion declared carried unanimously.

INITIATE ANNEXATION OF 2219 AND 2121 STATE AVENUE: Planning and Housing Director Kelly Diekmann explained that the City of Ames had received an annexation petition from the ISU Board of Regents, representing two parcels totaling 10.79 acres located at 2219 and 2121 State Avenue (Curtiss Farm). The property is in Story County on the west side of State Avenue, north of Worle Creek and south of Highway 30. The applicant requested that the City Council authorize the annexation, which was requested by City staff in conjunction with recent utility improvement requests from ISU related to its feed mill project and the Curtiss Farm. The area currently creates a peninsula of unincorporated land extending west from State Avenue. The inclusion of properties into the City will remove the peninsula and create a more uniform boundary along the west side of State Avenue, without creating any islands of unincorporated land.

In 2011, owners of two other properties located at 2114 and 2126 State Avenue petitioned the City for water service, as they were unable to receive Xenia Rural Water service. At that time, annexing those properties to provide Ames water was not possible without creating an unincorporated island out of the ISU properties now being considered for annexation. Therefore, these property owners entered into a Covenant Agreement for Annexation to receive Ames water. According to each

Covenant and Agreement for Annexation, the properties were not required to be annexed until such time as the City requested their annexation.

Director Diekmann mentioned it was staff's recommendation to approve Alternative 2, which is to annex the ISU property and then provide notice to the abutting property owners that the City is interested in executing the Covenant due to the fact that they already receive water service from the City. He noted that this would be the first time that the City has executed one of these Covenants.

Mayor Haila opened public input. It was closed when no one came forward to speak.

Moved by Beatty-Hansen, seconded by Gartin, to approve Alternative 2, which states to accept the Application for 100% Voluntary Annexation for the property at 2219 and 2121 State Avenue and direct staff to initiate the process of annexation for the subject property, and direct staff to proceed with a separate annexation for the properties at 2114 and 2126 State Avenue by requesting Annexation Applications from those property owners in accordance with each property's 2011 *Covenant & Agreement for Annexation*.

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

DAYTON AVENUE TAX-INCREMENT FINANCING DEVELOPMENT AGREEMENT:

Planning and Housing Director Kelly Diekmann stated in November 2021, the City Council directed staff to issue a Request for Proposals (RFP) to solicit proposals for a new Small-Lot Development Subdivision that would utilize Tax Increment Financing (TIF) to support the infrastructure construction. The deadline to submit a proposal was January 7, 2022, and the City received only one proposal from Chuck Winkleblack representing the property ownership group Dayton Avenue Development LLC, for a 72.99 acre site along Dayton Avenue with approximately 50 acres being developable. Although the proposal did not match all the RFP's initial parameters, at the January 11, 2022, meeting, the Council had directed staff to continue negotiations with the developer and report back in March regarding conditions for an agreement.

Director Diekmann explained that tonight's discussion will be regarding the terms of the Agreement. He highlighted a few expectations that would be in the Agreement for the developer:

1. The subdivision will include at least seven small lots (fewer than three acres).
2. Developer will construct an initial speculative building to a "shell condition" completed by September 1, 2023.
3. Developers will construct subsequent speculative buildings within 18 months after the occupancy or leasing of the previous speculative building as long as there are still small lots available.
4. Penalties for failure to construct speculative buildings in a timely manner will equal \$15,000 for the first building and \$20,000 for a subsequent building.
5. Prohibition on primary uses within the subdivision for outdoor storage, mini-storage, and salvage uses.

