

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

MARCH 10, 2020

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on March 10, 2020, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Gloria Betcher, Bronwyn Beatty-Hansen, Amber Corrieri, Tim Gartin, Rachel Junck, and David Martin. *Ex officio* Member Devyn Leeson was also in attendance.

CONSENT AGENDA: Moved by Corrieri, seconded by Martin, to approve the following items on the Consent Agenda.

1. Motion approving payment of claims
2. Motion approving Minutes of Special Meetings of February 18, 2020, and Regular Meeting of February 25, 2020
3. Motion approving certification of Civil Service applicants
4. Motion approving ownership change for Class E Liquor License - Wal-Mart Store #749, 3105 Grand Avenue
5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor License with Outdoor Service and Sunday Sales - Sips and Paddy's Irish Pub, 126 Welch Avenue - pending dram shop
 - b. Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carryout Beer), and Sunday Sales - Wal-Mart Store #749, 3105 Grand Avenue
6. RESOLUTION NO. 20-105 approving appointments to various Boards and Commissions
7. RESOLUTION NO. 20-106 approving reallocation of an unfilled Coal Handler FTE to create a temporary 11th Auxiliary Operator position
8. RESOLUTION NO. 20-107 approving policy for external requests to use U. S. Hwy 30/S. Dayton Avenue light towers
9. RESOLUTION NO. 20-108 approving Conflict of Interest Waiver for Ahlers & Cooney Law Firm to represent the Iowa Association of Municipal Utilities (IAMU)
10. Request for Spring Fest on Friday, April 3, 2020, with a rain date of April 10, 2020:
 - a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License for the closed area
 - b. RESOLUTION NO. 20-109 approving closure of Welch Avenue from 100 feet south of the intersection of Chamberlain Street to Hunt Street from 1:00 p.m. to 9:00 p.m.
 - c. RESOLUTION NO. 20-110 approving closure of 14 metered parking spaces in the closed area from 1:00 p.m. to 9:00 p.m.
11. Requests for Greek Week:
 - a. Greek Race on Sunday, March 29, 2020, with April 5, 2020, as rain date:
 - i. Motion approving blanket Temporary Obstruction Permit for the closed area from 9:00 a.m. to 1:00 p.m. on March 29
 - ii. RESOLUTION NO. 20-111 approving closure of Ash Avenue from Sunset Drive to Gable Lane, Sunset Drive from Ash Avenue to Gray Avenue, and the portion of Pearson Avenue adjacent the Greek Triangle from 9:00 a.m. to 1:00 p.m.
 - b. Greek Week Olympics, Saturday, April 4, 2020, with April 5, 2020, as rain date:
 - i. Motion approving blanket Temporary Obstruction Permit for the closed area

- ii. RESOLUTION NO. 20-112 approving closure of Sunset Drive; Ash Avenue from Gable Lane to Knapp Street; Gray Avenue from Gable Lane to Greeley Street; Greeley Street; Pearson Avenue from Sunset to Greeley; and Lynn Avenue from Chamberlain to Knapp from 7:30 a.m. to 5:00 p.m.
12. Request from Campustown Action Association for Summerfest in Campustown on June 6:
 - a. Motion approving a 5-day Class B Beer License and Outdoor Service (June 5 - 9) for Campustown Action Association, 304 Main Street
 - b. Motion approving blanket Temporary Obstruction Permit
 - c. Motion approving blanket Vending License
 - d. RESOLUTION NO. 20-113 approving waiver of Vending License fee
 - e. RESOLUTION NO. 20-114 approving closure of the 200 block of Welch Avenue and Chamberlain Street from Welch Avenue to the exist of Chamberlain Lot Y from 7:00 a.m. and 10:00 p.m.
 - f. RESOLUTION NO. 20-115 approving the closure of parking spaces in the 200 block of Welch Avenue on Chamberlain Street between Welch Avenue and the Chamberlain Lot Y exit, Welch Lot T, and Chamberlain Lot Y from 7:00 a.m. and 10:00 p.m.
 - g. RESOLUTION NO. 20-116 approving waiver of parking meter fees for the closed area
 - h. RESOLUTION NO. 20-117 authorizing access to City-owned electrical outlets and approving a waiver of fees for electricity used
 13. RESOLUTION NO. 20-118 approving preliminary plans and specifications for Power Plant Maintenance Services Contract; setting April 15, 2020, as bid due date and April 28, 2020, as date of public hearing
 14. RESOLUTION NO. 20-119 approving preliminary plans and specifications for CyRide 2020 Pavement Improvements - Middle School Turnaround Project; setting April 2, 2020, as bid due date and April 14, 2020, as date of public hearing
 15. RESOLUTION NO. 20-120 approving purchase of two Ford Escape SE Hybrid 4x4 vehicles for the Administrative Division for CyRide from Ames Ford Lincoln of Ames, Iowa in the amount of \$53,840
 16. RESOLUTION NO. 20-121 approving contract and bond for South Grand Avenue Extension (0.1 miles North of South 16th Street North 0.54 Miles to South 5th Street)
 17. RESOLUTION NO. 20-122 approving contract and bond for Homewood Golf Course Clubhouse Project
 18. RESOLUTION NO. 20-123 approving Plat of Survey for 2125 Greeley Street
 19. RESOLUTION NO. 20-124 approving Plat of Survey for 224 Ash Avenue
- 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: Linaya Wright and Maddi McCullough, Community Outreach Co-Directors for the Iowa State Dance Marathon explained that Dance Marathon is the largest student-run organization on the Iowa State Campus. The money they raise goes toward the University of Iowa Stead Family Children’s Hospital. In the past two years, the Iowa State Dance Marathon made a promise to the hemodynamics program at the Stead Family Hospital, which helps neonatal heart and lungs, to raise \$700,000 over the span of two years. Ms. Wright stated that they met that goal last year by raising \$340,000 at its final event of the year. Ms. McCullough explained that they wanted to extend an

