

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

AMES, IOWA

SEPTEMBER 10, 2024

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on the 10th day of September 2024, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. City Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, and Anita Rollins were present. *Ex officio* Emily Boland was also present.

PROCLAMATION FOR "AMES ART MONTH," SEPTEMBER 2024: Mayor Haila presented the proclamation to Heather Johnson, Director of the Octagon Arts Center. Ms. Johnson shared how arts impact the community and business vitality of the community and encouraged the community to continue to support the arts.

Council Member Rachel Junck entered the meeting at 6:01 p.m.

PROCLAMATION FOR "PRIDEFEST DAY," SEPTEMBER 14, 2024: Mayor Haila presented the proclamation to Library Director Sheila Schofer and representatives from Ames Pride nicci port and Katie Tschopp.

CONSENT AGENDA: Council Member Gartin requested to pull Item No. 12.

Moved by Betcher, seconded by Rollins, to approve the Consent Agenda less Item No. 12.

3. Motion approving payment of claims
4. Motion approving Summary of Minutes of Regular City Council Meeting on August 27, 2024, and Special City Council Meeting on September 3, 2024
5. Motion approving Report of Change Orders for period August 16-31, 2024
6. Motion approving Ownership Updates for Class E Retail Alcohol License - Cyclone Liquors, Class E Retail Alcohol License
7. Motion approving Ownership Updates for Class C Retail Alcohol License - Texas Roadhouse, 519 South Duff Avenue
8. Motion approving New 5-Day License (September 29 - October 3, 2024) for Special Class C Retail Alcohol License with Outdoor Service - Mucky Duck Pub, 2500 Duff Avenue, Pending Dramshop Review
9. Motion approving new Class E Retail Alcohol License - Lalo's Liquor Store, 809 Wheeler Street, Suite 105
10. Motion approving the renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Kum & Go #0217, (3111 South Duff Avenue), Class E Retail Alcohol License
 - b. Hy-Vee #1 Clubroom, (3800 West Lincoln Way), Class C Retail Alcohol License with Catering Privilege, Pending Dramshop Review
 - c. AJ's Ultra Lounge, (2401 Chamberlain Street), Class C Retail Alcohol License with Outdoor Service
 - d. Rinconcito Hispano Tienda y Taqueria, (823 Wheeler Street, Suite 1), Class C Retail Alcohol License

11. Motion setting December 17, 2024, as Regular City Council meeting and canceling City Council meeting on December 24, 2024
- ~~12. Motion accepting the Bike and Pedestrian Master Plan and Wayfinding Guide~~
13. RESOLUTION NO. 24-478 setting September 24, 2024, as date of public hearing for first amendment to FY 2024/25 Adopted Budget
14. RESOLUTION NO. 24-479 approving the Federal Funding Agreement for the 2023/24 Airport Improvements Program (Wildlife Fence) project
15. RESOLUTION NO. 24-480 approving Electrical Easement Agreement with Iowa State University for CYTown Development Area - Phase II
16. RESOLUTION NO. 24-481 approving Water and Sanitary Sewer Utility Easement Agreement with Iowa State University for CYTown Development Area - Phase II
17. RESOLUTION NO. 24-482 awarding Rural Electric Supply Cooperative (RESCO) of Ankeny, Iowa for the purchase of single phase overhead transformers and single and three phase pad mounted transformers in the amount of \$225,631.97
18. RESOLUTION NO. 24-483 approving preliminary plans and specifications for the 2023/24 Ames Plan 2040 Sanitary Sewer Extension (S 500th Avenue County Line Road) project, setting October 16, 2024, as the bid due date and October 22, 2024, as the date of Public Hearing
19. RESOLUTION NO. 24-484 approving Change Order No. 1 with Carrico Aquatic Resources Inc., of Oelwein, IA, for additional pool chemicals in the amount of \$11,911.25
20. RESOLUTION NO. 24-485 approving Change Order No. 1 for the 2021/22 Concrete Pavement Improvements (24th Street and Stange Road) in the amount of \$124,614
21. RESOLUTION NO. 24-486 approving the rapid needs purchase for repairs to the 161 KV electric transmission line Change Order No. 2, in the amount of \$67,546.17
22. RESOLUTION NO. 24-487 approving partial completion of public improvements and reducing financial security on file for Scenic Valley 7th Addition to \$200,097
23. RESOLUTION NO. 24-488 approving completion of all public improvements required as a condition for approval of the final plat of Scenic Valley 5th Addition and releasing financial security in full
24. RESOLUTION NO. 24-489 accepting the South 16th Street Improvements project as completed by Con-Struct Inc. of Ames, Iowa in the amount of \$4,117,906.66
25. Phasing Plan Amendment and Final Plat for The Bluffs at Dankbar Farms, Third Addition
 - a. RESOLUTION NO. 24-490 approving amended PRD Phasing Plan
 - b. RESOLUTION NO. 24-491 accepting Financial Security for Public Improvements
 - c. RESOLUTION NO. 24-492 approving Final Plat

