

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JUNE 27, 2023

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 5:59 p.m. on the 27th day of June, 2023, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Rachel Junck, and Anita Rollins. *Ex officio* Tabita Etten was also present.

CONSENT AGENDA: Council Member Betcher requested to pull Item No. 16 and Item No. 17.

Moved by Betcher, seconded by Gartin, to approve the consent agenda less Item No. 16 and Item No. 17.

1. Motion approving payment of claims
2. Motion approving the Summary of Minutes of Regular Meeting on June 13, 2023
3. Motion approving Report of Change Orders for period June 1-15, 2023
4. Motion approving Civil Service Candidates
5. Motion approving new Class C Retail Alcohol License – Morning Bell Coffee Roasters, 111 Main Street
6. Motion approving five-day license (July 4 – July 8, 2023) for Special Class C Retail Alcohol License with Outdoor Service – Après Bar Co, 1930 East 13th Street
7. Motion approving Ownership Update for Class C Liquor License – Red Lobster #0747, 1100 Buckeye Avenue
8. Motion approving Ownership Update for Special Class C Retail Alcohol License - Northcrest Community, 1801 20th Street
9. Motion approving the renewal of the following Beer Permits, Wine Permits, and Liquor Licenses
 - a. Class C Liquor License – Red Lobster #0747, 1100 Buckeye Avenue
 - b. Class C Liquor License with Outdoor Service – La Casa Maya, 631 Lincoln Avenue
 - c. Class C Liquor License – Welch Avenue Station, 207 Welch Avenue
 - d. Class E Liquor License – Kwik Star #1158, 1910 Isaac Newton Drive
 - e. Class C Beer Permit – Hampton Inn and Suites Ames, 2100 SE 16th Street
10. Motion approving salaries of Council Appointees for FY 2023/24
11. RESOLUTION NO. 23-360 approving Pay Plan for FY 2023-24
12. RESOLUTION NO. 23-361 adopting Fee Schedule for FY 2023/24
13. RESOLUTION NO. 23-362 approving and adopting Supplement No. 2023-3 to the *Municipal Code*
14. RESOLUTION NO. 23-363 authorizing the Mayor to sign Certificate of Consistency with the City’s 2019-2023 CDBG Consolidated Plan on behalf of two area non-profit organizations for funding under the State of Iowa’s Continuum of Care Grant Funding
15. RESOLUTION NO. 23-364 approving Commission of the Arts (COTA) Fall Special Grant contracts for FY2023/24
16. ~~RESOLUTION NO. 23-365 approving Memorandum of Agreement with Mary Greeley Medical Center to fund up to \$154,008 towards the Alternate Response to Community Health~~

(ARCH) program

17. ~~RESOLUTION NO. 23-366 approving Encroachment Permit Agreement for Sign at 301 Main Street, Ste 106~~
18. RESOLUTION NO. 23-367 setting date of Public Hearing for July 11, 2023, to enter into a State Revolving Clean Water Loan and Disbursement Agreement in an amount not to exceed \$2,150,000
19. RESOLUTION NO. 23-368 setting date of Public Hearing for July 11, 2023, for vacation of the existing fifteen feet (15') Public Utility Easement located at between lots two (2) and three (3), North Dayton Industrial Subdivision, First Addition, Ames, Iowa
20. RESOLUTION NO. 23-369 approving request from YSS to modify the City's FY2022/23 ASSET allocation by transferring a total of \$57,018 as follows: \$19,818 from Emergency Shelter to Transitional Living, \$9,072 from Public Education/Child Safety to Summer Enrichment, and \$28,128 from Community Youth Development to Mentoring
21. RESOLUTION NO. 23-370 approving renewal option for FY 2023/24 for hauling and related services for Resource Recovery to Waste Management of Ames, Ames, Iowa at the base rate of \$16.23/ton
22. RESOLUTION NO. 23-371 approving contract renewal to Burns & McDonnell, Kansas City, Missouri, for the Professional Services for Fire Risk Mitigation in the amount not to exceed \$75,000
23. RESOLUTION NO. 23-372 approving increase to the purchase order for waste disposal operation for Resource Recovery in the amount of \$120,000
24. RESOLUTION NO. 23-373 approving professional service agreement for 2023/24 Campustown Public Improvements Design Project with MSA of Ankeny, Iowa, in the amount not to exceed \$101,225
25. RESOLUTION NO. 23-374 awarding contract to Utility Financial Solutions, LLC of Holland, Michigan to conduct cost-of-service and rate design studies for the City's Electric Utility in the amount not to exceed \$70,240
26. 2023/24 Televising of Storm Sewers
 - a. Motion accepting the quote as reported
 - b. RESOLUTION NO. 23-375 awarding contract to Hydro-Klean, LLC of Des Moines, Iowa for televising of storm sewers in the amount of \$59,999
27. RESOLUTION NO. 23-376 awarding contract to Hoglund Bus Company of Marshalltown, Iowa for the purchase of three new 176" wheelbase low-floor cutaway busses in the amount of \$604,193
28. RESOLUTION NO. 23-377 awarding year one of a contract to Eide Bailly, LLP, Dubuque, Iowa in the amount of \$70,000 to professionally audit the City's financial statements for FY ending June 30, 2023
29. RESOLUTION NO. 23-378 awarding one-year contract with Gallagher Benefit Services, Inc., West Des Moines, Iowa for benefits brokerage, consulting and actuarial services beginning July 1, 2023 to June 30, 2024, at a cost of \$54,000 in FY 2023/24
30. RESOLUTION NO. 23-379 awarding contract for FY 2023/24 custodial services at Ames City Hall to Stratus Building Solutions, West Des Moines, Iowa, in the amount of \$68,588 per year for base bid cleaning, an additional \$16,374 of additional cleaning, at the discretion

