

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

MARCH 12, 2024

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on the 12th day of March 2024, 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 absent.

CONSENT AGENDA: Mayor Haila stated that staff had requested to pull Item No. 21 accepting Cooling Tower Blowdown Spray Modification project as completed by Keller Excavating Inc., of Boone, Iowa, in the amount of \$354,894.20 to bring back at a later date.

Moved by Corrieri, seconded by Betcher, to approve the consent agenda, less Item No. 21.

1. Motion approving payment of claims
2. Motion approving Summary of Minutes of Special Meeting on February 20, Regular Meeting on February 27, and Special Meeting on March 7, 2024
3. Motion approving Report of Change Orders for period February 15-29, 2024
4. Motion approving the renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Kwik Spirits #530, (204 South Duff Avenue), Class C Retail Alcohol License
 - b. Wal-Mart Store #749, (3105 Grand Avenue), Class E Retail Alcohol License
 - c. Southgate Wine & Spirits, (110 Airport), Class E Retail Alcohol License
 - d. World Liquor & Tobacco + Vapors, (111 Duff Avenue), Class E Retail Alcohol License
5. Motion approving a Phase I Sub-award Agreement with the Iowa Department of Homeland Security for the Ames Well Field Generator Mitigation Project
6. Motion to approve the Ames Police Department's application for, and participation in, the 2025 Governor's Traffic Safety Bureau (GTSB) Enforcement Grant Program
7. Motion Directing Staff to Negotiate a Single Source Contract for the Purchase of Fire Apparatus with Sourcewell
8. RESOLUTION NO. 24-111 approving appointments to various Boards and Commissions
9. RESOLUTION NO. 24-112 Accepting Resource Recovery System 2023 Annual Report
10. RESOLUTION NO. 24-113 authorizing Public Art Commission to enter into agreements with artists for 2024/25 Ames Annual Outdoor Sculpture Exhibition selections
11. RESOLUTION NO. 24-114 approving equipment placement agreement with Iowa State University for ARA wireless broadband research project
12. RESOLUTION NO. 24-115 approving Professional Services Agreement with WHKS & Co., of Ames, Iowa for 2024/25 Arterial Street Pavement Improvements (Hyland Ave) in an amount not to exceed \$142,200
13. RESOLUTION NO. 24-116 approving the purchase of NoTraffic Video/Radar Detection Systems from General Traffic Controls of Spencer, Iowa, in an amount not to exceed \$233,412 as a single source provider
14. RESOLUTION NO. 24-117 awarding contract to Stivers Ford of Waukee, Iowa, as the acceptable low bidder for the purchase of two 2024 Ford F350 chassis in the amount of \$105,996
15. RESOLUTION NO. 24-118 awarding contract to Workspace, Inc. (Iowa Office Interiors),

of Ames, Iowa, in the amount of \$65,554.93 for New Office Furniture for Various City Departments

16. RESOLUTION NO. 24-119 awarding contract for Right of Way Tree Trimming and Removal Program for the Parks and Recreation Department to Ames Story Tree and Lawn of Ames, Iowa, in an amount not to exceed \$85,000 for FY 2024/25
17. RESOLUTION NO. 24-120 awarding contract to Life Fitness for new Community Center Weight Room strength equipment in the amount of \$65,232.62
18. RESOLUTION NO. 24-121 approving preliminary plans and specifications for 2023/24 Shared Use Path System Expansion, setting April 17, 2024, as the bid due date and April 23, 2024, as the date of Public Hearing
19. RESOLUTION NO. 24-122 approving Change Order No. 1 with Neumann Brothers Inc. for RDF Storage Bin Repair in the amount of \$180,028.59
20. RESOLUTION NO. 24-123 accepting the 2021/22 Shared Use Path System Expansion - Ioway Creek as completed by Caliber Concrete, LLC of Adair, Iowa in the amount of \$943,632.94
- ~~21. RESOLUTION NO. 24-124 accepting Cooling Tower Blowdown Spray Modification project as completed by Keller Excavating Inc., of Boone, Iowa, in the amount of \$354,894.20~~
22. RESOLUTION NO. 24-125 accepting Combustion Turbine Fuel Oil Pipe Installation project as completed by Modern Companies Inc., of Cedar Rapids, Iowa, in the amount of \$472,756.43
23. RESOLUTION NO. 24-126 accepting the contract with GTG Construction, LLC of Des Moines, Iowa, for the Infant Room Remodeling Project for ACPC in connection with CARES Round 2 (COVID-19) Funding as completed in the amount of \$96,445.46 and releasing the 5% retainage being held per the contract terms and conditions

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

PUBLIC FORUM: Mayor Haila opened the Public Forum.