invitation to the Council to attend their “Tealgate” event on October 3, 2020. The event is a tailgate for an away game where they will have live music, food trucks, games, and the Iowa State football game played live on a jumbo screen. She mentioned that their goal is to spread their mission to the Ames Community. Ms. Wright commented that they would look forward to any partnership that the City of Ames would have with Dance Marathon, and would like to engage with a broader audience to spread the mission of the Iowa Stead Family Children’s Hospital. Ms. Wright asked the Council if they thought of any ways that the ISU Dance Marathon could spread their mission or any businesses they should reach out to for sponsorships, to send them an email with that information. A handout was given to the Council Members that included the Tealgate information, their Big Event date of January 23, 2021, and Maddi McCullough and Linaya Wright’s email addresses. Council Member Gartin inquired as to how many students were involved in the Dance Marathon. Ms. McCullough stated that last year there were a little over 300 “Miracle Makers,” who are students who raise money and come to the event, and then over 100 committee members and executive members.

Brett McLain, 1431 Douglas Avenue, Ames, stated he lives on the corner of 15th Street and Douglas. He noted it was a big surprise to hear about the installation of sidewalks on 15th Street. Mr. McLain mentioned he was invited to a meeting on January 30, 2020, which he attended, and noted it was a brief meeting and blueprints were shown and nothing indicated sidewalks would be put in. After that meeting no further communication was received until February 25 at 4:45 p.m. when he received a call from City staff letting him know that the Council was going to speak about putting in sidewalks along 15th Street at the City Council meeting that night. He was unable to make it to that meeting, and that is why he wanted to speak tonight. Mr. McLain stated he is not sure what happened between the meeting on January 30 until the meeting on February 25, and wondered if there was a “Plan A” and a “Plan B” and all they were shown on the 30th was “Plan A.” He urged the Council to reverse the decision they made on February 25 to install sidewalks on 15th Street, as no one on 15th street would like to have sidewalks installed. He noted that the sidewalks would be relatively close to the houses, there would be a cost to remove some of the trees, more snow removal, and not sure if the sidewalks would be utilized as the streets are wide. The residents on 15th Street would like to work with City Council and would like to have better communication going forward. A public forum was suggested to have the residents come and speak regarding their concerns about the installation of sidewalks.

