

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JANUARY 10, 2023

The regular meeting of the Ames City Council was called to order by Mayor John Haila at 6:03 p.m. on the 10th day of January, 2023, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Tim Gartin, Rachel Junck, and Anita Rollins. *Ex officio* Member Bryce Garman was also present.

PROCLAMATION FOR “SLAVERY AND HUMAN TRAFFICKING PREVENTION AND AWARENESS MONTH” JANUARY 2023: Mayor Haila proclaimed January 2023 as “Slavery and Human Trafficking Prevention and Awareness Month.” Dr. George Belitsos of the Iowa Network Against Human Trafficking and Slavery (NAHT) accepted the proclamation, accompanied by Sam Fox and Jessica Hagen of Youth and Shelter Services and Noah Goche of the Iowa State University campus chapter of NAHT. Dr. Belitsos shared that the number of survivors receiving services from NAHT has risen from 50 to 642 in the past six years. He also presented the Mayor with stickers to post in public buildings with the National Human Trafficking Hotline number of 888-3737-888.

Council Member Amber Corrieri entered the meeting at 6:15 p.m.

CONSENT AGENDA: Council Member Betcher requested to pull Item No. 8, requests from Ames Main Street (AMS) for Downtown Dollar Days event on Thursday, January 26 through Sunday, January 29, 2023. Council Member Gartin requested to pull Item No. 10, resolution authorizing and approving a Loan and Disbursement Agreement and providing for the issuance and securing the payment of \$8,357,000 Taxable Sewer Revenue Bonds, Series 2023B.

Moved by Beatty-Hansen, seconded by Corrieri, to approve the consent agenda less Item No. 8 and Item No. 10.

2. Motion approving payment of claims
3. Motion approving Minutes of Regular Meeting on December 13, 2022, and Special Meeting on December 20, 2022
4. Motion approving Change Orders for period December 1–15, 2022, and December 16-31, 2022
5. Motion setting January 28, 2023, as Special City Council Goal Update Session
6. Motion approving ownership update for Class C Liquor License with Catering Privilege and Sunday Sales - Hy-Vee Market Café, 3800 Lincoln Way
7. Motion approving the renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor License with Outdoor Service and Sunday Sales – Chipotle Mexican Grill, 435 South Duff Ave. – Pending Dramshop Review
 - b. Class C Liquor with Sunday Sales - Fuji Japanese Steakhouse, 1614 S. Kellogg Ave. 101

- c. Class A Liquor License with Sunday Sales - American Legion Post #37, 225 Main Street -Pending Dramshop Review
 - d. Special Class C Liquor License with Sunday Sales - Springhill Suites, 1810 SE 16th St.
 - e. Class C Liquor with Catering Privilege, Outdoor Service, and Sunday Sales - Dublin Bay, 320 S 16th Street
 - f. Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carryout Beer), and Sunday Sales - The Filling Station, 2400 University Blvd.
 - g. Special Class C Liquor License (B/W) - Clouds Coffee, 119 Stanton Ave. Suite 701 – Pending Dramshop Review
 - h. Class C Liquor License with Outdoor Service and Sunday Sales - The Angry Irishmen, 119 Main Street -Pending Dramshop Review
 - i. Class C Liquor License with Catering Privilege and Sunday Sales - Hy-Vee Market Café, 3800 Lincoln Way -Pending Dramshop Review
8. Requests from Ames Main Street (AMS) for Downtown Dollar Days event on Thursday, January 26 through Sunday, January 29, 2023:
 - a. Motion approving blanket Temporary Obstruction Permit
 - b. RESOLUTION NO. 23-001 approving waiver of parking meter fees and enforcement in the Downtown District on Saturday, January 28, 2023
 - c. RESOLUTION NO. 23-002 approving request from Ames Main Street for Saturday, January 28, to transfer \$1,379.25 from the Local Option Sales Tax Fund to the Parking Fund
 9. RESOLUTION NO. 23-003 authorizing and approving a Loan and Disbursement Agreement and providing for the issuance and securing the payment of \$4,071,000 Sewer Revenue Bonds, Series 2023A
 10. RESOLUTION NO. 23-004 authorizing and approving a Loan and Disbursement Agreement and providing for the issuance and securing the payment of \$8,357,000 Taxable Sewer Revenue Bonds, Series 2023B
 11. RESOLUTION NO. 23-005 approving the appointment of Karen Tapper as the City of Ames alternate to the Story County 911 Service Board
 12. RESOLUTION NO. 23-006 approving and adopting Supplement No. 2023-1 to the *Municipal Code*
 13. Pharmacy Benefits Manager
 - a. RESOLUTION NO. 23-007 waiving Purchasing Policies and Procedures for competitive bidding of professional services
 - b. RESOLUTION NO. 23-008 awarding contract to Arthur J. Gallagher Benefits Services in an amount not-to-exceed \$110,000
 14. RESOLUTION NO. 23-009 approving staff to submit a State of Iowa Community Attraction and Tourism Grant Application in the amount of \$500,000 to be used for the Fitch Family Indoor Aquatic Center
 15. RESOLUTION NO. 23-010 approving preliminary plans and specifications for furnishing 69kV and 161kV SF6 Breakers for the Mortensen Road and Ontario Substations; setting February 1, 2023, as bid due date and February 14, 2023, as date of public hearing