Director Diekmann noted that some other terms in the Agreement are related to how the Tax-Increment Financing (TIF) would be created. The TIF rebate would be where the developer would have the ability for the City to repay the developer over time based on the increased valuation of property tax in the development. As the area develops, increased property tax creates an increment that the City would give back to the developer as a rebate for developing the project. If the value is not created, the rebate is not paid. The City is not paying the developer out of its pocket, as it is only based on the evaluation of the project as it progresses over time. At this time, the City has agreed that the TIF rebate total will not exceed \$2.6 million, subject to staff verification of actual costs of infrastructure. If the final costs are less, the amount will be reduced; if costs are greater the developer would need to request that the City Council increase the TIF amount. The TIF would last until 2035, or payments totaling \$2.6 million, whichever occurs first. Another key part of the TIF is an appropriations clause. Director Diekmann noted that the City has not frequently done developer rebates, the last project was the Kingland Agreement in Campustown. That Agreement is subject to an annual appropriation by the City Council.

Council Member Gartin asked if there would be a situation where the City Council would not approve the appropriation. Director Diekmann commented that he was not sure why they wouldn't, but it would be a discretionary choice by the Council on an annual basis. Mr. Gartin felt it was semantics, as on one hand the City is agreeing to make payments, but the City is not obligated to make the payments. He said the developer will have to develop a proforma. Director Diekmann explained that the wording in the Agreement says what the intent of the City is, but would need to be followed up on an annual basis. If the Council chooses not to do any appropriations, the developer would not have any recourse with the City for not making the appropriation. The developer would have to trust that the City Council will follow through on the Agreement and make the appropriations on an annual basis. It was mentioned that a TIF rebate had been done for Kingland and Barilla. City Manager Steve Schainker explained that he had the City's Finance Director double check as this was the recommendation of the City's bond advisor. He noted that about ten years ago, the TIF rebate process was reviewed with Dubuque and Ankeny and it was not as common as it is now with other cities.

Mr. Schainker stated that he understood the concerns of the developer as they will be the ones taking the risk. He commented that the City could go back to the traditional route and have the City take the risk. It was noted that another thing that the City could do is split the project up, and as a second phase, could do small lots that may have less infrastructure costs. To go back to the traditional way a substantial project would need to be ready to go in. Mr. Schainker mentioned that the City has been successful in the past, and pointed out that the City was not forcing the developer to take the risk.

Council Member Beatty-Hansen referred to the Table on Page 4 of the Report and wanted to know which column the City landed in after tonight's discussion. Director Diekmann indicated the City would be in the middle. He said staff was trying to capture where the RFP was and what the City received for a proposal. The City is not locked in to the hard terms of the RFP, but felt it was a reasonable change between what the developer proposed and what the RFP asked for. The table was just for reference and was not part of the proposed Agreement.

Council Member Gartin commented that this is not done that often and wanted to know if the TIF needed to be utilized. He wanted to know if the City decided not to use TIF for development, the market would drive the area. Director Diekmann said that the City Council doesn't have to do anything and can let the market respond to what users want. It appeared from the market that no one is going to create an industrial subdivision with smaller sites and will more than likely rely on larger sites taking advantage of existing infrastructure. Mr. Schainker pointed out that even if the Council did nothing there is a policy for an industrial area to offer an industrial tax abatement.

The Mayor opened public input.

Chuck Winkleblack, Hunziker Development, 105-16th Street, Ames, noted that he has been working with staff on this project almost weekly since January. He noted that Hunziker has not done one of these types of projects before utilizing a TIF rebate. It is scary for him knowing there are unknowns and that any future Council could decide that they don't want to appropriate funding for Hunziker anymore and that there would be a cap that said by 2035 the funding would no longer be available. Mr. Winkleblack commented that he didn't fully understand what the TIF rebate meant until earlier in the day.