Richard Deyo, 505 8th Street #102, Ames, shared his concerns with his ability to distribute materials within City Council Chambers.

Grant Olsen, 3812 Ontario Street, Ames, spoke to his concerns with a self-fulfilling prophecy of traffic model predictions, as well as highlighting the stormwater rebate programs and the impact roads have on stormwater practices. He urged the City Council to consider safety implications to pedestrians and those utilizing modes of transportation other than automobiles.

Amani Diedrichs, 614 Billy Sunday Road, Ames, shared work that had been done by Ames High School (AHS) students to add native prairie grasses back into the public rights-of-way, explaining how AHS students had provided over 20,000 native plants to be planted in the community at no cost. He also highlighted how expanding these efforts would impact the effect of natural disasters, support goals of various City initiatives, and invited the City to consider expanding on the work done by AHS students.

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

STAFF REPORT ON CYTOWN DEVELOPMENT: City Manager Steve Schainker and Assistant City Manager Brian Phillips presented the Staff Report and answered questions from the City Council. City Manager Schainker noted that discussions with Iowa State University (ISU) staff had been taking place over the last year, and emphasized that staff were not seeking approval of this item, rather staff wanted to bring the information on proposed agreements to the City Council so that citizens would have the opportunity to provide feedback. He shared that there would be an easement coming to the City Council at a future meeting as well.

He shared that a fundamental philosophy guiding these discussions about the needed improvements at the Iowa State Center is the belief of City Staff that the Iowa State Center buildings are an asset to the entire Ames community, towards which no City investment has been previously made. He stated that the Iowa State Center supported the City Council's value for Ames to be a fun, vibrant, and healthy community that attracts and retains people. City Manager Schainker explained that CYTown and the Iowa State Center are connected, as CYTown provides an innovative strategy to finance the needed improvements for the original four buildings at the Iowa State Center. Through the leases with tenants, ISU would create a revenue stream that can be used to pay the debt needed to fund improvements at the Iowa State Center, thereby rejuvenating those original facilities and safeguarding an arts and cultural center for the Ames community.

However, City Manager Schainker stated that although there was agreement among staffs about the merits of investing in these facilities, there still is disagreement regarding the issues of ISU being required to pay property taxes for the improvements constructed in CYTown and the ability of the CYTown university development to compete with the private sector. ISU staff focused on a section of the Iowa Code that declares property owned by the state to be exempt from local property taxes. However, City staff relies on a different section of the Iowa Code that imposes restrictions on ISU's ability to compete with the private sector.

City Manager Schainker stated that in order to avoid prolonged disputes, the administrative staff from the City and ISU have designed an agreement that calls for a Payment in Lieu of Taxes (PILOT), which would allow the improvements to move ahead without delay, generate revenue to finance the needed capital improvements for the four original buildings, and set aside any differences of opinion that may exist about the issues of competition and taxation. A separate agreement addressed infrastructure and services for the development, which would be elaborated on by Assistant City Manager Phillips. City Manager Schainker emphasized that it should be noted that although City staff reached an understanding with ISU regarding these issues as they relate to CYTown, the question of taxability is one that is determined by the City Assessor and the Iowa Department of Revenue. Additionally, he stated that both of those authorities are independent of the City of Ames. In addition, although the City would set aside its concerns regarding competition with private enterprise, these agreements would not prevent other entities from raising the same concern. Further, this unique arrangement would only apply to the CYTown development. It would not imply the City's approval or cooperation with any future land developments ISU might undertake at other locations.