of the City, not exceed \$84,962, and \$26 per hour cost for emergency clean-up and additional work as authorized not specifically stated in the contact

31. RESOLUTION NO. 23-380 approving contract and bond for the 2022/23 Pavement Restoration Program (Slurry Seal) with Fort Dodge Asphalt Company, Fort Dodge, Iowa
32. RESOLUTION NO. 23-381 accepting the 2017/18 Low Point Drainage Improvement, Almond Road (GW Carver Avenue and Bloomington Road) project as completed by Ames Trenching & Excavating Inc., of Ames, Iowa in the amount of \$97,922.10
33. RESOLUTION NO. 23-382 accepting the 2020/21 South Dayton Avenue Improvements as completed by All Star Concrete LLC of Johnston, Iowa in the amount of \$682,082.70
34. RESOLUTION NO. 23-383 approving completion of electric conduits and releasing financial security in full for Bricktowne Ames Subdivision

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

MEMORANDUM OF AGREEMENT WITH MARY GREELEY MEDICAL CENTER TO FUND THE ALTERNATE RESPONSE TO COMMUNITY HEALTH (ARCH) PROGRAM: City Manager Steve Schainker discussed the scope of services provided by ARCH. He highlighted in response to Council Member Beatty-Hansen's question that the program is not anticipated to generate cost savings but rather create more time and availability for Officers in the Ames Police Department by utilizing professionals from the ARCH program trained in crisis stabilization in non-emergency times of need. He shared that with the success of the pilot program, ARCH is looking to expand services in the next fiscal year, which begins July 1, 2023. Therefore, Mary Greeley Medical Center requested financial assistance from the City to fund half of the program. That request was approved during the budgeting process when \$154,000 was appropriated to the program, and at that time City Manager Schainker recommended the funding come out of the available balance or savings from the general fund. Mr. Schainker noted that the funding had been embedded in the City's base budget; however, changes to the General Levy will make allocating funding for following years more difficult to incorporate. He expressed his hope that other local partners will show an interest in contributing funding and added that the City also may be able to assist in helping the program obtain grant funding.

Council Member Betcher shared that the City Council Members that attended the 2023 International Town and Gown Association Conference presented on the ARCH program and numerous communities had inquired about the success rate and were interested in the program. She noted that she is hopeful to continue the program and assist Mary Greeley Medical Center in locating additional funding.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 23-365 approving Memorandum of Agreement with Mary Greeley Medical Center to fund up to \$154,008 towards the Alternate Response to Community Health (ARCH) program.

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

ENCROACHMENT PERMIT AGREEMENT FOR SIGN AT 301 MAIN STREET, SUITE 106: Council Member Betcher noted concern for the design of the sign, emphasizing that it had

the potential to spark adverse reactions with community members that had been affected by gun violence. Council Member Gartin cited First Amendment concerns, noting that he believed approval of the permit must be content neutral, and City Attorney Mark Lambert concurred.

Mayor Haila opened the Public Input.