Council Member Beatty-Hansen asked Mr. Winkleblack if there was any comfort knowing that other projects have been done utilizing the TIF rebate in the City of Ames, and that the TIF rebate is becoming more frequent in other cities as well. Mr. Winkleblack said that with the Kingland Agreement the area was already established. He explained that one of the reasons that the City went with the RFP process instead of doing it themselves was because it would likely get done with less money and that Hunziker needed to react to one or two projects, and if the City was to be involved, those projects wouldn't be able to begin this year; that delay would cause Hunziker and the City to lose the projects. Mr. Beatty-Hansen stated that the TIF rebate language is becoming more common and wanted to know how Mr. Winkleblack felt. He commented that he didn't have enough time to look further into the appropriation clause in the Agreement. He said he didn't have the answer tonight, but would like some time to speak with his legal team and do more research. Mr. Winkleblack noted that it is hard to get any numbers together as they don't have any plans designed yet. He said he would really like to find a way to move forward with this project. Mr. Schainker explained that there were two items that were not agreed upon: the non-appropriation clause and the duration of time.

Council Member Beatty-Hansen asked if the duration cap was removed and there was just the appropriation clause would Hunziker be more comfortable moving forward. Mr. Winkleblack noted that he was less concerned about the duration cap and more concerned about the non-appropriation clause.

Public input was closed by Mayor Haila when no one else came forward to speak.

Council Member Gartin noted that the City is asking for the developer to take on certain risks. Mr. Schainker clarified that the City did not ask the developer to take on the risk, but they had chosen

that option. The City can always go back to the traditional route and wait to see what the market does. Mr. Gartin stated that he was referring to the yearly Council approval for appropriation as this would ask the developer to absorb risks. He would like to better understand from the Finance Director how the City would be benefiting from the bond rating. Mr. Gartin commented that he shared Mr. Winkleblack's concerns and he wants to believe that future Councils will be faithful to the Agreement, but if it is not binding, there is a big risk.

Council Member Junck asked if any Council had ever taken away a TIF after it had been given. Mr. Schainker noted that the City has not, but there is not a long history of TIF Rebates.

The Mayor recapped the concerns voiced by Mr. Winkleblack and that more time was needed to do further research. The Mayor asked the Council if the item needed to be tabled or if they wanted to direct staff to continue negotiations.

Moved by Beatty-Hansen, seconded by Corrieri, to table this item until the City Council meeting on April 12, 2022.

Council Member Gartin asked if there was a timing issue for this item. Mr. Winkleblack wanted to clarify if the request could come back on April 12, 2022, Agenda as an Agreement for approval or would it be to come back for further discussion and then an Agreement developed later. He stated that he doesn't need three weeks to research the TIF rebate further and he could be ready within the next few days. Mr. Winkleblack would like to have the Agreement on the 12th of April ready for approval as he would like to continue with the rezoning and other steps that need to be started.

Motion withdrawn by Council Member Beatty-Hansen.

Moved by Gartin, seconded by Corrieri, to approve Alternative 1, which states to direct staff to finalize the proposed Agreement consistent with the terms as described and return to City Council for final approval of a contract in April, but make the Agreement not subject to the Council's annual appropriation.

Council Member Corrieri stated it was not an unreasonable request for the developer to ask for certainty in their negotiations with the City.

Council Member Beatty-Hansen felt that the TIF rebate was not unreasonable as the City has done it before and it was recommended by the City's Finance Director.

Council Member Rollins asked if there was an option to split the project if the developer doesn't want to take all the risk. Director Diekmann noted that would be Alternative 3, which would cease negotiations and let the developer do what they want to this year and then look at an agreement for a second phase of development focused on small lots in 2023 for the north 30-40 acres of the site.

Roll Call Vote: 2-4. Voting Aye: Gartin, Corrieri. Voting Nay: Beatty-Hansen, Betcher, Junck, Rollins. Motion failed.

Moved by Rollins, seconded by Beatty-Hanson, to have staff go back and continue negotiations with the developer on this project.

