

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

**AMES, IOWA**

**SEPTEMBER 26, 2023**

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on the 26<sup>th</sup> day of September, 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* Jeff Clark was also present.

**PROCLAMATION FOR “ECO FAIR DAY,” SEPTEMBER 30, 2023:** Mayor Haila proclaimed September 30, 2023, Eco Fair Day. Municipal Engineer Tracy Peterson accepted the proclamation alongside Director of Water and Pollution Control John Dunn and Assistant Director of Water and Pollution Control Lyle Hammes.

**PROCLAMATION FOR “PRIDEFEST DAY,” SEPTEMBER 30, 2023:** Mayor Haila proclaimed September 30, 2023, Pridefest Day. nicci port, Katie Tschopp, Tyler Kirkman, and Amanda Zagloba accepted the proclamation.

**PROCLAMATION FOR “WATERSHED AWARENESS MONTH,” OCTOBER 2023:** Mayor Haila proclaimed October 2023 Watershed Awareness Month. Engineer Peterson accepted the proclamation alongside Executive Director of Prairie Rivers of Iowa Penny Brown Huber and Assistant Director Hammes.

**CONSENT AGENDA:** Council Member Betcher requested to pull Item Nos. 21 through 25.

Moved by Betcher, seconded by Corrieri, to approve the consent agenda less Item Nos. 21 through 25.

4. Motion approving payment of claims
5. Motion approving Minutes of Regular Meeting on September 12, 2023, and Special Meeting on September 14, 2023
6. Motion approving Report of Change Orders for period September 1-15, 2023
7. Motion approving ownership updates for Class E Retail Alcohol License - Kum & Go Store #1113 , 2801 E. 13<sup>th</sup> Street
8. Motion approving ownership updates for Class E Retail Alcohol License - Kum & Go Store #227, 2108 Isaac Newton Drive
9. Motion approving ownership updates for Class E Retail Alcohol License - Kum & Go Store #200, 4510 Mortensen Road
10. Motion approving ownership updates for Class E Retail Alcohol License - Kum & Go Store #216, 203 Welch Avenue
11. Motion approving ownership updates for Class E Retail Alcohol License - Kum & Go Store #1215, 4506 Lincoln Way

12. Motion approving ownership updates for Class E Retail Alcohol License - Kum & Go Store #0217, 3111 South Duff Avenue
13. Motion approving the renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Class E Liquor License – Hy-Vee Food and Drugstore #2, 640 Lincoln Way
  - b. Class E Liquor License – Hy-Vee Food Store #1, 3800 W Lincoln Way
  - c. Class C Liquor License – Bullseye Restaurant Group LLC, 114 South Duff Avenue
  - d. Class E Liquor License – CVS/Pharmacy #10452, 2420 Lincoln Way #104
  - e. Class C Liquor License – Flipn’ Jacks Pancake House & Eatery, 1520 S. Dayton Pl
  - f. Class C Liquor License with Outdoor Service – Sips and Paddy’s Irish Pub, 126 Welch
  - g. Class C Beer Permit – Aldi, Inc. #48, 108 South 5<sup>th</sup> Street
  - h. Class B Beer Permit – Macubana, 116 Welch Avenue
14. Request for 36<sup>th</sup> Anniversary Run for the Roses on October 22, 2023:
  - a. Motion approving Blanket Temporary Obstruction Permit
  - b. RESOLUTION NO. 23-499 approving full and partial closure of the following streets from 6:00 a.m. to 12:00 p.m.:
    - i. Fifth Street from Pearle Avenue to Douglas Avenue
    - ii. Douglas Avenue from Fifth Street to Sixth Street
    - iii. Sixth Street from Burnett Avenue to Douglas Avenue
    - iv. Burnett Avenue from Sixth Street to Main Street
    - v. Main Street from Burnett Avenue to Allan Drive
    - vi. Northwestern Avenue from Allan Drive to Sixth Street
    - vii. Sixth Street from Northwestern Avenue to University Boulevard
    - viii. University Boulevard from Sixth Street to Haber Road
15. RESOLUTION NO. 23-500 approving appointments to various Boards and Commissions
16. RESOLUTION NO. 23-501 approving and adopting Supplement No. 2023-4 to *Municipal Code*
17. RESOLUTION NO. 23-502 approving Encroachment Permit Agreement for Sign at 330 5<sup>th</sup> Street
18. RESOLUTION NO. 23-503 approving agreement for the Transportation Data & Analytics Subscription Service with StreetLight Data, Inc., of San Francisco, California, for 11/1/2023 to 10/31/2026, in an annual amount not to exceed \$65,000
19. RESOLUTION NO. 23-504 approving Iowa DOT STBG Federal Aid Agreement for the 2022/23 CyRide Route Pavement Improvements (Lincoln Way) project in the amount of \$1,686,000
20. RESOLUTION NO. 23-505 approving preliminary plans and specifications for the 2022/23 Traffic Signal Program (State & Mortensen), setting October 18, 2023, as the bid due date, and October 24, 2023, as date of Public Hearing
- ~~21. RESOLUTION NO. 23-506 awarding purchase two all-electric pickups to Karl Ford of Story City, Iowa, in the amount of \$90,176~~
- ~~22. RESOLUTION NO. 23-507 awarding purchase of five small pickup trucks, including spray in bedliner, to Karl Ford of Story City, Iowa, in the amount of \$129,865~~