Blake Crabb, Director of Operations for Raygun, 301 Main Street, Ames, noted that the logo in question is the standard logo that the company uses across all Raygun stores, with the specific design being on over 75 company products. He shared that the company is sensitive to the idea of gun violence in America, which the company has discussed at great lengths. Mr. Crabb added the Raygun sells many products that promote ending gun violence, highlighting that Raygun has hosted former Congresswoman and gun violence survivor Gabby Giffords in store as well as the organization EveryTown led by Mike Bloomberg. He furthered that in 2018 the company was honored to host the Parkland shooting survivors at the Cedar Rapids store during the March for our Lives Movement. In addition, Raygun compensates monthly to organizations against gun violence such as Gifford's Law Center to Prevent Gun Violence. However, it is the opinion of the company that the ray gun that the store mascot Gary the Cat is holding is an imaginary space weapon that the company does not believe to promote gun violence, noting that there have been no negative comments from customers regarding the logo at other store locations.

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

Moved by Betcher, seconded by Corrieri, to adopt Resolution No. 23-366 approving Encroachment Permit Agreement for Sign at 301 Main Street, Ste 106.

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.

FY 2024/25 ANALYSIS OF SOCIAL SERVICES EVALUATION TEAM (ASSET)

PRIORITIES: Assistant City Manager Deb Schildroth and ASSET Volunteer Becky Harker presented the priorities for FY 2024/25. Assistant City Manager Schildroth discussed the overarching emphasis for the current and upcoming fiscal years, highlighting noteworthy changes. Council Member Betcher shared her hope that the priorities are continuing to be useful to the volunteers for determining allocations for funders. Council Member Rollins asked if the overarching emphasis has been helpful, and Ms. Harker replied in the affirmative.

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

Mayor Haila thanked Ms. Harker for her efforts, noting that he knows the volunteers spend a lot of time and effort to accomplish the objectives of the ASSET program. Mayor Haila also announced that this meeting was Assistant City Manager Schildroth's last meeting with the City.

He shared his gratitude for all her efforts, sharing that she has been instrumental with ASSET and human services, as well as mental health. He wished her well in her next endeavor, noting that she will be missed. Assistant City Manager Schildroth shared her appreciation for the support of the City Council, not only for human service programs but the other efforts that overlap with those services that make Ames a great community to live in. She stated that it has been her pleasure serving for the City of Ames and she looks forward to continuing partnerships with the City in her new role with Heartland Senior Services.

Moved by Gartin, seconded by Rollins, to adopt RESOLUTION NO. 23-384 approving FY 2024/25 ASSET Priorities.

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

RENEWAL OF PROPERTY INSURANCE PROGRAM COVERAGE: Risk Manager Bill Walton presented the Council Action Form and discussed the state of the property market with the presentation of the monthly average rate change. He noted that the City contracts with Willis of Greater Kansas, Inc. to provide property insurance brokerage services for the City's property insurance program, and reviewed the quotes received by City staff. He explained that the number of natural disasters in the past few years has caused the commercial insurance market to harden, meaning it is becoming increasingly difficult to find reasonably priced coverage, and fewer companies are willing to participate in the reinsurance market.

The "Municipal" component of the City Property Insurance has been underwritten by Chubb Insurance Group since 2012, while the "Power" component has been underwritten by Starr Tech since 2018. Mr. Walton explained that the combined Power and Municipal premiums result in an overall property insurance program cost increase of 32% for FY 2023/24 over the prior year. The City's property insurance broker took the quotes to different insurance carriers, none of which were able to provide a better rate. Mr. Walton discussed the Power component of the property quote in more detail, highlighting that in addition to the premium increases, the City's deductibles increased and the covered limits in numerous areas were reduced.

At the time the FY 2023/24 budget was prepared, staff had anticipated a property insurance premium increase of up to 20%, which was based on historical data, explained Mr. Walton. He furthered that the shortfall in funding will be spread to each of the affected programs as part of the adjusted budget progress to cover the 32% cost increase.

Council Member Beatty-Hansen inquired about the storms impact, wondering if they were on a national scale. Mr. Walton replied in the affirmative and noted that insurance companies spread the losses across the country, so rate increases do not adversely affect one specific region. Council Member Gartin asked how the increase will affect the approved budget. City Manager Steve Schainker explained that each Department will be informed of the cost increase for property insurance and will be directed to make adjustments within the budget to cut expenditures in order to cover the cost differential. Mayor Haila inquired if staff would be obtaining quotes earlier for

the next fiscal year in anticipation of the hard market. Mr. Walton replied in the affirmative, noting that staff is planning to market in February 2024. Council Member Gartin followed up by asking what increase staff is planning for the next budget cycle. Mr. Walton noted that staff is anticipating a 24% increase and will observe the market over the next few months to see if it continues to rise. Council Member Rollins asked about the statement in the Council Action Form that stated that alternative underwriters are hard to find because of the unique property, and she wondered what unique property the City had compared to other municipalities. Mr. Walton noted that with the Power Plant using Refuse Derived Fuel (RDF), some insurers are driven away simply because of unfamiliarity with the process.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 23-385 approving renewal of property insurance program coverage at the combined quoted premium of \$1,224,164 for FY 2023/24.