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

BIKE AND PEDESTRIAN MASTER PLAN AND WAYFINDING GUIDE: Council Member Gartin and Council Member Beatty-Hansen shared their excitement for the project. Council Member Gartin inquired when the new signage would be available. Assistant City Manager Brian Phillips stated that equipment may be received as soon as October 2024, with staff able to begin producing signage at that time. Council Member Beatty-Hansen expressed her curiosity of the timeline when initiatives listed in the plan would go into effect, and staff advised a request for a memo on the topic would be appropriate.

Moved by Gartin, seconded by Beatty-Hansen, to accept the Bike and Pedestrian Master Plan and Wayfinding Guide.

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

Moved by Beatty-Hansen, seconded by Gartin, to request a memo from staff on action steps for the Bike and Pedestrian Master Plan and Wayfinding Guide and a timeline of when those may be implemented.

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

PUBLIC FORUM: Mayor Haila opened the Public Forum.

Richard Deyo, 505 8th Street #2, Ames, shared his past experience with a local business.

Colby Clark, 617-621 Douglas Avenue, Ames, thanked the City Council for beginning the conversation around how to assist the unhoused in the community.

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

FITCH FAMILY INDOOR AQUATIC CENTER PROJECT UPDATE AND CONSTRUCTION ERRORS: Director of Parks and Recreation Keith Abraham, joined by Troy Turner of Story Construction and Brad Rodenburg of RDG Planning and Design (RDG), presented an update on the project. Mr. Turner provided a photo presentation of progress that had been made and shared that so far in the excavation of the project there had been no soil samples that tested positive for contamination. He reiterated that a vapor barrier was selected for the site to help mitigate risk of contamination. Mr. Turner also detailed that the deep end of the lap pool basin would be reaching the depth that contamination would potentially be located. He stated that Story Construction had discovered that the vapor barrier and insulation was not installed beneath the pump pit and backwash basin as outlined in the plans and specifications. The contractor agreed that the work was not acceptable and to correct the error at no cost to the City.

Consultant Rodenburg explained that the insulation not being installed under the pump pit and backwash basin was due to it not being shown on the structural drawings that the contractor was utilizing. However, RDG determined that the insulation would not add thermal value and was not requiring it to be added. He added that all vertical insulation had been installed. Director Abraham stated that staff was not seeking direction on this item, but rather was presenting the update to allow City Council to ask questions.

Staff and the consultants responded to questions from the City Council. Mr. Turner detailed that Story Construction and City staff were working together to secure a third-party inspector for the rest of the project and were developing a quality control plan that would be in place before the next batch of concrete was poured. The plan would include areas for the inspector to evaluate, as well as provide a heightened level of awareness and another set of eyes on the project. Mr. Turner stated that each inspection would have a report when completed and added to the project records.

In answer to questions regarding the timeline of the project, Mr. Turner stated that there was a window of time available before the next phase of construction began where the concrete work could be redone

without affecting the schedule. Mayor Haila requested that Mr. Turner detail what the designated role of Story Construction was in the process. Mr. Turner stated that Story Construction worked extensively on the plans and specifications to detail potential issues and suggestions to alleviate those. Story Construction also facilitated all pre-construction meetings with the individual contractors and reviewed requests for change orders before recommending approval of the change orders to the City Council.