Merlin Pfannkuch, 1424 Kellogg Avenue, Ames, stated that he was unhappy with the process used to foist sidewalks potentially on 14th and 15th Street for the requirement of connectivity, and it was disheartening that most of the Council seemed unable to grasp what he is complaining about. He noted that the attitude seems to be to “suck it up, and deal with it.” Mr. Pfannkuch thanked the Mayor and Council Member Betcher for coming to the neighborhood to discuss the situation and to Council Member Gartin for coming by as well. He acknowledged that the City can put in sidewalks in the rights-of-way if that is what they want. Mr. Pfannkuch stated that the map that was shown at the last meeting was not accurate and contrary to what the map showed. The residents do not want a sidewalk on the south side of 15th Street. He also noted that Mr. Sayre, City Civil Engineer, told him that he never made contact with Sherry Dickerson, who lives across the street from 1429 Kellogg Avenue, partially because her lot had no large trees, yet the map showed her as consenting to a sidewalk. He doesn’t see what else can be done besides separating the street resurfacing from whatever else may need to be done. Mr. Pfannkuch stated that the way this item was handled by Council, pulling it from the Consent Agenda and then deciding that night, was not adequate. He mentioned that he was told that the Council will not

reconsider their vote, and it was satisfactory since it would have been how they would have voted regardless if any of the neighbors appeared before the Council. He noted that the processes used by Council need extensive reviewing for adequacy and fairness, and he is glad the Mayor is at least looking at the City's processes.

STAFF REPORT REGARDING MICROMOBILITY (MOTORIZED SCOOTERS): Assistant City Manager Deb Schildroth stated that at the June 18, 2019, City Council meeting, the Council directed staff to investigate how other cities have regulated micromobility transportation to determine if there are ordinances that may be considered to offer this type of transportation in Ames.

Ms. Schildroth stated that there was a committee assembled that included Iowa State University representatives, as well as City staff that included: Law Enforcement, Legal Staff, Parks & Recreation, Transportation, the Traffic Engineer, and also the ISU Parking Division. She explained that the committee pulled information together about what information had been heard or known about this mode of transportation. The committee then started looking at what were some of the positives and the concerns. The positives would be job creation, address a transportation need, some reduction in carbon emissions over time, and compatibility with the goal of supporting multi-modal forms of transportation. The concerns the committee had were the safety of the rider and public, scooters being left randomly throughout the City on sidewalks and streets, where the scooters could be ridden, who is going to handle enforcement, and that it may replace the physical activity that comes with walking or bicycling.

Assistant City Manager Schildroth mentioned that she did have a discussion with a scooter company, Bird Scooters. Bird Scooters was able to provide what they were doing in some other communities. The company is working with city officials and university officials on what makes sense in that community in regards to where the scooters are ridden, parked, safety, messages to residents and students, and liability. Bird Scooters is also looking at geo-fencing and other options as to how compliance can be forced. She noted that the company does offer a pilot project approach to see what works for the community and what needs to be worked on. Outreach was done to five university communities to collect and review examples of policies and ordinances that were being used. When it comes to contracting with the scooter companies and longer-term policy development, there are several issues for the City Council to consider:

1. Number of scooter companies allowed: The number of scooter companies allowed in the community varied from city to city based on anticipated use determined by the city.
2. Number of scooters: The number of scooters allowed to be deployed is outlined in Agreements that each city has with the scooter companies. Cities consider population, areas of operation, and the number of intended riders when determining the number of scooters allowed.
3. Permitting: In addition to Operation Agreements with the scooter companies, all but one city had implemented some type of permit requirement.
4. Areas and hours of operations and parking: The majority of the communities use geo-fencing to control the areas where scooters can go, and the scooters are required to be parked upright in an orderly manner on hard surfaces, such as existing sidewalk extension area, and cannot obstruct the sidewalk for pedestrian travel, ADA ramps, fire hydrants, utility poles or box, etc. Scooter operations varied from 7:00 a.m. to 9:00 p.m. Some of the scooters have lights and

reflective tape.

5. Policy and ordinance enforcement: Police and/or Code Enforcement staff are commonly used in all of the communities to enforce scooter-related ordinances. The cities all shared situations in which scooters were impounded. The issue of liability around the scooter use in the community is being handled by including indemnity clauses in the Agreements between the cities and scooter companies.

Council Member Martin stated that Iowa State University is opposed to having scooters on Campus, and the ISU Student Government, in 2018 voted against it in some measure. He inquired as to if there was more information as to why the Student Government voted against scooters. Ms. Schildroth explained that she believed it was Bird Scooters that reached out to the Student Government and the Student Government passed a resolution that they did not support or have interest in scooters being in campus at that point in time. She noted that the representatives on the committee also echoed that ISU Administration was not interested in having the scooters on Campus at this time. Council Member Martin asked for clarification on what was considered “Campus” and if it included the streets and sidewalks around Campus. Ms. Schildroth stated that was correct. Council Member Corrieri inquired if ISU had an opinion about other university properties around campus and how they could be used in those area. Ms. Schildroth stated they did not, but that would be an enforcement issue.