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

REQUEST FROM DOWNTOWN AMES FOR FIREWORKS PERMIT FOR DISPLAY:

Assistant City Manager Brian Phillips explained that as a part of the planned activities for RAGBRAI on July 25, a variety of entertainers are expected to perform downtown. It is anticipated that between 6,000-8,000 attendees will be present for the main musical performer, the band Hairball. Hairball's act utilizes ground-effects fireworks during the band's performance. He shared that Hairball has requested an exception to the \$5,000,000 excess liability requirement, and instead is proposing coverage in the amount of \$2,000,000. Hairball has indicated that the \$2,000,000 limit is the level of coverage it has been subject to in other communities. The difference in liability coverage amounts also has an impact on the price of obtaining the coverage. Staff has been told the higher liability limit will cost an additional \$1,200.

Assistant City Manager Phillips noted that City staff cannot recall a previous instance where lower liability coverage limits for a fireworks display were requested or approved. Given the nature of the display taking place in close proximity of buildings and the large crowds that are anticipated, staff cannot recommend the approval of the lower limit, explained Mr. Phillips; however, the decision is up to the City Council.

Council Member Gartin asked if another option would be for the City Council to contribute \$1,200 to cover the insurance using funds from Council Contingency. Assistant City Manager Phillips replied in the affirmative. Council Member Betcher shared concerned for subsidizing the request when funds had not been allocated to other similar requests. Council Member Gartin noted that each permit is evaluated on a case-by-case basis, highlighting that RAGBRAI is a major event for Ames and a monetary contribution is worth considering. City Manager Schainker noted that Hairball was not hired by the local organizing committee, rather, the act was sponsored by RAGBRAI. Assistant City Manager Phillips concurred.

Moved by Betcher, seconded by Junck, to approve request from Downtown Ames for Fireworks Permit for display during Hairball at RAGBRAI Events on July 25, 2023, but require the insurance limits as indicated in *Municipal Code*.

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

Moved by Gartin, seconded by Beatty-Hansen, to ask staff to work with the RAGBRAI organizers to see if there is an alternative source to cover the \$1,200 for the higher liability limit.

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

DISCUSSION ON PROPERTY MAINTENANCE CODE: Fire Chief Richard Higgins provided the reminder that the process involving the Property Maintenance Code began on August 25, 2020, when the City Council made a motion requesting a memo from staff on how to address property maintenance issues throughout the Ames community. City staff returned to the City Council on May 25, 2021, with a proposal and then advertised the draft for public comment, before returning to the City Council for a workshop on June 15, 2021. The public comments received during that time were then incorporated into a new proposal that was shared with the City Council on June 20, 2023.

Building Official Sarah Van Meeteren highlighted the changes that resulted from the City Council Workshop on June 20, 2023. She stated that No. 8 in the proposed ordinance regarding vegetation in the right-of-way (ROW) was revised to create a one-foot buffer along the for road vehicle access. Additionally, it was stated that vegetation in that area needed to be under 12 inches in height; however, staff added an exception that it is not necessary if the area is designated as “no parking”. She noted previous discussion regarding the height of vegetation over the sidewalk, highlighting that staff initially proposed a 10-foot clearance over the sidewalk, while citizens desired an 8-foot clearance. She emphasized that staff is still recommending the 10-foot Department of Transportation (DOT) requirement, as in discussing the matter with the Public Works Department, staff heard major concerns about being able to maintain compliance with DOT standards. Additionally, for the abatement tool that was requested by staff, a warrant would still need to be issued by the court to initiate that process. Ms. Van Meeteren noted that requesting the warrant will slow down the process, though it will allow the court to be a part of the process and allow the judge to rule on the decision rather than City staff absorbing that responsibility.

Moved by Gartin, seconded by Beatty-Hansen, to change Item No. 9 under Section 30.5 in the proposed Ordinance from 8 feet of clearance above the sidewalk to 10 feet.

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

Council Member Gartin shared his concern that there would not be adequate time to get the word out about the proposed ordinance and the effect it will have for property owners prior to the first reading of the ordinance. Chief Higgins noted that staff was recommending the timeline to keep the item before the City Council and community. He stated that staff has seen an increase in complaints, so community awareness right now is high. He furthered by discussing outreach

efforts, highlighting that staff has been utilizing press releases and social media to keep the public informed. Council Member Gartin added that he was also concerned that regulations regarding limitations of motorhomes and recreational vehicles (RV) were not addressed by the proposed ordinance. He wondered if the community would still be able to present concerns about this issue at the July 11, 2023, meeting of the City Council. Mayor Haila replied in the affirmative. Mr. Gartin stated his appreciation, noting that he wanted to make sure that process was clear because he has spent time driving around the community and there are some neighborhoods that have the feeling of an RV park. He furthered that there are spaces where construction of dwellings would not be authorized, yet a resident would be permitted to park a vehicle that takes up the same amount of space.