Assistant Manager Phillips presented the map of development as well as the phasing plan. He explained that site was divided into two sections, with the original four buildings making up Phase

I of the development. He clarified for the City Council that any development beyond the original four buildings would be considered Phase II. Assistant City Manager Phillips then gave a summary of the first agreement, a Memorandum of Understanding (MOU) that outlined the financial arrangements and the manner in which funds would be collected and re-invested into the Iowa State Center facilities. The City Assessor's role in the process was discussed, as the City Assessor would be responsible for calculating the value of the properties. The agreement reached by both staffs relied on the City Assessor to establish the value that will be the basis for the PILOT. Assistant City Manager Phillips stated that the process to collect PILOT funds would function similarly to the valuation and taxing procedure for commercial properties in the community. Once ISU completes a new building and the building would become certified for occupancy by the State Fire Marshall, it would become subject to the proposed agreement. He presented the proposed timeline detailed in the agreement, noting that ISU would be responsible for collecting PILOT funds from CYTown tenants, as well obtaining a private appraisal if State Code deems the City Assessor is not able to do so. Any remittance owed to the City would be collected by ISU, with those funds being used to support improvements at the Iowa State Center. Assistant City Manager Phillips clarified that ISU would be entitled to contest the assessment in the same manner as any other taxpayer, with the standard procedure for a disputed property value.

Assistant City Manager Phillips detailed the two pots of funds available, as well as the utilization of each one. CYTown would have an operating fund, with the second fund consisting of any surplus from the CYTown operating fund the previous year and the City's portion of the PILOT funds to be utilized for Capital Improvement Projects (CIP). This second fund would be used to finance improvements outlined in the agreement. City Manager Schainker noted that only the City portion of PILOT funds would be designated for the fund, as the City did not negotiate on behalf of other taxing entities. Assistant City Manager Phillips stated that once all planned improvements are made, the CIP fund could be utilized to finance new space, except for the construction of a hotel.

The MOU PILOT revenue schedule was reviewed as well, with Assistant City Manager Phillips noting that after 19 years the City would be eligible for 25% of the PILOT funds. He explained that there was a different schedule for each phase of the agreement, with the maximum amount being 75% of the PILOT funds coming back to the City after 30 years to be placed in the General Fund. Additionally, Phase I and Phase II have separate remittance schedules. The Phase I PILOT funds, initiated when the first building in Phase I is built, would be on the 30 year scale. If no buildings in Phase II were built, the Phase I agreement would stand in perpetuity. However, when the first building in Phase II is built, a 35-year term will begin, which once completed ends both agreements unless action is taken to renew the agreements ahead of time. Assistant City Manager Phillips explained that the Phase II 35 year term is continuous once it begins. Mayor Haila noted the incentive that is available to ISU to construct as many builds as possible while ISU is entitled to the entirety of the generated PILOT funds. Assistant City Manager Phillips stated that the building assessments would follow the procedures of the private sector and commercial property.

Next, conversation between staff and the City Council centered on provisions in the agreement to ensure the four original buildings in the Iowa State Center are retained. City Manager Schainker noted that there was no prohibition in the agreement to prevent any buildings being torn down, but that staff could explore alternatives for if the original buildings were no longer in existence. The

members of the City Council expressed the desire for there to be a plan for PILOT funds to still be utilized in a manner acceptable to both parties if the buildings under the agreement were removed. The City Council affirmed the value the Iowa State Center brings to the community that the City Council wanted to protect.

Moved by Beatty-Hansen, seconded by Gartin, to direct staff to negotiate how PILOT funds would be used in the event that any of the original four buildings are removed.

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

Assistant City Manager Phillips described how the CYTown Advisory Committee would function. Consisting of the City Manager, President of the Research Park, and designee of the President of ISU, the committee would evaluate the finances on an annual basis, make recommendations on improvements to be made, and provide an opportunity for the City to provide feedback. He also stated that if other local taxing entities negotiate a more favorable agreement with ISU regarding PILOT funds from CYTown, a provision exists in the agreement that the City has the chance to match those terms. Council Member Betcher questioned the rationale of not having the option for the City Manager to appoint a designee if necessary for flexibility. City Manager Schainker stated that that change could be added.

Moved by Betcher, seconded by Gartin, to direct staff to add “and/or the City Manager’s designee” to the language of the to the CYTown Advisory Committee.