Council Member Betcher asked if whether Bird Scooters was asked if there were any instances where Bird Scooters was interested in going into a community, but the university said they would not want them on Campus; therefore, they did not bring its business there. Ms. Schildroth stated there were those situations, and then also times where the cities cancelled the contract and Bird Scooters had to leave the city. Council Member Betcher also inquired whether, if ISU isn’t interested in pursuing the scooters, would the Bird company still be interested in coming to Ames. Ms. Schildroth stated there are limitations when there is not connectivity between the City and the University. The thought is that there are areas where students could ride the scooters, but the utilization would not be the same. Council Member Betcher inquired as to how much the other cities had expended on enforcement. Assistant City Manager Schildroth explained she did not have that information available for enforcement, but when a scooter company had applied for a permit or a license there is an initial fee in some cities of \$10,000 and then a per scooter fee is charged. Council Member Junck asked if it would be possible to have the companies do their own enforcement instead of it being City staff. It was noted that could be done as part of the Cities Agreement with the scooter company. Ms. Schildroth noted that she was told that it was really important to make sure the scooter company has a local representative and not a 1-800 number.

Council Member Martin stated that in other communities, scooter use is starting to replace walking and other forms of transportation, and he wanted to know if there were any studies that show what modes of transportation are being replaced through scooter use in similar communities. Ms. Schildroth explained she had not seen any of those studies, and the only knowledge she has is through communication with the communities and what they have observed through utilization.

Council Member Betcher questioned if the other communities were asked what their impression was regarding the success of their ordinance. Ms. Schildroth explained that many of them had ordinances put in place, and have made changes, but what they could tell from conversations with the communities, it was similar to putting a Band-Aid on issues that keep coming up and with the data they are getting from the scooter companies will be able to make better policy and ordinance decisions. She noted it is more of a fun factor right now and hasn't really seen any real transportation needs that it has addressed.

Fred Vogtlin, 819 Idaho Avenue, Ames, explained that he noticed this topic was going to be discussed tonight and red flags came up in his mind. He was concerned about safety, especially lighting at night, and recommends if having the scooters to allow them only during sunrise to sunset. He noted that within the last 12-15 months he was glad to have his wife with him in the car as he could have run over a couple of bicyclists that had no lighting or reflective clothing on. Mr. Vogtlin stated he travels along Lincoln Way a lot and there are a lot of kids with skateboards. He explained that along Lincoln Way, there are semi-trucks unloading in the morning and are parallel parking and it is a mess. Mr. Vogtlin commented that he wasn't sure if the City of Ames had ever had a conversation with ISU about sharing an expense to create walkovers.

Mayor Haila asked the Council if there was any interest in continuing this conversation and having a trial period, and if so, they would need to discuss policies, but if there is not an interest they can move on.

Ex-officio Devyn Leeson stated he would like to clear one thing up regarding how students are concerned. The decision that was made in 2018 from the Student Government, he felt that the main concerns were that of safety, accessibility, blocking walkways, congestion, and uncertainty. He explained that if you ask a group of people if they like an idea without giving any details, they are going to assume the worst. Mr. Leeson stated if the City was going to develop a pilot program and then go back to Student Government with the restrictions that have been placed on the scooter etc., there would be a lot more support with the Student Government. He noted that with students he has heard only support for scooters as they think it would be fun. Mayor Haila asked Mr. Leeson if the opinion of the overwhelming support for the scooters would apply even if the scooters were not allowed on Campus. Mr. Leeson stated that off Campus there would be an overwhelming support, and on Campus there would be a lot more support if there were restrictions and limitations already in place, and to see a pilot program in place first. *Ex-officio* Leeson stated one of the most compelling issues was the hindrance on students with disabilities and how they would be affected.

Council Member Beatty-Hansen stated this item is something that she brought up. She noted that she is still in favor of bringing this to Ames and she understands everyone's concerns about safety and understands the risks, but she also thinks that there is a lot of really smart use of data, and controls to try to minimize the risk and nuisances with the risk of scooters. Ms. Beatty-Hansen explained that she thinks Iowa State students would use them a lot, but believes there is a big part of the community that would use the scooters as well. She noted that ISU is even restrictive on where they can have a bicycle and she hopes that maybe down the road ISU would change its mind.

Ms. Beatty-Hansen still feels these scooters would be fun.