- ~~23. RESOLUTION NO. 23-508 awarding purchase of 2024 John Deere 644X Hybrid Wheel Loader to Murphy Tractor and Equipment of Des Moines, Iowa, in the amount of \$377,104 and accept the trade in offer of \$40,000~~
- ~~24. RESOLUTION NO. 23-509 awarding purchase of Bobcat S770 Skid Steer to Bobcat of Ames, Iowa, in the amount of \$51,204.13~~
- ~~25. RESOLUTION NO. 23-510 awarding purchase of 2024 Ford F550 chassis to Stivers Ford of Waukee, Iowa, in the amount of \$62,077.70~~
26. RESOLUTION NO. 23-511 awarding contract for Asset Management Agreement – Pipeline Services to World Kinect Energy Services, of Minnetonka, Minnesota, for two additional one year renewal options, in the amount not to exceed \$40,800 for base services in addition authorizing a net amount not to exceed \$300,000 for the purchase of additional natural gas, plus delivery as needed, to manage the day to day fuel needs of the Power Plant
27. Ash Disposal for the Power Plant
  - a. RESOLUTION NO. 23-512 waiving Purchasing Policies and Procedures and awarding a single-source contract
  - b. RESOLUTION NO. 23-513 awarding contract to Metro Waste Authority, Des Moines, Iowa, in the amount of \$210,000
28. 2021-22 Collector Street Improvements (Hoover Avenue)
  - a. RESOLUTION NO. 23-514 accepting Change Order No. 2, the balancing change order, in the amount of \$55,954.78
  - b. RESOLUTION NO. 23-515 accepting the project as completed by Manatt’s Inc., of Ames, Iowa, in the amount of \$2,263,578.36
29. Furnishing 69kV SF6 Circuit Breakers and 13.8kV Capacitor Bank for Top-O-Hollow Substation Expansion
  - a. RESOLUTION NO. 23-516 accepting the contract as completed Siemens Industry Incorporated, of Richland, Mississippi, for a total cost of \$150,442 (inclusive of Iowa sales tax)
  - b. RESOLUTION NO. 23-517 accepting the contract as completed by Controllix Corporation, of Walton Hills, Ohio, for a total cost of \$98,105 (exclusive of Iowa sales tax)
30. RESOLUTION NO. 23-518 approving completion of the contract for the Inis Grove Park Tennis Court project with Tennis Courts Unlimited, Nebraska City, Nebraska in the amount of \$72,900
31. RESOLUTION NO. 23-519 approving partial completion and reducing financial security for public improvements of Scenic Valley 5<sup>th</sup> Addition to \$3,600.
32. RESOLUTION NO. 23-520 approving partial completion and reducing financial security for public improvements of Scenic Valley 6<sup>th</sup> Addition to \$23,197.75
33. RESOLUTION NO. 23-521 accepting completion of all public sidewalk requirements as a condition for approval of the final plat of Hayden’s Crossing 2<sup>nd</sup> Addition and the financial security can be reduced in full

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

**FLEET:** Council Member Betcher noted that she requested to pull these items as each related to the Fleet Services Department in order to highlight the Department’s efforts to help reach the City’s sustainability goals while also efficiently utilizing allocated funds. Fleet Support Manager Rich Iverson provided a detailed overview of the efforts made by the Department to make the Fleet “greener” through alternative fuels.

Moved by Betcher, seconded by Corrieri, to approve Item Nos. 21 through 25.