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

2022/23 PROPOSED ANNUAL ACTION PLAN PROJECTS FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME PROGRAMS: Housing Coordinator Vanessa Baker-Latimer said that as part of the City's approved 2019/23 Five-Year Community Development Block Grant (CDBG) and HOME Consolidated Plan, the City must submit an Annual Action Plan that outlines the proposed activities and budget to be implemented in the upcoming year. The activities identified in the Annual Action Plan should address the housing and community development needs of low- and moderate-income persons as well as housing and community development needs of non-low- and moderate-income persons in the community. The U.S. Department of Housing and Urban Development (HUD) regulations require that the Annual Action Plan be submitted for approval within 45 days before the beginning of the program fiscal year (May 17, 2022). It also requires that the Plan be published for 30 days to allow for citizen input on the proposed projects for the utilization of the funds. Although the President signed the 2022 omnibus appropriations bill on March 15, 2022, the CDBG and HOME funding allocations for entitlement cities has not yet been announced. Staff proposed the following programs for consideration for the 2022-2023 Annual Action Plan:

1. Utilize CDBG funds to provide down-payment and closing-cost assistance to eligible first-time homebuyers in the Baker Subdivision.
2. Utilize CDBG funds to provide rehabilitation assistance for single-family homeowners.
3. Utilize HOME funds to provide gap financing to the construction of Low-Income Housing Tax Credit (LIHTC) multi-family units in the Baker Subdivision.
4. Utilize CDBG funds to acquire and demolish deteriorated residential and/or commercial properties city-wide and resell the property for development. (Up to 30% of this annual allocation can be used for non-low- and moderate-income benefits directed toward removing slum and blight.)

Because the City has not been notified of the amounts that will be allocated for 2022-23 program year, staff have been advised to project the current 2021/22 CDBG allocation of \$599,177 and HOME allocation of \$350,543 for budgeting for the proposed 2022/23 Action Plan projects. Staff is recommending that the anticipated CDBG budget of \$1,130,279 (less administration) be allocated to the project activities and the anticipated HOME budget of \$1,801,222 [less administration and Community Housing Development Organization (CHDO) set aside]. If the appropriations come in higher or lower, then staff will make the necessary adjustments. Ms. Baker-Latimer referred the Council to the table on Page 6 of the Staff Report showing the 2022/23 Draft Proposed CDBG/HOME Annual Action Plan Projects and Budget. Ms. Baker-Latimer mentioned that there was some carry-over of the CDBG CARES funding in the amount of \$85,000 to be made available for Mental Health.

Council Member Betcher asked what Ms. Baker-Latimer would change if the funding allocation came back higher or lower than what was provided during the past year. Ms. Baker-Latimer mentioned that she had received requests to bring back the First Month Rent and Deposit Program. She explained that one of the goals that she has when obtaining public input is to find out what is already being offered in the community; this way services are not duplicated. Ms. Baker-Latimer said that more money could be added to the Home Improvement Program or the Down-Payment Program. If HOME money is higher than what is anticipated, they could use that money to fill the gap on the Baker-Subdivision LIHTC application.

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 22-145 approving the 2022/23 Proposed Annual Action Plan Projects for Community Development Block Grant (CDBG) and HOME Programs.

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 SELL, SUBJECT TO EASEMENTS, CITY-OWNED LAND LOCALLY KNOWN AS 1101 AVIATION WAY (SIGLER): Mayor Haila opened the public hearing. It was closed when no one asked to speak.

Moved by Betcher, seconded by Rollins, to adopt RESOLUTION NO. 22-146 approving the sale of 1101 Aviation Way to Mulmac, LLC.

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 VACATE EXISTING PUBLIC UTILITY EASEMENT AND WATER MAIN EASEMENT AT 1915 PHILADELPHIA STREET: The public hearing was opened and closed by Mayor Haila when no one came forward to speak.

Moved by Rollins, seconded by Corrieri, to adopt RESOLUTION NO. 22-147 approving the vacation of a Public Utility Easement and Water Main Easement at 1915 Philadelphia Street.

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

HEARING ON CYRIDE ELECTRIC BUS SYSTEM UPGRADES: The Mayor opened the public hearing. There was no one wishing to speak, and the hearing was closed.