16. RESOLUTION NO. 23-011 approving Change Order No. 1 with Interstate Power Systems to provide parts for the repair of Methane Engine/Generator #2 at the Water Pollution Control Facility
 17. 2019/20 Arterial Pavement Improvements – 13th Street (Wilson Avenue to Duff Avenue)
 - a. RESOLUTION NO. 23-012 approving Change Order No. 2
 - b. RESOLUTION NO. 23-013 accepting the 2019/20 Arterial Street Pavement Improvements as completed
 18. RESOLUTION NO. 23-014 approving Change Order No. 3 for Prairie View Industrial Center Utility Extension Project
 19. RESOLUTION NO. 23-015 accepting completion of the 2021/22 Shared Use Path Maintenance - Little Bluestem Project
 20. RESOLUTION NO. 23-016 accepting completion of the 2020/21 Airport Improvements Program (Replace Runway 01/19 and Taxiway A North Lighting)
- Roll Call Vote: 6-0. Motions/Resolutions declared carried/adopted, signed by the Mayor, and hereby made a portion of these Minutes.

REQUESTS FROM AMES MAIN STREET (AMS) FOR DOWNTOWN DOLLAR DAYS EVENT ON THURSDAY, JANUARY 26th THROUGH SUNDAY, JANUARY 29th, 2023:

Council Member Betcher noted that the accompanying documentation for this item did not include a request for a blanket Temporary Obstruction Permit and inquired about its inclusion. Assistant City Manager Brian Phillips clarified that its inclusion was an error. Crystal Davis of Ames Main Street concurred, expressing excitement for the event.

Moved by Betcher, seconded by Beatty-Hansen, to approve the Downtown Dollar Days request less the blanket Temporary Obstruction Permit.

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

Moved by Betcher, seconded by Rollins, to reconsider the Downtown Dollar Days request.

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

Moved by Betcher, seconded by Beatty-Hansen, to approve the Downtown Dollar Days request, less the blanket Temporary Obstruction Permit: RESOLUTION NO. 23-001 approving waiver of parking meter fees and enforcement in the Downtown District on Saturday, January 28th, 2023, and RESOLUTION NO. 23-002 approving request from Ames Main Street for Saturday, January 28th, to transfer \$1,379.25 from the Local Option Sales Tax Fund to the Parking Fund.

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

LOAN AND DISBURSEMENT AGREEMENT AND PROVIDING FOR THE ISSUANCE AND SECURING THE PAYMENT OF \$8,357,000 TAXABLE SEWER REVENUE BONDS, SERIES 2023B: Finance Director Corey Goodenow explained for Council Member Gartin that Item No. 10 was an issuance of taxable debt to support collection system improvements for Public Works. In order to issue tax-exempt debt, the City cannot expend funds above \$100,000

prior to issuing debt. In this case, the City did not issue the debt prior to reaching the expenditure threshold, so this debt could not be tax-exempt. Director Goodenow noted that the Finance Department was evaluating internal policies and procedures to ensure that this scenario would not arise in the future.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 23-004 authorizing and approving a Loan and Disbursement Agreement and providing for the issuance and securing the payment of \$8,357,000 Taxable Sewer Revenue Bonds, Series 2023B.

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

PUBLIC FORUM: Mayor Haila opened and closed the Public Forum when no one came forward to speak.