Mr. Turner then explained that the precast concrete panels were arriving later than Story Construction anticipated but was taking initiative to complete other work that could be accomplished while waiting for the precast concrete panels to arrive. Consultant Rodenberg spoke to the City Council's concern that the building envelope inspector may recommend changes to the mechanical equipment that had already been ordered, stating that the design currently in place would be relied upon. Mayor Haila inquired on the approval process from the State for the aquatic elements of the projects. Consultant Rodenberg stated that the permit had been received, and that minimal changes had been made based on comments from the State inspector. He explained that the State would do a final review once the project is completed. Director Abraham noted that pool benches had been shortened, temperature had been adjusted, and changes to depth markers had been implemented already. Mayor Haila requested monthly updates on the project, which was confirmed by Consultant Rodenburg. Director Abraham reiterated that staff was striving for transparency and had received feedback from the community expressing gratitude.

CARR PARK AGILITY COURSE PROJECT: Parks and Facilities Superintendent Joshua Thompson reviewed the public outreach staff had conducted to gather feedback for the project, and how those comments had been incorporated into the final plan. Director Abraham stated that the project would proceed with a final public meeting for community engagement should the City Council approve the recommendation of the construction of the Agility Course, safety surfacing, concrete border, sidewalk connections, and shelter, and reallocate funds from the Carr Park Shelter/Restroom Project to cover the shortfall to complete the project. Following the meeting, bids would be solicited for construction in Spring/Summer 2025. Due to the high projected costs to add restroom facilities to the project, staff recommended adding the restroom to a future Capital Improvement Project if it was determined that one was needed.

Moved by Rollins, seconded by Junck, to adopt RESOLUTION NO. 24-493 approving revisions and reallocation of funds to the Carr Park Agility Course Project.

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

GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2024A: Finance Director Corey Goodenow shared that issuance of these bonds was necessary to accomplish the City's approved Capital Improvement Projects during the fiscal year. Susanne Gerlach, of PFM, the City's Financial Advisor, presented the bids received and shared she was pleased to report that the City was able to receive good rates. She shared that PFM recommended award of the bonds, and that the City's Aa1 Moody rating reflected a strong tax base and low unemployment. Council Member Gartin gave credit to City Manager Steve Schainker as well as the Finance Department for placing the City in a strong financial position.

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. 24-494 authorizing and approving the Loan Agreement, providing the sale and issuance of General Obligation Corporate Purpose Bonds, Series 2024A, and providing for the levy of taxes to pay the same.

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

PURCHASE OF TWO 2025 FORD F150 LIGHTNING PICKUPS: Sustainability Coordinator Nolan Sagan stated that the 2025 Ford F-150 Lightning Pickups were identified as the best candidate to replace the trucks at the end of their current useful life. He noted that the lifetime of the trucks was anticipated to be ten years and reviewed the estimated cost savings for maintenance. Additionally, Coordinator Sagan highlighted how the electrification of the municipal fleet supported the Climate Action Plan. Council Member Junck questioned if additional charging infrastructure would be added to support the additional electric vehicles. Coordinator Sagan stated that current charging infrastructure would be utilized, and Assistant City Manager Pa Vang Goldbeck stated that one of the trucks would be allocated to the Water and Pollution Control Department, where additional charging infrastructure may be added.

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

Moved by Junck, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 24-495 awarding contract to Karl Ford of Story City in the amount of \$86,932 for two 2025 Ford F150 Lightning pickups.

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

DOWNTOWN FAÇADE GRANT CHANGES FOR REAR FACADES AND MAINTENANCE: Planner Benjamin Campbell and Director of Planning and Housing Kelly Diekmann reviewed the history of the program, and the potential expansion to include rear façades and maintenance, which were not currently applicable activities under the grant. Planner Campbell highlighted that the current guidelines were designed to evaluate projects for historic façades, which staff would have a difficult time applying to rear façades and maintenance, as the objectives differed greatly. He furthered that one obstacle to adding those two elements would be the lack of historic photos of the rear or alley-side of eligible buildings.

Eligible maintenance categories as determined by staff were repair of exterior walls – external repair only, foundation repairs, roof repair/replacement – external repair only. Director Diekmann stated that the action staff was requesting was to accept or modify the recommendation from staff, which would be used to develop program documents to be accepted by the City Council before being made available to applicants.

Director Diekmann and Planner Campbell engaged in discussion with the City Council to determine the priorities and intentions of the program. Staff clarified terminology, current program timelines, and the City Council’s goal for the program to facilitate. Planner Campbell noted that the proposed changes of adding maintenance for structural repairs would address the original request of Scott Moorman to allow for greater flexibility in the program.