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

City Manager Schainker highlighted provisions in the agreement such as, if PILOT funds are used in a different fund than the two specified, the City would be entitled to payment in the same amount to be added to the City’s General Fund. The City negotiated only for itself, not any of the other taxing entities in the community. He reiterated the provision that allowed the City to match any more beneficial agreement ISU may make with the other taxing entities and that if the ISU property that is a part of CYTown is deemed to be a taxable entity by the courts, that the MOU will end. Assistant City Manager Phillips stated that this was a completely unique agreement in regards to the purpose of the funds and the uses allowed by the agreements, with no examples from peer cities available for reference. City Manager Schainker noted that this agreement is possible because both staffs agree that the funds are being used for a common interest. He elaborated that if in the future, the buildings were determined to be taxable, that decision would also bring those buildings under the jurisdiction of the City’s building codes, noise ordinances, design codes, storm sewer requirements, and parking codes.

The second agreement functioned in place of a developer agreement, explained Assistant City Manager Brian Phillips. He further explained that this agreement takes the place of a Tax Increment Financing (TIF) agreement. Council Member Gartin raised the possibility of adding an alternative dispute clause added to the agreement and expressed his concern that District Court would not be in the best interests of either party in case of disagreement. City Manger Schainker pointed to the history of agreements and relationship with ISU as to why such a clause was not necessary. Assistant City Manager Phillips noted that part of the role of the CYTown Advisory Committee was to mediate resolution of any conflict that may arise after the agreements were entered into.

Moved by Gartin to direct staff to explore the merits of an alternative dispute mediation process. Motion failed due to a lack of a second.

City Manager Schainker asked if anyone had questions regarding the infrastructure components of the agreement. Council Member Betcher emphasized that the community should understand that City staff would be engaging with the affected neighborhoods. Assistant City Manager Phillips clarified the role of ISU and the City in addressing traffic calming alternatives, as well as who was responsible for the design, installation, and maintenance. He elaborated that traffic calming measures were triggered by stages of development as detailed in the agreement and that there was no means available to accelerate the triggers as they were based on traffic studies. Council Member Betcher shared her concerns with stormwater runoff as well and asked Assistant City Manager Phillips to speak to that issue. He stated that there was originally the possibility of ISU needing to utilize Stuart Smith Park in order to manage stormwater, but he believed that was planned to be handled on site now. He also shared that the detention basins that were planned had greater capacity than what was previously in place, and staff anticipated improvements.

Mayor Haila noted that the report referenced an additional easement that would be brought to the City Council and requested an update on the timeline for City Council to be able to review it before adopting the agreement. City Manager Schainker noted that staff hoped to bring the easement back to the City Council on April 9, 2024, with an amendment to include it. He extended thanks to Assistant City Manager Phillips, ISU Research Park President Rick Sanders, and ISU General Counsel Michael Norton for their work in bringing the agreement to its current form.

Mayor Haila stated that pending the completion of the remaining easement the agreements would be on the April 9, 2024, agenda for further discussion and citizen input. Mayor Haila also noted again that the proposed agreement applied only to the City.

CITY COUNCIL VALUES, GOALS, AND TASKS FOR JANUARY 1, 2024 TO DECEMBER 31, 2025: City Manager Schainker recapped the discussion between the City Council Members from the Special Meeting in January 2024, and stated that staff have brought back wording recommendations for changes discussed by the City Council. Engaging more community input and decisions with public transportation were the two items staff were prepared to present wording on. City Manager Schainker stated that under the value of Communication and Engagement with The Public, Task A1.T1 proposes to continue working with a Community and Regional Planning class to explore more ways to engage with residents through the Play Ames approach. However, it was his understanding that the City Council is about to receive the final report regarding the Play Ames research with no further activities planned through the partnership. Due to this, staff recommended an alternative task may be to “Implement at least one new technique for obtaining public feedback, with special emphasis on engaging our underrepresented residents.”

City Manager Schainker also discussed the extensive conversation regarding the task of going to a “Fare Free” CyRide system. He presented potential wording for two different approaches which were to:

- Continue to study a "Fare Free" CyRide, including how it might be implemented in a

phased approach. Identify the cost to the City. Assess the impact on route structure, resident expectations, estimated usage, and cost/benefit analysis

- Pursue phasing in a "Fare Free" system, first focusing on low- and- moderate-income residents on the existing CyRide route system

City Manager Schainker emphasized that the decision to go "Fare Free" would be determined by the Ames Transit Board and would require board approval.