LIQUOR LICENSE FOR 1 NIGHT STAND: The staff report was provided by Chief of Police Geoff Huff. He stated that 1 Night Stand, located at 124 Welch Avenue, applied for a renewal of their Class C Liquor License. The Police Department conducts compliance checks on establishments that hold liquor licenses in the City of Ames. These compliance checks are completed by taking an underage person to a liquor license establishment, who then attempts to purchase alcohol. A business passes the check if the employee asks for identification and rightly refuses the purchase.

Chief Huff explained that the Police Department conducted one such compliance check at 1 Night Stand on March 25th, 2021. An employee of 1 Night Stand sold alcohol to an underage person during the check, but the establishment passed a follow-up compliance check later in the year. 1 Night Stand failed a compliance check on October 20th, 2022. As the second violation within two years, the establishment is subject to a 30-day suspension and \$1,500 fine per Iowa Code 123.50(3)(b). In addition to the failed compliance checks, Ames officers issued 11 citations at this location, including ten citations to underage individuals for being on-premises. Of those ten, officers were able to verify that one used a fake ID.

According to Chief Huff, staff spoke with the owner of 1 Night Stand, Jerrad Atkin, who reported that the business has a zero-tolerance policy for minors entering the establishment and requires all individuals to show ID at the door. He also suggested that minors who use a fake ID to gain entry should face larger penalties. Chief Huff noted that staff recommended denying the 12-month license and suggesting that the applicant submit an application for an 8-month license.

Council Member Beatty-Hansen inquired how this situation differed from other contentious license renewals in recent months. Chief Huff noted that this situation did not involve collusion on the part of employees to allow entry to minors, which he considered to be a different level of violation. Mayor Haila inquired as to the jurisdiction over the relevant penalties. Chief Huff explained that the minor on premises citation is a Municipal Code violation, so it fell under City

jurisdiction. The fine for using a fake ID is set by the State of Iowa, so the City would not have jurisdiction over those penalties.

Mayor Haila opened the Public Input.

Jerrad Atkin, owner of 1 Night Stand, described the changes and precautions his business employed. He noted that the business has a zero-tolerance policy, and every staff member takes the online training course offered by the Iowa Alcoholic Beverages Division (ABD). He believed that the current fine structure did not dissuade minors from illegal activity. He accepted responsibility for the consequences of failing the compliance checks, and expressed that his establishment and the City shared a common goal in the fight to keep minors out of bars.

Mayor Haila closed the Public Input when no one came forward to speak.

Moved by Gartin, seconded by Betcher, to deny the application for a 12-month liquor license renewal but suggest that the applicant submit an application for an 8-month license.

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

Moved by Beatty-Hansen, seconded by Rollins, to direct staff to provide a memo about the fine structure for minors on premises.

Amendment to Motion introduced by Corrieri to include information about state limits on increases to municipal fines in the memo. Amendment accepted by Beatty-Hansen and Rollins.

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

LIQUOR LICENSE FOR MICKEY’S IRISH PUB: The staff report was provided by Chief of Police Geoff Huff. He stated that Mickey’s Irish Pub, located at 109 Welch Avenue, applied for a renewal of its Class C Liquor License with Outdoor Service privilege. Mickey’s Irish Pub passed a compliance check conducted by the Police Department on March 25th, 2021. In the previous 12 months, Ames officers cited 24 minors for being on the premises. Of those 24, officers were able to verify 15 used fake IDs. The fact that such a high percentage of the citations involved fake IDs was a mitigating factor; while 24 is high, the establishment was doing its due diligence in checking IDs.

Chief Huff shared that staff spoke with the owner, Ravinder “Ben” Singh, about steps to improve performance, and Singh stated that the business is planning to purchase ID scanners. Staff at the establishment already regularly attends ID training offered by the Iowa Program for Alcohol Compliance Training and the Ames Police Department, and Singh terminated two employees for not doing an adequate job of checking IDs.

To clarify the relative seriousness of different kinds of violations, Chief Huff shared an informal tier-ranking. First, the worst violations involved collusion. Next were failed compliance checks, followed by patrons using a fake ID. The violations at Mickey’s Irish Pub were in the lowest tier in this informal ranking. Chief Huff recommended approving the 12-month renewal.