Council Member Gartin asked if Council Member Beatty-Hansen had received any feedback from the Ames Bicycle Coalition as they would be a competing use for the multi-use trails. Ms. Beatty-Hansen stated she did not.

Council Member Betcher stated that the University's Council, the National Leagues of Cities, has had presentations about scooters, conversations with Bird Scooters, and have heard from communities. One thing they have heard is that visitors love to use the scooters, but the people who live in the communities are left with the problems. Ms. Betcher stated that she believes this is due to enforcement issues, and while this has improved some, due to geo-fencing, there are still scooters that are left all over that still need to get impounded, etc. She explained that the enforcement has been more reactive than solving the problem of scooters being left on sidewalks or where they don't belong. Council Member Betcher stated that they did get at least one email from a citizen explaining that the reduction in carbon emissions is a false argument due to the short life span and what goes into the production of the scooters. She noted that it is difficult to do a small pilot program if a community wants only 150 scooters. Ms. Betcher stated she is very hesitantly supporting this because she has heard too much about the problems elsewhere, and hasn't heard enough about the benefits.

Council Member Corrieri stated she agrees with Council Member Beatty-Hansen to try a pilot program as there have been lessons learned in other communities and the technology has improved to add restrictions and other things that can be done to mitigate some challenges. She noted that she had several people come by her office today asking her to support the need for scooters in the community.

Council Member Martin stated he is thinking about the policy pros and cons. The main pro to having scooters is they are fun; however, there are significant risks associated with a program like this one. Mr. Martin explained that one thing that would help really push to having a pilot program would be if the Council was able to fully show that the presence of scooters in the community would really reduce the percentage of solo car trips in town, but that information is not available. He explained that scooter rental companies have been around for a while and he would have thought there would be more data available that would show a benefit. Council Member Martin stated that if the Council proceeds with a program, the City would be entering into a partnership with the scooter company. He mentioned that when he reviewed some of the contracts that the companies have with their customers, he is not impressed and doesn't feel it would be a good benefit to the community.

Council Member Gartin stated he is concerned about what happens to the scooters when they are not properly placed. He stated he was in San Antonio for a conference and the scooters were everywhere, and he had asked the city staff in San Antonio how they dealt with it and was told they are having a hard time getting people to put away the scooters. He doesn't want to change the look of the community when they are left everywhere. Council Member Gartin explained that he is very concerned about how the scooters will interface with the walkers, runners, and cyclists on the bike

trails. He noted he may be supportive of this later, but at this time he is having trouble getting behind the idea.

Council Member Junck stated she would be supportive of having a pilot program, but she is not sure if it would work in Ames as it is a smaller community compared to other cities that use them. She pointed out that Iowa has long winters and the scooters wouldn't be used during this time, and the question about how that would be handled has not come up or has been answered yet. Ms. Junck stated that a lot of the policy questions with enforcement and geo-fencing could be the answer. She would be interested in doing a pilot program with limiting the number of scooters and the number of companies that can come into Ames to start. By doing so the Council can understand how the ordinance, polices, and enforcement will work.

Council Member Beatty-Hansen explained that she is supportive of a pilot program with heavy controls in place.

Council Member Betcher stated that the Council have not discussed how having the scooters in the city will affect people with disabilities, and run into scooters that are not supposed to be there, whether in a wheelchair, blind, or any other mobility challenge.

Mayor Haila inquired if any of the other communities had ever made the decision to terminate an Agreement with a scooter company, and if so what happened. Ms. Schildroth explained that the early Agreements were terminated with a couple of the companies, and the communities followed the termination clause, and then contracted with another company. She noted she can get more information if needed, but she got the sense that once the scooters were in the community they were there to stay. Mayor Haila commented that he had heard from one person that stated it was hard to get a scooter company to leave.

Mayor Haila explained that he is trying to envision where the scooters would be ridden to and from if they can't go on Campus. Council Member Beatty-Hansen mentioned she thinks the perfect use for the scooters would be from Campustown to Downtown or student living to Downtown. She noted that the City of Ames has two separate business districts that often create a divide, but a scooter ridden down 6th Street would be a path the scooters could take.