Mayor Haila opened the Public Input.

Ellyn Grimm, 1931 Polk Drive, Ames, co-owner of Dog-Eared Books and Vice Chair of the Ames Main Street Board, thanked the City Council for considering the expansion for the Downtown Façade Grant program and provided suggestions to improve the proposed guidelines. Ms. Grimm requested that replacement of doors and windows and painting of rear façades only be considered as approved maintenance activities. She thanked the City Council for its support of Downtown.

Chuck Winkleblack, 105 S. 16th Street, Ames, raised concerns with the ease of acquiring letters of compliance, and encouraged the City Council to give serious thought to the suggestions made by Ms. Grimm. He noted his experience with attempting to create housing above Main Street buildings and the obstacles to achieving that goal, as well as the rising costs to perform maintenance on historic buildings.

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

Director Diekmann highlighted that the Downtown Plan was being updated and may impact future program goals in Downtown.

Moved by Betcher, seconded by Corrieri, to direct staff to prepare updated Façade program documents for City Council approval at a future meeting.

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

REQUEST FOR PARTIAL WAIVER OF PAVING FOR 700 FEET OF CEDAR LANE RELATED TO THE ANSLEY DEVELOPMENT: Director Diekmann stated that the developer had requested action from the City Council to determine next steps for the Ansley Development. He reviewed that the City Council had asked staff to determine a policy on pioneer infrastructure and oversizing, and that while the proposed policy had not been finalized, staff did not believe that the Cedar Lane request would fit within the scope of pioneer infrastructure, as completing the segment of road in question did not open additional areas for development.

Council Member Gartin inquired if the situation was unique, or if the City Council's decision would be setting a precedent. Director Diekmann stated that there was not a lot of precedent in this area and that future developments may face similar situations with paving requirements on a larger scale. Council Member Betcher stated that if future City Councils' decided to develop to the south, pavement of this road might become required and may have a much higher cost to complete. Council Member Rollins asked Director Diekmann to clarify what role Iowa State University (ISU) would have in funding the road. Director Diekmann explained that a prior agreement attached to the property would require ISU to pay for half of the improvement cost.

Mayor Haila opened the Public Input.

Steve Burgason, Ansley Development, spoke in favor of the City assisting with the paving costs, and provided an overview of the unexpected costs incurred to manage stormwater runoff in the development.

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

The City Council engaged in discussion about precedent, the limited scale of paving needed, how the request would fit under potential pioneer infrastructure, and the potential future of development in the area that may necessitate the paving of the road.

Moved by Beatty-Hansen, seconded by Corrieri, to direct staff to develop a Development Agreement for City Responsibility to Complete Paving of the 700 Feet of Cedar Lane, rather than the Developer. Roll Call Vote: 6-0. Motion declared carried unanimously.

REQUEST FOR ACCEPTANCE OF FIRST SPECULATIVE BUILDING IN NORTH DAYTON TIF DISTRICT WITH NO PENALTY FOR DELAYED COMPLETION: Director Diekmann reviewed that the developer had requested an extension in May with no payment of a penalty and the City Council granted the request with an extension to June 28th to avoid the \$15,000 penalty. He explained that there was a difference of opinion on the definition of a weather tight building between staff and the developer, and that additional language would be added to future development agreements to further define the expectations from staff of the weather tight building.

Moved by Corrieri, seconded by Betcher, to direct staff to cancel the issuance of \$15,000 penalty for the first speculative building and accept the Developer's building as a complete shell building at this time, and for staff to verify that future construction of required speculative buildings be weather tight with completed windows, doors, garage doors, siding and roofing consistent with an approved site development plan for the building.

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

HEARING ON 2024/25 SHARED USE PATH MAINTENANCE CONTRACT 2 (STUART SMITH PARK AND STATE AVENUE): Mayor Haila opened and closed the Public Hearing when no one came forward to speak.

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

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

Moved by Rollins, seconded by Betcher, to adopt RESOLUTION NO. 24-496 approving final plans and specifications and awarding contract to TK Concrete, Inc. of Pella, Iowa, in the amount of \$106,664.90.