Mayor Haila inquired about the efficacy of handheld ID scanners. Chief Huff explained that the scanners will catch some fake IDs, but there is no guarantee that all will be caught, as the technology for fake IDs has advanced. Mayor Haila noted that the owner of Mickey's Irish Pub communicated with staff that he could not attend the meeting, but sent a letter to the City Council.

The Mayor opened and closed the Public Input when no one came forward to speak.

Moved by Gartin, seconded by Beatty-Hansen, to approve the application for a 12-month liquor license renewal.

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

AMES URBAN FRINGE PLAN UPDATE: Planning and Housing Director Kelly Diekmann stated that Gilbert and Story County responded to the November reply from the City Council. Gilbert maintained that they did not support annexation by either Ames or Gilbert between 190th and 180th Street, noting the desire for a buffer between Gilbert and Ames. Story County accepted the City's proposal regarding limits on conditional uses, but added requests to reduce the Urban Reserve Overlay near 190th Street, Southwest Ames, and other areas. Instead, Story County proposed mapping those areas solely as Agriculture and Farm Services, which would not allow for development or annexation without a map amendment.

Director Diekmann observed that the responses from Gilbert and Story County showed significant progress since November, but the requested reductions in Urban Reserve Overlay mapping did not align with Ames Plan 2040. He presented several options that the City Council could send in response to continue negotiations.

Regarding the Southwest region, Director Diekmann explained that the Story County Board of Supervisors requested that no Urban Reserve Overlay be mapped. Director Diekmann noted that the City already removed a large section from the Urban Reserve Overlay at their request. Staff recommended retaining the section of the map which was readily-serviceable due to an existing water main and sanitary sewer connection.

In the 190th Street region, both Gilbert and the Story County Board of Supervisors requested that no Urban Reserve Overlay be mapped north of 190th Street. Director Diekmann observed that the City already agreed to remove a large section of the overlay west of the railroad tracks. Gilbert's concern focused on retaining a buffer between the two cities, and Director Diekmann illustrated a possible compromise, which would include a quarter mile buffer from Gilbert while retaining three-quarters of a mile north of 190th in the Urban Reserve Overlay. Director Diekmann clarified for Council Member Gartin that the buffer has no direct value to Ames. Gilbert is applying for a grant as a rural community, which requires a buffer, but Gilbert already has a quarter mile buffer north of 180th Street.

Concerning the other areas, the Board of Supervisors generally requested an overall reduction in the footprint of the Urban Reserve Overlay. Director Diekmann noted that the City already conceded several large cuts, and he had no further suggestions of areas that could be reduced while maintaining the priorities of Ames Plan 2040.

Council Member Beatty-Hansen expressed that continuing the negotiations had merit, given success on conditional use limitations. City Manager Steve Schainker noted that the City made a good faith effort to compromise, but staff did not recommend trading proposals indefinitely.

Director Diekmann clarified the process moving forward for Mayor Haila. At the current meeting, the City Council would vote on proposed changes to take to Gilbert and Story County. After that, if both parties agreed to those changes, staff would prepare the document to bring before the public for comment. After the public had an opportunity to provide feedback, the parties would vote on a final decision. If only one party agreed to the changes, Ames could enter into an agreement with that party. If both parties disagreed, the partnership would end when the current 28E agreement expires on April 30th, 2023.

Director Diekmann clarified that without a 28E agreement, Gilbert would have decreased ability to prevent residents in the desired buffer area from initiating annexation with Ames. Typically, the city that received the annexation petition could only be overruled if another city is able to successfully appeal that it was in a better position to serve the area.

Council Member Gartin shared that continuing the negotiations felt like a step backwards. Ames is two-thirds of Story County, so Story County should consider the interests of Ames as well. Council Member Beatty-Hansen expressed that this plan seemed like a feasible intermediate step to address the next five to ten years. Compromising with Gilbert in the short term would not commit the City to keep a buffer forever. Council Member Junck noted that limits on conditional uses would be lost without a 28E, and that alone was worth some compromises. Council Member Betcher concurred, noting that conditional use limitations were a compelling reason to pursue the 28E agreement. Council Member Gartin stated that being good neighbors was important, but Ames City Council Members were elected to represent the interests of the people of Ames. He noted that changing sections of the Urban Reserve Overlay to Agriculture and Farm Services territory would prohibit housing developments in those areas, which would make housing prices more expensive for everyone.

Moved by Beatty-Hansen, seconded by Junck, to propose to Story County and the City of Gilbert maintaining the designated growth areas as originally depicted, but pursuing the other changes requested by Story County regarding Urban Reserve Overlay in the southwest region.