Council Member Betcher stated that if the Council voted "No," it doesn't prevent Bird or any other company from coming in. Council Member Corrieri commented that is correct unless the Council banned them by an ordinance. Council Member Betcher asked if an ordinance needs to be in place regardless if a contract is done with a scooter company for a pilot program. City Attorney Mark Lambert stated that any company could come in, but they would have to set up on private property as they wouldn't be able to set up in the rights-of-way. He commented that the City could put something in place to ban scooters. Ms. Betcher mentioned that she is not suggesting banning scooters, but asked if the City would still need ordinances in place because of the number of personal electric scooters. Council Member Betcher wanted to clarify if the Council was voting to partner

with someone to do a pilot program or voting to see if they need to put an ordinance in place for electronic scooters. Ms. Beatty-Hansen stated that this vote would be whether or not the Council is interested in a pilot program, which would be coming up with an ordinance, but if a motion fails to do a pilot program, the Council would still want to make a motion to come up with a policy for personal scooters.

Mayor Haila asked City Attorney Mark Lambert to explain what the City's role would be in a pilot program. Mr. Lambert stated that with a pilot program, a Request for Proposals (RFP) would be sent out and a company would be selected to set up its services and see how it goes. Council Member Betcher asked if the contracts would be viewed as a partnership. Attorney Lambert mentioned that he had not looked at the contracts with the other companies yet, but his understanding is that the City would permit a company to operate in the City. Ms. Schildroth noted that there would be a permitting process, but the Agreements would cover the hours of operation, parking, deployment locations, data sharing, etc. Council Member Betcher explained that she is trying to figure out the relationship between the City and a scooter company as to if it is a partnership or not. Mr. Lambert stated that the City would probably have a contract with a company that would have stipulations.

Moved by Beatty-Hansen, seconded by Corrieri, to direct staff to pursue the development of a pilot program for motorized scooters.

Vote on Motion: 3-3. Voting Aye: Corrieri, Junck, Beatty-Hansen. Voting Nay: Betcher, Gartin, Martin. Motion failed.

Moved by Beatty-Hansen, seconded by Betcher, to direct staff to come back with a list of topics for a micromobility ordinance.

Council Member Gartin mentioned he would like to reach out to the Ames Bicycle Coalition, as a courtesy, to show a draft of the micromobility ordinance for their input.

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

Council Member Martin asked if the City's Ordinance would make it clear that it would prevent a company from doing ride-share commerce by leaving things in the rights-of-way. City Attorney Lambert explained that nothing can be left in the right-of-way without the City's permission. City Manager Steve Schainker mentioned that the wording will be tricky.

STAFF REPORT REGARDING LAND USE POLICY PLAN REQUEST FOR PROPERTY LOCATED AT 802 DELAWARE AVENUE: Planning and Housing Director Kelly Diekmann explained that at the January 28, 2020, City Council meeting, the Council referred to staff a request submitted by Justin Dodge with Hunziker Companies seeking to change the land use for the property at 802 Delaware Avenue from Low-Density Residential to Medium-Density Residential. The property is approximately .75 acres and accessed from Delaware Avenue. The Land Use Policy Plan map shows this particular site and the immediately surrounding area as Low-Density Residential. The property is currently zoned Residential Low-Density (RL), which allows for only single-family

residential uses.

The site is currently vacant with single-family homes to the north and south and a mix of two-family and single-family homes to the west. The two-family homes are allowed as “Pre-existing” with RL zoning and the nearest multi-family property is located approximately two blocks to the north.

Director Diekmann explained that what the real issue comes from the conversation about the Ames Plan 2040 and what is infill for the future of Ames, and is that something that the City will be looking at in the future. He noted that the word “infill” does not exist in Chapter 2 in the Land Use Policy Plan (LUPP) until it was added with the Lincoln Corridor Plan. The idea of infill outside of a larger sub-area plan is not really a notion that is included in the current Plan. This has been a planned discussion as part of the Ames Plan 2040, but currently the LUPP does not give any indication of how to address this issue. Mr. Diekmann stated that if the Council does move forward, he would advocate for a Minor Amendment process.