Moved by Beatty-Hansen, seconded by Betcher, to accept the report of bids and delay the award.
Vote on Motion: 6-0. Motion declared carried unanimously.

HEARING ON 2021/22 ARTERIAL STREET PAVEMENT IMPROVEMENTS (NORTH DAKOTA AVENUE AND ONTARIO STREET): The Mayor opened the public hearing and closed it after there was no one who wished to speak.

Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 22-133 approving the final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$1,430,118.60, contingent upon receipt of the Iowa Department of Transportation (IDOT) concurrence.

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

HEARING ON 2021/22 COLLECTOR STREET PAVEMENT IMPROVEMENTS (HOOVER AVENUE): Mayor Haila opened the public hearing. It was closed when no one asked to speak.

Moved by Rollins, seconded by Betcher, to adopt RESOLUTION NO. 22-149 approving the final plans and specifications and awarding a contract to Manatt's Inc., of Ames, Iowa, in the amount of \$2,185,487.58.

Roll Call Vote: 6-0. 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 adopt ORDINANCE NO. 4459 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: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

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 Beatty-Hansen, seconded by Junck, to adopt ORDINANCE NO. 4460 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: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

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 Beatty-Hansen, to adopt ORDINANCE NO. 4461 to allow for temporary yard waste processing facilities through approval of a Special Use Permit by the Zoning Board of Adjustment.

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

DISPOSITIONS OF COMMUNICATIONS TO COUNCIL: Mayor Haila said there were three items on the list. The first item was a letter from Lee Grassley, Senior Manager, Mediacom Government Relations providing the City with a notice regarding programming changes and rate adjustments for the Local Broadcast Station Surcharge.

The Mayor indicated that the letter was a prerequisite required notice of programming changes and rate adjustments. The Council will take the letter under advisement.

The second item was a memo from Brian Phillips, Assistant City Manager, providing the Council with an updated Code of Conduct for Public Meetings.

Moved by Beatty-Hansen, seconded by Corrieri, to place the memo from Assistant City Manager Brian Phillips regarding an updated Code of Conduct for Public Meetings on a future agenda.
Vote on Motion: 6-0. Motion declared carried unanimously.

The last item was a letter from Kevin Bourke, President & CEO, Ames Convention & Visitors Bureau providing the Council with the 2021 Ames Convention & Visitors Bureau Annual Report.

Mayor Haila said that he had received the Report and wanted to pass it on to the City Council to review.

COUNCIL COMMENTS: Moved by Betcher, seconded by Junck, to get a memo from staff regarding what it would take to rename the Airport, and look into the FAA requirements (costs, etc.).
Vote on Motion: 6-0. Motion declared carried unanimously.

Council Member Gartin congratulated the Ames High Boys basketball team for winning the State Tournament. He also congratulated the Men's and Women's ISU Basketball teams for making the Sweet 16.

Council Member Rollins said she noticed in the Employee Newsletter that the Diversity, Equity, and Inclusion Team (DEI) was working on classes to offer employees. She acknowledged the work that is being done regarding diversity.

Council Member Junck let everyone know that the Annual Ames Convention & Visitors Bureau meeting is Tuesday, March 29, 2022, at 4:30 p.m. at Reiman Gardens.

Ex Officio Poundstone stated that he had sent the Mayor the first draft of the Agenda for the Student Government/City Council joint meeting to be held on March 30, 2022. He indicated that the Student Senate is working on finding his replacement on the City Council. Mr. Poundstone mentioned that the Student Body President and Vice-President were elected; they are Jacob Ludwig and Jaden Ahlrichs.

Mayor Haila mentioned that the Legislature is very busy right now and as the bills are developed, he may be reaching out to the Council to ask for their assistance.

ADJOURNMENT: Moved by Gartin, seconded by Junck, to adjourn the meeting at 8:02 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