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

Moved by Beatty-Hansen, seconded by Betcher, to propose to Story County and the City of Gilbert retaining an Urban Reserve Overlay east of the railroad tracks that extends three-quarters of a mile north of 190th Street to an eastern edge three-quarters of a mile east of US-69.

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

Moved by Beatty-Hansen, seconded by Corrieri, to take no action in response to requested changes in other areas.

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

THE BLUFFS AT DANKBAR FARMS, 1st ADDITION: Director Diekmann stated that this minor subdivision was unique. Staff recommended approving the creation of two large outlots. The Master Plan Zoning Agreement for the property, which appeared later on the agenda, made it feasible to waive the public improvements as a condition of the minor plat, because those obligations would be set in the Master Plan Zoning Agreement. Council Member Gartin expressed appreciation for the effort from staff to find ways to say yes.

The Mayor opened and closed the Public Input when no one came forward to speak.

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 23-017 to waive improvement requirements.

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

Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 23-018 to approve the Minor Final Plat.

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

HEARING ON ZONING TEXT AMENDMENT TO AMEND THE HOME OCCUPATION REGULATIONS: Mayor Haila stated that this hearing was continued from December 13th, 2022. Planner Benjamin Campbell explained that the state legislature amended State Code to change the ways that cities and counties can regulate home occupations. This change invalidated existing City regulations, so staff presented a rewritten ordinance with a new set of criteria. Planner Campbell highlighted several significant changes, including removal of the application process, increasing the amount of dwelling unit floor area that can be used for the home occupation, allowing business activities in the rear yard, allowing for home modifications for the business, and more.

Council Member Betcher raised the topic of egress windows, commenting that egress windows had arisen in discussions about public safety for rental properties. She inquired whether the code changes for home occupations included any additional public health and safety regulations. City Attorney Mark Lambert clarified that the requirement for installation of egress windows is tied to the status of a basement as habitable space. Any newly finished basement, whether intended for

residential use or home occupation, is required to include egress by building code, independent of the home occupation ordinance. City Manager Schainker inquired as to how extensive the structural changes permitted by the new law were. Planner Campbell explained that homeowners cannot modify the structure such that it no longer qualifies as a home. In practice, this means that 50 percent of the space must be retained as a home to qualify as a dwelling unit. Changes that would not alter the structure's status as a dwelling unit would not be restricted by this ordinance.

Mayor opened and closed the Public Hearing when no one came forward to speak.

Council Member Gartin expressed concern at the imposition by the state legislature of this code change. He stated that the government closest to the people is the most responsive to the people. The one-size-fits-all approach represented in the requirement to change local policy struck him as an alarming erosion of home rule.

Moved by Betcher, seconded by Rollins, to pass on first reading an ordinance amending Home Occupation regulations.

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

HEARING ON NORTH SUNSET RIDGE SANITARY SEWER (798 N. 500th AVENUE):

Mayor Haila opened and closed the Public Hearing when no one came forward to speak.

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 23-019 accepting report of bids.

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

Moved by Betcher, seconded by Rollins, to adopt RESOLUTION NO. 23-020 approving final plans and specifications and awarding contract to Rognes Excavating of Ames, Iowa, in the amount of \$941,044.50.

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

HEARING ON CYRIDE HVAC IMPROVEMENTS, PHASE III PROJECT: Transit Director Barb Neal and Assistant Transit Director Fleet and Facilities James Rendall answered questions. Director Neal explained that conversations with contractors indicated that the lack of bids was a timing issue, and it seemed likely that rebidding would have a more favorable outcome. Assistant Director Rendall explained for Council Member Betcher that the project was crucial, as one of the HVAC components had already failed, and delays were likely to increase the expense of the project. Director Neal added that a state grant was tied to the project.

Mayor Haila opened and closed the Public Hearing when no one came forward to speak.

Moved by Rollins, seconded by Corrieri, to accept the report of no bids and direct staff to prepare to rebid the project.

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

HEARING ON FURMAN AQUATIC CENTER POOL BASIN REPAINTING PROJECT:

Parks and Recreation Director Keith Abraham noted that staff was delayed in checking references for pool painting projects because several references only had information about gel coatings. Once that information was gathered, staff would be able to make a recommendation.