Council Member Gartin commented that there has been consensus regarding infill from Council about making it a priority. Council Member Beatty-Hansen stated she would feel the same way and this would be a good opportunity for getting a little more density. She does want to be careful and trust that the City will get the townhomes that are planned for the property. City Manager Steve Schainker explained that the Council would not be able to do that at this time, but when the request to rezone comes through then the Council could require a contract rezoning. Mr. Diekmann stated that they could do that, but as they go through the process, they are going to learn more of how all the regulations would apply to a site like this one. Council Member Beatty-Hansen just wanted to clarify that there would be a step later that the Council would be able to require the townhomes. Mr. Diekmann confirmed that was correct. Director Diekmann explained that the process would start with the Council approving the initiation of the LUPP Amendment and then the property would change to Medium-Density Residential; this will apply to the map and will allow the property owner to apply for a medium-density rezoning. The medium-density rezoning allows for single-family attached, which is individual lots for townhomes; however, there are minimum density standards, set-backs, and other things about site work that will come into play, and how that will turn out with the project has yet to be determined. Mr. Schainker inquired as to what new techniques are in the new Plan that would facilitate a circumstance like this one. Mr. Diekmann stated the most likely tool would be to not have a Planned Residence Development (PRD), which is a large scale planned development, but have some idea of a small PUD or a small planned development permit that is not a rezoning, but some kind of permit that would give some flexibility for attached housing.

Mayor Haila noted that there are duplexes across the street and there are probably not that many lots in Ames where there is a similar situation. He is concerned that townhomes will be put up in single-family areas, surprising the residents. Mr. Diekmann stated this is something that still needs to be discussed. Mayor Haila wanted to know if the Ames 2040 Plan would give more tools in the toolbox to work with instances such as this one. Mr. Diekmann stated the Ames 2040 Plan will not give the rezoning tool, but will give the policy to support the zoning tool. Mr. Schainker asked, if the tool is going to be made available later, would Mr. Diekmann recommend moving forward on this request

or waiting until that tool is available. Mr. Diekmann stated he has not worked through the site with the developer at all so he would be speculating about what would or would not work.

Council Member Betcher stated she is concerned about outreach, especially after the comments made earlier during Public Forum; and in this case, there has been no outreach. Mr. Diekmann explained that there is no outreach that could be done at this point, but the process does still have a public hearing with the Planning and Zoning Commission and the meeting with City Council at the LUPP level and then again with the rezoning and subdivision. He noted there will be plenty of time for feedback from the neighborhood.

Council Member Gartin stated that his support for this project would be different depending on where it is, but this location is unique with North Dakota on the east side, access to transportation, and the higher density in the general vicinity. He noted that he gets comments all the time from citizens asking for more townhomes.

Council Member Corrieri explained that the building type is a good discussion and how people view townhomes is very different from how an apartment building is perceived. Mayor Haila agreed that the whole spectrum of going from low density to medium density is a big change, and the need to have some ironclad details on the process is expected.

Mayor Haila opened public comment.

Justin Dodge, 105 S. 16th Street, Ames, Hunziker Companies, stated he hoped the Council saw his letter he emailed yesterday. He mentioned that when transitioning from a single-family home to townhomes, he wanted to reference a location off of Mortensen on Big Blue Stem Court. There are two separate townhome projects that are flanked all the way around by single-family homes. Mr. Dodge explained when looking at the townhomes, he thought they are unique and do get bought up really quick. He explained that this would be a great test case to help the City find what kind of tool is needed for future infill and that going through this process may help.

Public input was closed when no one else came forward.

Council Member Betcher stated she wished there was more certainty about the project that is going to be put on this location, but if it is not possible to put a townhome there, and the property has been rezoned, they could put anything on the property. Mr. Diekmann stated that at the rezone stage the Council can ask for certainty. He commented that once they get to the rezoning stage knowing that the Council is expecting some certainty, he is 100% sure that the applicant will be in with staff to talk through what their choices are knowing they will never get a rezone without a buildable idea.

Mayor Haila noted that the Staff Report gave two options and inquired if those were still the two options that Mr. Diekmann would recommend to Council. Director Diekmann stated that a third option would be to create a rezoning tool and avoid the Land Use Policy Plan Amendment process, if that is what the Council would prefer. He stated that Option 1 or 2 would be ideal for the property

owners as those tools are already in place.

Moved by Gartin, seconded by Junck, to move Option 2; that directs staff to initiate an LUPP Amendment to Medium-Density Residential.

Council Member Martin asked if it made sense that the Council should ask for more specifics about the project considering the Council is indicating that when the project gets to the rezoning stage they want to have some control to make sure it comes out acceptable. He asked if it would make sense to ask the applicant to see something informally before they make a decision on an LUPP Amendment. Mr. Diekmann stated that the Council can defer action on this item and ask the applicant to visit with staff about a preliminary review. Mr. Martin inquired whether the Council did ask for more information would it save any work for the Planning Staff. Mr. Diekmann stated it would not; it would just reorder it.