Council Member Betcher noted that she would be absent from the July 11, 2023, meeting. She stated that if it is the desire to have the entire City Council on record for the vote on the first reading, she would request that the City Council vote to move the first reading to the July 18, 2023, meeting.

Council Member Rollins inquired about how the monetary penalties were arrived at for non-compliance. Ms. Van Meeteren noted that the proposed amounts are the violation penalty for most violations in the *Municipal Code*. Council Member Rollins discussed the need to provide clarification in the proposed ordinance as some definitions appeared subjective. Council Member Gartin noted that he appreciated the concern being raised, furthering that for any number of the definitions, amendments will be needed later after staff is able to gauge administration and enforcement of the ordinance.

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

Moved by Gartin, seconded by Junck, to place on July 11, 2023, City Council agenda for first reading of ordinance.

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

Motion withdrawn.

Moved by Beatty-Hansen, seconded by Betcher, to direct staff to revise the proposed maintenance code before bringing it back to the City Council to approve on first reading at the July 18, 2023, meeting of the City Council.

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

STAFF REPORT ON ACCESSORY DWELLING UNITS (ADU) AND DUPLEXES

DRAFT STANDARDS: Planning and Housing Director Kelly Diekmann noted that on March 21, 2023, a workshop was held regarding infill opportunities as an implementation measure of Ames Plan 2040. At that meeting the City Council endorsed moving forward with Zoning Text Amendments and staff has prepared standards that would apply individually to ADUs and duplexes. Director Diekmann noted that staff did address inconsistencies in the language to clarify the meaning and intent of the standards.

Planner Eloise Sahlstrom presented the standards, highlighting the points of clarification. She reviewed example floor plans and garage/driveway patterns, emphasizing that the goal of the standards is to maintain consistency with single-family dwellings. Council Member Betcher asked if in the case of a single-story home with a rear garage a resident would be permitted to put a second story on their garage. Ms. Sahlstrom replied in the negative. She furthered that accessory buildings cannot be higher than 80% of the principal building. Council Member Beatty-Hansen inquired about window alignment, wondering if asymmetry was undesirable in the design. Planner Sahlstrom noted that the intent is to keep the design balanced. Director Diekmann concurred, noting that there are not design guidelines for residential structures within the City of Ames; however, staff has seen dwellings designed around interior elements such as stairwells or bathrooms, which creates an exterior that does not look synonymous with a residential area. He shared that staff is trying to motivate thought regarding the floor plan as it externally related to the neighborhood. Council Member Junck asked for a recap regarding the letter of compliance and the rental regulations for ADUs. Director Diekmann stated that the staff is proposing that if a resident is permitted to build an ADU, one of the two units must be owner-occupied. He noted that the definition of an owner as it appeared in the rental code would be utilized for enforcement purposes. It is the intent of staff that before the building permit is issued for the construction of the ADU, the homeowner will be required to record a document for the property that states an understanding of the limitations on the use of the property. Council Member Beatty-Hansen asked if a similar requirement would be imposed on duplexes. Director Diekmann replied in the negative, noting that duplexes would be permitted to be issued two letters of compliance.

Moved by Betcher, seconded by Junck, to proceed as proposed in the Staff Report.
Vote on Motion: 6-0. Motion declared carried unanimously.

STAFF REPORT ON SAVAGE GYMNASTICS: Planner Benjamin Campbell noted that the Savage Gymnastics Academy recently contacted the City Council about identifying a site to reestablish their gymnastics facility after being asked to leave the facility it has been using on the Iowa State University (ISU) campus. The Academy has been searching for a new location and found a vacant building for lease in the General Industrial (GI) Zoning District on E. Lincoln Way. He shared that the GI zoning does not allow for either “Health clubs and gyms” or “Sports Practice Facilities”. After discussing the proposed use with the applicant, staff determined that the gymnastics academy could be considered either a Recreation use or specific use of a “Sports Practice Facility”. Mr. Campbell furthered that gymnastics academies have unique requirements for a space, primarily the height of the ceiling as well as an open floorplan of sufficient size. The applicant stated that no appropriate commercial or retail venues were available outside of the GI Zoning District.