Mayor Haila opened and closed the Public Hearing when no one came forward to speak.

Moved by Betcher, seconded by Rollins, to accept the report of bids and direct staff not to award contract at this time.

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

HEARING ON PRAIRIE VIEW INDUSTRIAL AREA FOR THE ESTABLISHMENT OF WATER AND SANITARY SEWER CONNECTION DISTRICTS: Mayor Haila opened and closed the Public Hearing when no one came forward to speak.

Moved by Gartin, seconded by Betcher, to continue hearing to January 31st, 2023.

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

SECOND PASSAGE OF ORDINANCE TO AMEND MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY AMENDING CHAPTER 28, DIVISION 1 FOR THE PURPOSE OF ESTABLISHING A COMMERCIAL ELECTRIC VEHICLE CHARGING RATE AND UPDATES TO INDUSTRIAL TIME-OF-USE RATE:

Moved by Gartin, seconded by Junck, to pass on second reading an ordinance to amend Municipal Code of the City of Ames, Iowa, by amending Chapter 28, Division 1 for the purpose of establishing a commercial electric vehicle charging rate and updates to industrial time-of-use rate.

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

Moved by Corrieri, seconded by Gartin, to suspend the rules for second and third reading and adoption.

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

Moved by Betcher, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4483 amending Municipal Code of the City of Ames, Iowa, by amending Chapter 28, Division 1 for the purpose of establishing a commercial electric vehicle charging rate and updates to industrial time-of-use rate.

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

REZONING THE BLUFFS AT DANKBAR: Moved by Gartin, seconded by Betcher, to pass RESOLUTION NO. 23-021 approving Master Plan Zoning Agreement.

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

Moved by Beatty-Hansen, seconded by Rollins, to pass on third reading and adopt ORDINANCE NO. 4486 rezoning with a Master Plan the property on the Southwest Corner of Cameron School Road and George Washington Carver Avenue from “A” (Agricultural) to “FS-RL” (Suburban Residential Low-Density) and “FS-RM” (Suburban Residential Medium-Density).

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

THIRD PASSAGE AND ADOPTION OF ORDINANCE NO. 4484 TO AMEND MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY AMENDING CHAPTER 12, SECTION 12.2 AND 12.3 FOR THE PURPOSE OF ESTABLISHING ELECTION OF HOSPITAL TRUSTEES, TERM OF OFFICE, AND QUALIFICATIONS: Moved by Rollins, seconded by Junck, to pass on third reading and adopt ORDINANCE NO. 4484 to amend Municipal Code of the City of Ames, Iowa, by amending Chapter 12, Section 12.2 and 12.3 for the purpose of establishing election of hospital trustees, term of office and qualifications.

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

THIRD PASSAGE AND ADOPTION OF ORDINANCE NO. 4485 CREATING TAX INCREMENT FINANCING DISTRICT, URBAN RENEWAL AREA PLAN FOR 2105 AND 2421 NORTH DAYTON AVENUE (SMALL LOT INDUSTRIAL SUBDIVISION): Moved by Betcher, seconded by Rollins, to pass on third reading and adopt ORDINANCE NO. 4485 creating Tax Increment Financing District, Urban Renewal Area Plan for 2105 and 2421 North Dayton Avenue (small lot industrial subdivision).

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

THIRD PASSAGE AND ADOPTION OF ORDINANCE NO. 4487 ZONING TEXT AMENDMENT TO ALLOW A 20% REDUCTION TO REQUIRED PARKING FOR CERTAIN COMMERCIAL AND INDUSTRIAL USES ON SITES WITH MORE THAN 100 PARKING STALLS: Moved by Junck, seconded by Rollins, to pass on third reading and adopt ORDINANCE NO. 4487 Zoning Text Amendment to allow a 20% reduction to Required Parking for Certain Commercial and Industrial Uses on Sites with more than 100 Parking Stalls.

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

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Mayor Haila noted that there were 16 items to consider.

The first item was a letter from Andrew Collings with a funding request for the FY 2024 Story County Housing Trust Owner-Occupied Repair Program.

Moved by Beatty-Hansen, seconded by Gartin, to refer to staff for a memo as part of the budget discussion.

Vote on Motion: 5-0-1, Corrieri abstaining. Motion declared carried unanimously.