Each Council Member expressed their support for encouraging "Fare Free" CyRide, while discussing concerns such as the financial viability of the proposal, the need for data to track the impact of the change, how to manage expectations of the public while supporting the Ames Transit Board through the potential transition, and the potential of increased usage of CyRide to support the Climate Action Plan (CAP). The merits of a phased approach were also discussed. Mayor Haila stated that the Ames Transit Board had expressed concerns previously that a "Fare Free" system would also come with the expectation from the community that more routes should be added. He encouraged the City Council to think through the response they would be willing to give to that issue and discussed the cost of adding additional routes. Council Member Beatty-Hansen stated that the proposed "Fare Free" system should come with the expectation that more routes would not be considered for a period of time to allow for evaluation of the change. Council Member Gartin noted that the community should be aware that CyRide is an efficient system that has received high marks in its evaluations from outside sources.

Moved by Betcher, seconded by Corrieri, to encourage the Transit Board to pursue going "Fare Free" for the current system.

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

Council Member Betcher noted the need for resolution of the issue of engagement with the community as well.

Moved by Betcher, seconded by Rollins, to edit section A1.T1 to exclude "Continue for one more year with Community and Regional Planning class students exploring more ways to engage with residents (Play Ames approach)" and include "Implement, at least, one new technique for obtaining public feedback with special emphasis on engaging our under-represented residents."

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

City Manager Schainker noted that the rest of the language in the document should be familiar to the City Council. Council Member Betcher shared her experience with National League of Cities and serving on their Artificial Intelligence (AI) Advisory Council and stated that she would like to have AI on the radar for future consideration.

Moved by Beatty-Hansen, seconded by Betcher, to approve City Council Values, Goals, and Tasks for January 1, 2024, to December 31, 2025.

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

REQUESTS FROM AMES CHAMBER OF COMMERCE FOR AMES MAIN STREET FARMERS' MARKET: City Manager Schainker explained that staff's recommendation differed from the applicant's request as staff was recommending to charge the Farmers' Market for parking

reimbursement, which was what was done the year before. Council Member Gartin shared his opinion that the Farmers' Market has been a great opportunity for entrepreneurs, and his desire to support entrepreneurs through approving the waiver of parking fees so those costs were not passed along to Farmers' Market vendors. Council Member Beatty-Hansen stated that the City Council funded the Farmers' Market through the Outside Funding Requests process to support the Farmers' Market.

Moved by Betcher, seconded by Junck, to approve a blanket Temporary Obstruction Permit and blanket Vending License for Central Business District from 5:30 a.m. to 1:30 p.m. on Saturdays from May 4 – October 14, 2024.

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

Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 24- 127 approving closure of 300 and 400 blocks of Main Street, Burnett Avenue from Main Street to the U.S. Bank drive-through, and Tom Evans Plaza from 5:30 a.m. to 1:30 p.m.

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 Junck, to adopt RESOLUTION NO. 24-128 approving suspension of parking enforcement in CBD Lots X and Y from 6:30 a.m. to 1:00 p.m. on Saturdays from May 4 – October 14, 2024.

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

Moved by Rollins, seconded by Betcher, to adopt RESOLUTION NO. 24-129 approving usage of waiver of electrical fees and waiver of fee for blanket Vending License for the event from 5:30 a.m. to 1:30 p.m. on Saturdays from May 4 – October 14, 2024.

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

Moved by Beatty-Hansen, seconded by Rollins, to adopt RESOLUTION NO. 24-130 denying request to waive fees for parking meters and enforcing payment of fees on the 300 and 400 blocks of Main Street on Saturdays from May 4 – October 14, 2024.

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

ASH POND CLOSURE AND RDF ASH POND CONSTRUCTION: Assistant Director of Electric Services Curtis Spence explained that on April 17, 2015, a Final Rule from the Environmental Protection Agency (EPA) entitled "Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals (CCR) From Electric Utilities" was published in the Federal Register. This Rule regulated the disposal of ash in surface impoundments and landfills resulting from the burning of coal in electric utility boilers. Compliance with the CCR rule requires

a major project to reconfigure the existing ash site in which approximately one-half of the site will become a closed-in-place impoundment for all the coal ash that is currently at the ash pond. The remaining half will be used to continue to receive RDF ash from the Power Plant. Compliance with the rule is required prior to April 2026. He explained that staff is recommending not to award the add alternate, as the City is still evaluating the future of Waste to Energy at the Power Plant. Assistant Director Spence explained that staff found it essential for the contractor awarded the contract to have experiences handling coal ash, as it is much different from typical soil. Based on this fact, staff established five main experience area criteria that would be evaluated as a part of the bid evaluation process. These five criteria were included in the in the bid documentation. He stated that the two lowest bidders did not have experience in two of the areas that staff deemed necessary to successfully execute the contract. Therefore, staff was recommending the contract be awarded to JB Holland Construction, Inc., from Decorah, Iowa.