Planner Campbell presented the four available options identified by staff to address this issue, including: 1) Allow for the Use of a Sports Practice Facility as a Permitted Use in GI, 2) Allow for the Use of a Sports Practice Facility in GI through a Special Use Permit, 3) Rezone the Property at 1914 E. Lincoln Way to a Zoning District to Commercial, and 4) Decline the Waiver Request.

Council Member Beatty-Hansen asked if the Special Use Permit would be for any special use or if it would be specific to sport practice facilities. Planner Campbell clarified that it was just for sport practice facilities. Council Member Beatty-Hansen also asked if the permit was granted to the specific facility location, would hold in the case that the area was rezoned to match the guidelines in Ames Plan 2040. Planner Campbell noted that the Special Use Permit would stand even with the change in zoning district. Council Member Gartin asked if there were other similar examples of gymnasiums in an industrial area, highlighting the location of several CrossFit facilities. Director Diekmann replied in the negative, noting that CrossFit facilities are uniquely classified as personal services and not a health club. He identified areas of Des Moines, Iowa, that have permitted gymnasiums in industrial areas.

The City Council engaged in conversation with staff regarding the timeline and steps needed for each of the available options presented by staff before the Public Input was opened by Mayor Haila.

JoAnn Barten, of Barten Law, P.C., appeared on behalf of Savage Gymnastics. She discussed the scope of services Savage Gymnastics provided to the community and expressed her appreciation to the City Council for addressing this issue promptly. She shared that the applicant was requesting that the City Council consider Option 1 or Option 2 as presented in the Staff Report, furthering that the applicant was not in favor pursuing Option 3.

The Public Input was closed when no one else came forward to speak.

Moved by Beatty-Hansen, seconded by Junck, to approve Option 2: Allow for the Use of a Sports Practice Facility in General Industrial through a Special Use Permit.

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

RESPONSE TO STORY COUNTY COMPREHENSIVE PLAN: Director Diekmann noted that since an extension of the 28E agreement was not desirable for the joint management of the Ames Urban Fringe Plan, Story County determined that their Comprehensive Plan required updates. He shared that the City took similar measures in updating Ames Plan 2040. In the County's approach, Director Diekmann explained that the Story County Board of Supervisors looked at considering different boundaries for Urban Reserve Overlays and Urban Growth Areas than described by the City. The category being considered is Urban Expansion, with is a category that already exists within the County's Comprehensive Plan. Director Diekmann shared that this specific policy in the Comprehensive Plan seems to support the idea of allowing for rezoning in the Country to allow for development without the area being annexed to the City. He provided the reminder that the City only has subdivision authority within two miles of City limits, thus the County would be permitting development to occur right next to the City in commercial and industrial zones.

The letter proposed by staff has two main purposes: 1) To provide clarity as to the City's intent with respect to Urban Reserve Overlays and Urban Growth Areas and 2) To define the Urban Reserve Overlay, as the City and County are approaching the term with different meanings. Director Diekmann noted that the goal is to emphasize that the City does not support the idea of using the Urban Expansion designation to facilitate rural development.

Council Member Gartin stated that the topic is abstract and asked for an example to better understand the implications of what the County is proposing. Director Diekmann noted that an area of concern would be east of Ames near Teller Avenue, which the City has designated Urban Reserve. Story County, with the proposed policy, would have support to allow development in that area without it being annexed into the City of Ames. This means that the County could allow for commercial or industrial development by rezoning agricultural land. Council Member Gartin asked for clarity as to what issue would arise from that development. Director Diekmann explained that such development may undermine the investment within the City by creating an outlet for development where the City has not prioritized the extension of infrastructure. He added that the more development that is created prior to annexation into the City, the less inclined stakeholders would be to voluntarily annex because of the private investments into infrastructure that have already been made. This means that connection districts and other infrastructure improvements that would extend City utilities more efficiently within Urban Development would be less likely. Director Diekmann concluded that, in the end, the more scattered rural development is, the more difficult it would be for the City to economically expand and provide for more efficient deployment of infrastructure. Council Member Gartin inquired about the motivation from the County to move forward with the proposed designation. Director Diekmann shared that in his interpretation, the Urban Expansion designation takes an emphasis away from agricultural preservation, which allows for commercial and industrial development to happen more rapidly. He shared that the City does not share the same perspective because the Ames Plan 2040 is meant to plan for compatibility and logical expansion of the City over time.

Moved by Betcher, seconded by Gartin, to authorize the Mayor to sign the letter describing the City's interest in Urban Growth and Urban Reserve Overlay policies for the County's proposed Cornerstone to Capstone (C2C) amendment to create Urban Expansion Areas and to indicate an interest in a simplified 28-E agreement for subdivision and zoning management of the Fringe.