21. RESOLUTION NO. 23-506 awarding purchase two all-electric pickups to Karl Ford of Story City, Iowa, in the amount of \$90,176
22. RESOLUTION NO. 23-507 awarding purchase of five small pickup trucks, including spray in bedliner, to Karl Ford of Story City, Iowa, in the amount of \$129,865
23. RESOLUTION NO. 23-508 awarding purchase of 2024 John Deere 644X Hybrid Wheel Loader to Murphy Tractor and Equipment of Des Moines, Iowa, in the amount of \$377,104 and accept the trade-in offer of \$40,000
24. RESOLUTION NO. 23-509 awarding purchase of Bobcat S770 Skid Steer to Bobcat of Ames, Iowa, in the amount of \$51,204.13
25. RESOLUTION NO. 23-510 awarding purchase of 2024 Ford F550 chassis to Stivers Ford of Waukee, Iowa, in the amount of \$62,077.70

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

**PUBLIC FORUM:** Mayor Haila opened the Public Forum.

Will Determan, 1008 Lincoln Way, discussed the design of S. 4<sup>th</sup> Street, highlighting concerns for resident safety and encouraging the City Council and staff to be more critical of street design.

Grant Olsen, 3812 Ontario Street, discussed the Grand Avenue Corridor Study, focusing on safety concerns at the intersection of 16<sup>th</sup> Street and Grand Avenue.

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

**ARTS CAPITAL GRANT:** Assistant City Manager Brian Phillips presented the Council Action Form (CAF).

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

Moved by Rollins, seconded by Beatty-Hansen, to approve the request from Ames Writers Collective to modify Arts Capital Grant Contract for an alternative project, directing staff to prepare a contract amendment with Ames Writers Collective to pay for the chairs, tables, moveable stage, Little Free Library, and the cost of the tent, up to the full original grant amount of \$5,590, with the expectation that Ames Writers Collective will monitor the equipment in another location to ensure use in its future location.

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

**WEBSITE BACKEND AND REDESIGN IMPROVEMENTS:** Public Relations (PR) Officer Susan Gwiasda reviewed the CAF.

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

Moved by Gartin, seconded by Junck, to adopt RESOLUTION NO. 23-522 awarding five-year contract and approving year one payment for new website backend and redesign improvements to Granicus LLC, of Denver, Colorado in the amount not to exceed \$83,412.54 as well as the ongoing subscription fees for a new agenda management system, website hosting, and video archive hosting.

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

**ADVANCED METERING INFRASTRUCTURE (AMI) FOR THE CITY'S ELECTRIC UTILITY:** Assistant Director of Electric Services Curtis Spence explained that the contract was approved at the previous City Council meeting prior to staff negotiations surrounding travel expenses with the contractor.

Moved by Gartin, seconded by Betcher, to reconsider Resolution No. 23-482.

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

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 23-523 awarding contract to Power System Engineering, Inc., of Madison, Wisconsin in the revised amount not to exceed \$119,940.

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

**DONATION OF LAND AT JARRETT CIRCLE:** Parks and Recreation Director Keith Abraham presented the CAF.

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 23-524 accepting donation of 0.60 acres of land at 1000 Jarrett Circle, with the stipulations described in Attachment D, and direct staff to finalize the deed transfer.

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

**STAFF UPDATE THE FITCH FAMILY INDOOR AQUATIC CENTER:** Director Abraham reviewed the CAF.

Moved by Gartin, seconded by Rollins, to direct staff to submit three complete sets of engineered, stamped drawings to the State at the same time bid documents are distributed to potential bidders.  
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Corrieri, seconded by Junck, to adopt RESOLUTION NO. 23-525 accepting \$500,000 from Story County with the stipulation that Story County residents will pay the same fees as Ames residents for a period of ten years.

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

**HEARING ON FIRST AMENDMENT TO THE FY 2023/24 ADOPTED BUDGET:** Finance Director Corey Goodenow and Budget Manager Nancy Masteller presented the First Amendment.

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

Moved by Betcher, seconded by Rollins, to adopt RESOLUTION NO. 23-526 amending the fiscal year 2023/24 budget to increase expenditures by \$113,200,264 for carryover amounts from fiscal year 2022/23 and other significant changes to the fiscal year 2023/24 budget.

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

**HEARING ON WATER TREATMENT PLANT, SOUTHEAST WELLFIELD, & TECHNICAL SERVICES COMPLEX SECURITY FENCE IMPROVEMENTS:** Mayor Haila opened and closed the Public Forum when no one came forward to speak.