Second, Dick Wilson sent a letter raising concerns about the Ames Animal Shelter facility. City Manager Schainker noted that staff was aware of the concerns, and the Animal Shelter would be one of the CIP projects that the City Council would be asked to decide about prioritizing during the budgeting process.

Moved by Gartin, seconded by Rollins, to refer the letter to staff for a memo addressing the concerns which could be addressed outside of CIP.

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

The third item was an email from Ada Perry, an Ames High School student, regarding accident and safety procedures on Summit Avenue. Council Member Gartin stated that he responded to all of the emails from Ames High School students, and several other Council Members indicated that they responded to a number of those emails as well.

The fourth item was an email from Mike Castellano regarding winter holiday displays on public property. This item connected to the ninth item, and was addressed later.

A memo from Chief of Police Geoff Huff regarding a Municipal Code inquiry on the use of snowmobiles was the fifth item.

Moved by Gartin, seconded by Corrieri, to have Mayor Haila inform the constituent that the City Council decided to take no action.

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

The sixth item was an email from Lucas Lueth, an Ames High School student, inquiring about the process to become an Ames utility worker. Council Member Gartin indicated that he already responded.

Seventh, Diana Nguyen, an Ames High School student, emailed asking about plans to aid the homeless population during extreme cold weather events. Council Member Gartin indicated that he already responded.

The eighth item was an email from Zoe Indarious requesting bike lanes in West Ames. Council Member Gartin indicated that he already responded.

The ninth item was a memo from City Attorney Mark Lambert regarding holiday displays at Tom Evans Plaza.

Moved by Betcher, seconded by Rollins, to put this topic on a future agenda.

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

An email from Naomi Peña, an Ames High School student, expressing concern about soil contamination at the site of the Fitch Family Indoor Aquatic Center, was the 10th item. Council Member Gartin indicated that he already responded.

The 11th item was an email from Gabriel Richard Sehnann, an Ames High School student, asking about recycling options in Ames. Council Member Gartin indicated that he already responded.

The 12th item was an email from Sutton Battles, an Ames High School student, asking about stop signs in North Ames residential areas. Council Member Gartin indicated that he already responded.

An email from Dallas Sauser, an Ames High School student, expressing concerns about the Ames Community Center facility, was the 13th item. Council Member Gartin indicated that he already responded.

The 14th item was an email from Braydon Beelner, an Ames High School student, reporting safety concerns at the intersection of Murray Drive and Roosevelt Avenue. Council Member Gartin indicated that he already responded.

Next, a memo from Director Diekmann reporting staff review of a request for a Zoning Text Amendment related to non-conforming structures in the Downtown area was the 15th item. Moved by Gartin, seconded by Betcher, to place the topic on a future agenda. Vote on Motion: 6-0. Motion declared carried unanimously.

The 16th item was a memo from Director Diekmann reporting staff comments on front yard fencing regulations. Moved by Rollins to put the topic of front yard fencing regulations on a future agenda. Motion failed by lack of second. Moved by Betcher, seconded by Corrieri, to put Municipal Code Section 29.402(2) on a future agenda to clarify the definition of a landscape accent. Vote on Motion: 5-1. Voting Aye: Beatty-Hansen, Betcher, Corrieri, Gartin, Junck. Voting Nay: Rollins. Motion declared carried.

COUNCIL COMMENTS: *Ex officio* Council Member Bryce Garman shared that ISU classes would resume on Tuesday, January 17th, 2023.

Council Member Gartin encouraged everyone to attend the Ames/Story County MLK Celebration in the City Auditorium at 6:00 p.m. on Monday, January 16th, 2023. The Ames High School Jazz Band would be performing, and the keynote speaker would be Council Member Anita Rollins. He also encouraged residents to register for the free cross country ski clinic hosted by the City at Homewood Golf Course at 1:00 p.m. Saturday, January 14th, 2023.

Council Member Betcher welcomed back the ISU students to a new semester and a new year.

Mayor Haila echoed the invitation to the Ames/Story County MLK Celebration, and further encouraged everyone to consider attending the MLK Service on Sunday, January 15th, 2023 at 3:00 p.m. at Friendship Baptist Church.

ADJOURNMENT: Moved by Betcher, seconded by Corrieri, to adjourn the meeting at 7:53 p.m. Vote on Motion: 6-0. Motion declared carried unanimously.

Jeremy Neefus, Recording Secretary

John A. Haila, Mayor

Renee Hall, City Clerk