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

REMOTE PARKING AGREEMENT FOR THE BRIDGE HOME (207 AND 214 S SHERMAN AVENUE): Council Member Beatty-Hansen inquired about how the parking requirements were calculated, highlighting that the City Council had directed staff to create a proposal for reduced parking requirements for affordable housing. She would prefer not to require The Bridge Home to comply to a standard that the City Council is thinking about changing. Director Diekmann noted that there is a need to comply in order for The Bridge Home to obtain a building permit. He added that if the City Council does change the parking standard, The Bridge Home would be able to take advantage of the reduced requirement. Mayor Haila wondered about stormwater requirements for the remote parking lot. Director Diekmann explained that Chapter 5b

was not applicable, as the proposed area is already concrete, and The Bridge Home is only changing the approach and adding striping.

Planner Sahlstrom reviewed the Site Plan, highlighting that the property at 207 S Sherman currently has a site development plan under review for an 18-unit transitional living apartment building that would include 13 parking spaces, two of which are accessible. She furthered that the property at 214 S Sherman Avenue would remotely supply the 27 additional parking spaces required to move forward with the approval of the Site Plan.

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

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 23-386 approving parking agreement for The Bridge Home (207 and 214 S Sherman Avenue).

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

PRELIMINARY PLAT FOR NORTH SUNSET RIDGE (798 N 500TH AVENUE): Planner Sahlstrom presented the Preliminary Plat. She highlighted that Wilder Avenue and Ellston Avenue would be extended northward into the development to provide access from the development south to Lincoln Way. Wilder Avenue would be designated as a residential collector street and extend through the development to the north property line for future development and connection to the future City park. She noted that the proposed Greene Street will bisect the development and provide east-west access. Greene Street ends in a cul-de-sac on the east. She furthered that as a condition of approval, the exact location of the sidewalk connection north to the future park is still to be determined. If the sidewalk is not able to connect to the park, then it will need to extend through Outlot C to the west and connect with Wilder Avenue. The second condition of approval regards accommodation and coordination of street trees with final improvement plans related to streetlights, fire hydrants, and single-family attached unit driveways. She explained that there are 47 single-family homes and 16 single-family attached homes planned.

The Planning and Zoning Commission met on June 7, 2023, and unanimously approved the Preliminary Plat. At that meeting, a neighbor from the Utah Drive area requested that a public trail connection be planned from the east to connect with the future park, possibly through this neighborhood. Ms. Sahlstrom stated that staff met to review the concept of trail related to the future park and Clear Creek. Ames Plan 2040 includes principles and policy support for extension of greenways into the planned growth areas, including the concept of a greenway along Clear Creek to a park in this area. She added that conditions along Clear Creek are steep and there is a substantial amount of mature vegetation in the area. Staff visited the area and determined slopes are too steep for conventional path construction, and additional land would be needed for a connection from Utah Drive. Ms. Sahlstrom concluded that staff does not believe that there is a feasible option for a path in this area.

Council Member Betcher inquired about the proposed Clear Creek trail and the contradiction between the recommendation by staff and the intent of Ames Plan 2040. Director Diekmann explained that staff has ruled out the possibility of greenway space in this area as outlined in Ames Plan 2040 following the site visit. He furthered that Ames Plan 2040 has greenways identified across the community for growth areas. He noted that there is not a trail plan for those identified greenways, and the trails policy states that a case-by-case review is required to determine the practical nature and expenditures. Mayor Haila noted that a 12” sanitary sewer is planned, and wondered if it would support future development to the north. Director Diekmann replied in the affirmative, stating that it would also support development to the west.

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

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 23-387 approving Preliminary Plat for North Sunset Ridge (798 N 500th Avenue).

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

FINAL PLAT FOR NORTH DAYTON INDUSTRIAL SUBDIVISION, SECOND ADDITION: Director Diekmann reviewed that the Final Plat was for a minor subdivision with three lots total, which does not require additional public improvements.

Moved by Gartin, seconded by Rollins, to adopt RESOLUTION NO. 23-388 approving Final Plat for North Dayton Industrial Subdivision, Second Addition.

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

FINAL PLAT FOR IOWA STATE UNIVERSITY RESEARCH PARK, PHASE III, FIFTH ADDITION: Director Diekmann reviewed the Final Plat, highlighting that the required public improvements are related to sanitary sewer and water main extension as well as a sidewalk connection to the south. Council Member Gartin inquired about the plans for future development. Director Diekmann discussed the planned future development and street extensions, highlighting that the applicant was creating a buildable lot for development now and reserving the rest of the land in an outlot for future development.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 23-389 approving Final Plat and Accepting Public Improvements Agreement and Security.