Moved by Rollins, seconded by Betcher, to adopt RESOLUTION NO. 23-527 approving final plans and specifications and awarding contract to American Fence Company of Johnston, Iowa in the amount of \$78,247.60.

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

**HEARING ON E. 13<sup>TH</sup> STREET SANITARY SEWER EXTENSION:** The Public Hearing was opened and closed by Mayor Haila when no one came forward to speak.

Moved by Betcher, seconded by Rollins, to accept the report of bids.

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

Moved by Betcher, seconded by Rollins, to adopt RESOLUTION NO. 23-528 approving final plans and specifications and awarding contract to On-Track Construction, LLC of Nevada, Iowa, in the amount of \$2,125,500.

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

**4098 E 13<sup>TH</sup> STREET – JT WAREHOUSE SUBDIVISION:** Planning and Housing Director Kelly Diekmann presented the Final Plat.

Moved by Betcher, seconded by Beatty-Hansen, to approve Alternative 1 and 1A.

1. RESOLUTION NO. 23-529 approving the Final Plat of JT Warehouse Subdivision, based upon the staff's findings that the Final Plat conforms to applicable design standards, ordinances, policies, and plans and approve acceptance of financial security for completion of public improvements.

- A. RESOLUTION NO. 23-530 approving deferral of the water territory buyout requirement requiring proof of water territory release and transfer of Lots 1 & 2 from IRUA prior to approval of a Site Development Plan for each individual lot.

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

**DOWNTOWN URBAN REVITALIZATION AREA:** Director Diekmann provided a summary of the proposed amendments.

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

Moved by Beatty-Hansen, seconded by Rollins, to add additional criteria for existing buildings, that they undergo an energy audit, complete with assessment and recommendations, and supply the audit to the City for information purposes only.

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

Moved by Betcher, seconded by Rollins, to direct staff to investigate and report on information regarding energy code compliance for new construction.

Vote on Motion: 5-1, Gartin dissenting. Motion declared carried.

Moved by Beatty-Hansen, seconded by Betcher, to set October 10, 2023, as date of public hearing to approve the amended criteria for the Downtown Urban Revitalization Area (URA) as presented in Attachment B and modify the URA map to remove the properties along Kellogg Avenue between the railroad tracks and Lincoln Way.

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

**DISPOSITION OF COMMUNICATIONS TO COUNCIL:** Mayor Haila noted there were four items to consider. The first item was an update on the Natural Gas Supply Contract Extension from Director Kom. City Manager Steve Schainker noted that the item was for information only.

A memo from Director Diekmann regarding a Request for a Text Amendment to Section 22.31 was the second item.

Moved by Gartin, seconded by Junck, to place the item on a future agenda for discussion.

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

The third item was also a memo from Director Diekmann in response to a Request for the City of Ames to Pursue a Grant for Nomination of Chautauqua Park-Ridgewood Additions to the National Register of Historic Places.

Moved by Betcher, seconded by Beatty-Hansen, to place the item on a future agenda.

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

A memo regarding the Mortensen Road Speed Study from Traffic Engineer Damion Pregitzer was the final item. City Manager Schainker noted that the item was for information only.

**COUNCIL COMMENTS:** The Mayor and Council Members reported on various meetings attended, upcoming meetings, community events, and items of interest.

Moved by Gartin, seconded by Corrieri, to direct staff to investigate administrative approval of modifications to City Council appropriations (contracts and grants) to outside organizations that receive funding.

Vote on Motion: 5-1, Beatty-Hansen dissenting. Motion declared carried.

**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 21.5(1)(c), *Code of Iowa*, to discuss matters presently in or threatened to be in litigation.

Moved by Betcher, seconded by Junck, to go into closed session at 8:27 p.m.

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

The City Council reconvened in Regular Session at 8:56 p.m.

Moved by Gartin, seconded by Betcher, to direct staff to pursue the course of action as determined in the Closed Session.

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

Moved by Corrieri, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 23-531 approving the consent agreement and final order with the Environmental Protection Agency (EPA).

Roll Call Vote: 5-1, Gartin dissenting. Motion declared carried.

**ADJOURNMENT:** Moved by Beatty-Hansen, seconded by Corrieri, to adjourn at 8:57 p.m.

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

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Carly M. Watson, Deputy City Clerk

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John A. Haila, Mayor

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Renee Hall, City Clerk