Council Member Gartin expressed his concerns regarding compliance with the EPA, and asked if the contractors who bid on the project were aware of the indemnification clause in the contract, and what liability sharing with the contractor would entail. Assistant Director Spence stated that the contractor would be required to be a cosigner on permits and would have equal responsibility. The plans and specifications had been reviewed the Department of Natural Resources already, and there would be a professional engineer overseeing the project who will also have to sign off on all reports sent to the State. After discussion around the contractor having sufficient coverage, Assistant Director Spence stated that the contractor will be held to performing exactly what the plans and specifications show and staff would investigate liability.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 24-131 approving final plans and specifications and awarding a contract to JB Holland Construction, Inc., of Decorah, Iowa, in the amount of \$2,606,093.15 (inclusive of sales tax).

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

HEARING ON 2021/22 STORMWATER DETENTION/RETENTION MAINTENANCE PROGRAM - (NORTHRIDGE HEIGHTS POND): The Public Hearing was opened and closed by Mayor Haila when no one came forward to speak.

Moved by Betcher, seconded by Gartin, to accept report of bids.

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

Moved by Betcher, seconded by Rollins, to adopt RESOLUTION NO. 24-132 approving final plans and specifications and awarding contract to Tallgrass Land Stewardship Co., of Waukee, Iowa, in the amount of \$111,600.

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

HEARING ON 2023/24 ARTERIAL STREET PAVEMENT IMPROVEMENTS (AIRPORT RD. - UNIVERSITY BLVD. TO S. RIVERSIDE DR.): The Public Hearing was opened and closed by Mayor Haila when no one came forward to speak.

Moved by Betcher, seconded by Gartin, to accept report of bids.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 24-133 approving final plans and specifications and awarding contract to All Star Concrete, LLC of Johnston, Iowa, in the amount of \$1,381,986.99.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON 2023/24 CONCRETE STREET PAVEMENT IMPROVEMENTS PROGRAM: The Public Hearing was opened and closed by Mayor Haila when no one came forward to speak.

Moved by Betcher, seconded by Gartin, to accept report of bids.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 24-134 approving final plans and specifications and awarding contract to Con-Struct Inc, of Ames, Iowa, in the amount of \$1,015,443.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON THE ENVIRONMENTAL IMPACT DOCUMENT FOR THE NUTRIENT REDUCTION MODIFICATIONS PHASE I PROJECT AT THE WATER POLLUTION CONTROL FACILITY: The Public Hearing was opened and closed by Mayor Haila when no one came forward to speak.

Environmental Engineer Daria Dilparic noted that the current Water Pollution and Control facility had received perfect compliance for 33 years but was only designed for a 30-year service period. The facility plan was officially approved on December 8, 2023, by the Iowa Department of Natural Resources (IDNR). Engineer Dilparic furthered that IDNR approval was needed for State Revolving Fund (SRF) loans, which were being utilized for the project. She stated that staff had reviewed the Environmental Impact Document (EID) and found no errors or omissions and agreed with the conclusions offered, which concluded the plan had no environmental impacts. Additionally, the IDNR had contacted over 35 state and local entities for comment on the plan, with no comments being received. The IDNR requires that the City hold a hearing where the public can offer comments on the EID, after which the Mayor would sign the EID, indicating that it is accurate to the best of his knowledge.

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

Moved by Rollins, seconded by Junck, to direct Mayor Haila to sign the Environmental Information Document related to the Nutrient Reduction Modifications Phase I project at the Water Pollution Control Facility.
Vote on Motion: 6-0. Motion declared carried unanimously.

SECOND PASSAGE OF ORDINANCE AMENDING CHAPTER 28 SECTION 28.106 OF AMES MUNICIPAL CODE REGARDING COMMERCIAL ELECTRIC VEHICLE CHARGING RATE: Moved by Beatty-Hansen, seconded by Corrieri, to pass on second reading an ordinance amending Chapter 28 Section 28.106 of Ames *Municipal Code* regarding Commercial Electric Vehicle Charging Rate.