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

HEARING ON 2024/25 WATER SYSTEM IMPROVEMENTS PROGRAM (N RUSSELL AVENUE - LINCOLN WAY TO N 2ND STREET): Mayor Haila opened and closed the Public Hearing when no one came forward to speak.

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

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

Moved by Rollins, seconded by Betcher, to adopt RESOLUTION NO. 24-497 approving final plans and specification and awarding contract to Iowa Water & Waste System, LLC of Ames, Iowa in the amount of \$104,910.50.

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

HEARING ON AMES CITY AUDITORIUM HVAC REPLACEMENT PROJECT: Mayor Haila opened and closed the Public Hearing when no one came forward to speak.

Moved by Gartin, seconded by Beatty-Hansen, to accept report of bids and delay the award to provide staff additional time for review.

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

HEARING ON ZONING TEXT AMENDMENT TO PLANNED UNIT DEVELOPMENT (PUD) OVERLAY STANDARDS: Director Diekmann stated that there were three amendments being made to allow for greater infill options within the City. Mayor Haila announced that an amendment would be made to Sec. 29.1114(6)(a) to read “façade OR the front entry is...” by the Legal Department.

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

Moved by Betcher, seconded by Gartin, to pass on first reading of an Ordinance on a Zoning Text Amendment to Planned Unit Development (PUD) Overlay standards, as amended.

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

SECOND READING OF ORDINANCE RELATING TO ZONING TEXT AMENDMENT TO AMEND THE EXCEPTION STANDARDS FOR THE DOWNTOWN SERVICE CENTER "DSC" ZONING DISTRICT: Moved by Rollins, seconded by Betcher, to pass on second reading of an Ordinance relating to the Exception Standards for the Downtown Service Center “DSC” Zoning District.

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

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Mayor Haila noted that there were six items for consideration.

The first item was from Dan Culhane and Chris Nelson of the Ames Regional Economic Alliance requesting infrastructure extension at the Teller Avenue Interchange.

Moved by Gartin, seconded by Betcher, to refer to the City Manager for a memo.

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

A report on Cyclone Welcome Weekend from Chief of Police Geoff Huff was included for information only.

Next, an email from Jennifer Harris regarding concerns with the property at 913 Carroll Avenue was considered.

Moved by Beatty-Hansen, seconded by Corrieri, to request the City Manager reach out to the constituent.

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

Bob Haug's email with requests to assess Waste Management Costs was the next item to be considered.

Moved by Rollins, seconded by Corrieri, to request staff thank him for expressing his ideas and update the resident on the on the status of the Waste to Energy project.

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

Then, a memo on Liquor License for Premises in Residential Areas from Assistant Attorney Jane Chang was noted to be for information only.

The final item was a memo from Director Diekmann regarding a request for waiver of Infrastructure Installation for Dayton Ridge Subdivision.

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

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

REPORT OF GOVERNING BODY: There were no new agency meetings attended since the last meeting of the City Council.

COUNCIL COMMENTS: *Ex officio* Boland shared that the Message the Mayor program was live, and that the goal was to have 100 individual responses from students by the end of the year.

Council Member Rollins shared her excitement at the groundbreaking ceremony for the Townhomes at Creekside.

Council Member Betcher shared in Council Member Rollins excitement, highlighting that the groundbreaking ceremony was notable due to the praise the developers gave to the development assistance on behalf of the City. She stated that the developers expressed the City's commitment to following through on the project was remarkable. The developers stated that staff members were helpful and made it the easiest site in Iowa to facilitate a project like the Townhomes at Creekside. She extended her gratitude to Engineer Imhoff and praised staff for their contributions. She also praised Parks and Recreation staff for its commitment to inclusion after attending the demonstration for the VertaCat, which would allow individuals with mobility challenges to enjoy Homewood Golf Course.

Mayor Haila stated that the developer of the Townhomes at Creekside had expressed praise on the ease of the project, noting that Ames stood out to him as an example and would be one of the best projects the developer had partnered on. He shared that representatives from the College Creek Old Ames Middle School group were in attendance to express their support for the project, and to express thanks for the City Council receiving their input.

ADJOURNMENT: Moved by Beatty-Hansen, seconded by Rollins, to adjourn the meeting at 8:41 p.m.

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

Grace Bandstra, Deputy City Clerk

John A. Haila, Mayor

Renee Hall, City Clerk