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

HEARING APPROVING THE SUBMITTAL OF A SUBSTANTIAL AMENDMENT TO THE CDBG/HOME 2022/23 ANNUAL ACTION PLAN: Housing Coordinator Vanessa Baker-Latimer presented the substantial amendment to the 2022-23 CDBG/HOME Annual Action Plan. She highlighted that the amendment would reallocate funds to implement a Public

Infrastructure Improvement project to remove deteriorated water lines, including lead services, and install new water lines. This project was currently outlined in the FY 2025/26 Capital Improvement Plan; however, approval would accelerate the improvement to FY 2023/24 for completion. She added that the project is located in HUD-designated Low- and Moderate-Income Census Tract 10.

The amendment went out for the required 30-day comment period for the public from May 24, 2023, to June 22, 2023. No comments were received during this period.

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

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 23-390 approving the submittal of substantial amendment to the CDBG/HOME 2022/23 Annual Action Plan.

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

HEARING ON NUISANCE ASSESSMENTS: The Public Hearing was opened and closed by Mayor Haila when no one came forward to speak.

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 23-391 assessing costs of snow/ice removal and certifying assessments to Story County Treasurer.

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

SECOND READING OF ORDINANCE ON REZONING WITH MASTER PLAN FOR 4098 E 13TH STREET (JT WAREHOUSE): Moved by Betcher, seconded by Beatty-Hansen, to pass on second reading an ordinance on Rezoning with Master Plan for 4098 E 13th Street (JT Warehouse).

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

THIRD READING AND ADOPTION OF ORDINANCE NO. 4503 ON ZONING TEXT AMENDMENT ON SETBACK ENCROACHMENTS FOR ACCESSORY STRUCTURES: Moved by Rollins, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4503.

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

THIRD READING AND ADOPTION OF ORDINANCE NO. 4504 ON REVISING CHAPTER 28 OF THE *MUNICIPAL CODE* TO AMEND THE INDUSTRIAL PRETREATMENT LOCAL LIMITS: Moved by Beatty-Hansen, seconded by Junck, to pass on third reading and adopt ORDINANCE NO. 4504.

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

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Mayor Haila noted that there were two items to consider. The first item was a letter from Steve and Anne Burgason regarding a Frontage Waiver for the Ansley Development.

Moved by Beatty-Hansen, seconded by Betcher, to request a memo from staff.

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

A memo from Building Official Sarah Van Meeteren was the second item, which was for information purposes only.

COUNCIL COMMENTS: Council Member Betcher welcomed back the Mayor from his trip to Japan. She expressed her hope that the visit was useful for Ames' future economic and social endeavors. Additionally, she shared that the City Council had received an email praising the work of the City Assessor's Office and she commended staff for working effectively with citizens during challenging times for Assessors across the state.

Council Member Gartin shared that he had two interactions with the Ames Police Department where staff was trying to help someone in a challenging situation, and he was blown away by the exceptional service provided by staff. He expressed that he is proud of the Ames officers and wanted to pass on commendation.

Council Member Rollins extended her gratitude for Assistant City Manager Schildroth and her great work at the City of Ames.

Mayor Haila announced that the Fourth of July Parade would be held on Tuesday, July 4, 2023. Regarding his travels to Japan, he shared that the trip exceeded expectations. He shared that an adult delegation from Kosshu City was planned for October 2023, and Chair of the Ames International Partner Cities Association, Cindy Hicks, would be present at the July 11, 2023, City Council meeting to share a presentation from the trip.

CLOSED SESSION: Mayor Haila asked City Attorney Mark Lambert if there was a legal reason to go into Closed Session. Attorney Lambert replied in the affirmative, citing Section 20.17(3), *Code of Iowa*, to discuss Collective Bargaining Strategy.

Moved by Betcher, seconded by Junck, to go into Closed Session at 8:17 p.m.

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

The City Council reconvened in Regular Session at 8:51 p.m.

Moved by Betcher, seconded by Rollins, to adopt RESOLUTION NO. 23-392 ratifying collective bargaining agreement with Public, Professional, and Maintenance Employees, Local 2003, for July 1, 2023, to June 30, 2024.

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

ADJOURNMENT: Moved by Junck, seconded by Corrieri, to adjourn the meeting at 8:52 p.m.
Vote on Motion: 6-0. Motion declared carried unanimously.

Carly M. Watson, Deputy City Clerk

John A. Haila, Mayor

Renee Hall, City Clerk