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

SECOND PASSAGE OF ORDINANCE TO AMES MUNICIPAL CODE CHAPTER 29 (ZONING ORDINANCE) TO ALLOW TWO-FAMILY (DUPLEX) DWELLINGS IN SINGLE FAMILY AND OTHER RESIDENTIAL ZONING DISTRICTS: Moved by Betcher, seconded by Beatty-Hansen, to pass on second reading an ordinance to Ames *Municipal Code* Chapter 29 (Zoning Ordinance) to allow Two-Family (Duplex) Dwellings in Single Family and Other Residential Zoning Districts.

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

THIRD READING AND ADOPTION OF ORDINANCE NO. 4521 REZONING 210 SOUTH 5TH STREET FROM AGRICULTURAL (A) TO HIGHWAY ORIENTED COMMERCIAL (HOC) WITH AN ENVIRONMENTALLY SENSITIVE OVERLAY: Moved by Betcher, seconded by Gartin, to pass on third reading and adopt ORDINANCE NO. 4521 rezoning 210 South 5th Street from Agricultural (A) to Highway Oriented Commercial (HOC) with an Environmentally Sensitive Overlay Rezoning.

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

THIRD PASSAGE AND ADOPTION OF ORDINANCE NO. 4522 REZONING WITH MASTER PLAN OF 102 & 116 HYLAND AVENUE FROM RESIDENTIAL HIGH DENSITY (RH) TO NEIGHBORHOOD COMMERCIAL (NC) WITH THE O-(UIW) WEST UNIVERSITY IMPACT DISTRICT: Moved by Corrieri, seconded by Rollins, to adopt RESOLUTION NO. 24-135 approving the Rezoning Agreement for 102 & 116 Hyland Avenue.

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

Moved by Betcher, seconded by Gartin, to pass on Third reading and adopt ORDINANCE NO. 4522 rezoning with Master Plan of 102 & 116 Hyland Avenue from Residential High Density (RH) to Neighborhood Commercial (NC) with the O-(UIW) West University Impact District

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

DISPOSITIONS OF COMMUNICATIONS TO COUNCIL: Mayor Haila stated the only item for consideration was a memo from himself regarding Board and Commission Appointment Criteria.

Moved by Gartin, seconded by Betcher, to place the item on a future agenda.

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

REPORT OF GOVERNING BODY: Mayor Haila gave a brief overview of the purpose of sharing meetings attended by the City Council Members to facilitation communication around relevant topics.

COUNCIL COMMENTS: Council Member Betcher shared that she had an interesting experience at the Congressional Cities Conference for National League of Cities where midwestern states had a networking opportunity. She then shared her appointment to the AI Advisory Committee and invited conversation around that topic.

Council Member Gartin shared his pride in Iowa State Athletics and thanked the student athletes for their representation as ambassadors for the community.

Council Member Rollins stated that she also had a chance to go to the Congressional Cities Conference, and shared that she was serving on the Youth, Education, and Families Committee.

Council Member Beatty-Hansen expressed her desire to partner with the student organization referenced during Public Forum and to let the sustainability group know about the rebate for native plantings offered by the City.

Moved by Beatty-Hansen, to direct staff to reach out to the Ames High School sustainability group to let them know about the stormwater rebate program and see if there is interest in promoting it. Seconded by Rollins after Beatty-Hansen accepted Council Member Corrieri's friendly amendment to include The Community Academy.

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

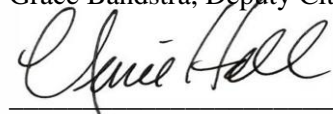
Mayor Haila stated that the state legislature would likely be passing a stormwater bill that would be detrimental to the Ames community. He thanked staff for all their hard work to get facts and information out to legislators. Mayor Haila also noted that there would be conversations around development incentives soon, and if the City desired additional capacity for stormwater retention, the City would need to be prepared to pay the difference in cost. He also thanked City Staff for the work done on the CYTown agreement, stating that the City Council and staff are supportive of the agreements and believe the community will appreciate it as well.

ADJOURNMENT: Moved by Beatty-Hansen, seconded by Betcher, to adjourn at 8:14 p.m.

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



Grace Bandstra, Deputy City Clerk



Renee Hall, City Clerk



John A. Haila, Mayor