Council Member Betcher explained that she will be voting “No” on this item, but not because she doesn’t support infill. It will be because she prefers the idea of developing a tool that is going to be used across the City opposed to rezoning one piece of land.

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

PLANNING & HOUSING DEPARTMENT WORK PLAN UPDATE: Planning and Housing Director Kelly Diekmann explained that it had been about 18 months since the Council had reviewed the Planning and Housing Work Plan. In that time, staff has started working on the Ames 2040 Plan and the Council recently adopted new Values and Goals that changed certain Council priorities. The Staff Report shows the items that the Council put on a committed list in 2018, and then the rest are considered the “parking lot” list. He noted that based on the committed project list and the Councils goals, he is not advocating to start another large initiative. He noted that if the Council Members didn’t like where he placed an item on the Work Plan, they should let him know to move it up or down.

Council Member Gartin noted that, when looking at the non-prioritized list, there are some items that he no longer has an interest in. Council Member Corrieri questioned items listed that are four to five years old and have not been done yet, whether there really is a need to keep it.

Council Member Betcher stated that the two older ones are about the Greek houses and if the Council is reconsidering their incentives and revitalization then the review of demolition criteria relating to life cycle evaluation, which is sustainability are more timely now than they were in the past. She stated that she is adamant about leaving those two items on the list as a reminder that they need to be discussed and worked on at some point.

Mayor Haila inquired if Attachment A, that showed tentative project milestones, is in priority order. Mr. Diekmann stated they were not, but he tried to put them in to show the basic steps of each

project.

Council Member Corrieri stated that Attachment A consists of items that should be left on the list, but when looking at Attachment B, she questioned if there was something that needed to be added to the Attachment A list or are there other items on Attachment B that need to be removed.

City Manager Steve Schainker stated if the Council wants to move anything from Attachment B to Attachment A, they may need to remove something from Attachment A to allow staff the time to do the projects. Mayor Haila asked if someone came in with a large project. Planning would come back to Council to re-prioritize. Director Diekmann stated that if a project comes in that can go through the normal established requirements, that would be top priority, but if something larger comes in (example: Downtown Gateway Plan), the Planning and Housing Work Plan would come back to Council for review.

Council Member Corrieri stated she didn't remember what "review RH zoning and design guidelines/standards" was and asked Mr. Diekmann for an explanation. Mr. Diekmann explained, that in 2015, there were a lot of Land Use Policy Plan Amendments and the RH matrix was developed. A RH rezoning checklist and one of the follow-up items was to look at adding design standards for apartment buildings; that is what this item was.

Moved by Corrieri, seconded by Betcher, to remove the "Review RH zoning and design guidelines/standards" from the non-prioritized list (Attachment B).

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

Council Member Corrieri asked for a reminder as to what "Update the Planned Residential Development" was for. Mr. Diekmann stated it came out of a discussion about Rose Prairie, and it was a staff response to whether PRD's were workable or not. He noted that the City does not see a lot of these instances.

Moved by Corrieri, seconded by Martin, to remove the "Update the Planned Residential Development" from the non-prioritized list (Attachment B).

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

Council Member Martin asked for a brief explanation about the "William Underwood Fringe Plan Industrial Amendment & Annexation Dayton Avenue." Mr. Diekmann stated when he gets to the draft land use map and shows this property on it, he will remove this item from the list. He mentioned that staff received a request about two years ago for just north of the current BASF Plant on Dayton to allow the land to be annexed into the city and there was not an immediate need so they planned on adding in when doing the Ames Plan 2040. He will be able to check this item off soon.

Moved by Betcher, seconded by Corrieri, to remove the "Request for the Planning staff to reach out to engineers in the community to solicit feedback about proposed changes to the new Landscape Ordinance after the other priority projects of the Council have been completed." from the non-

prioritized list (Attachment B).

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

Moved by Gartin, seconded by Corrieri, to remove the “Review Downtown Facade Program Requirements and consider “Development Grants.” from the non-prioritized list (Attachment B).

Council Member Corrieri inquired as to why that item says it would take anywhere from 40-200 hours. Director Diekmann stated that the 200 hours would be to recreate the entire program where the shorter hours are just changing some items from the list. Mayor Haila asked if it would be helpful, if this motion fails, to give more specifics.

Motion withdrawn.

Moved by Gartin, seconded by Betcher, to revise the wording of “Review Downtown Facade Requirements and consider Development Grants,” to “Review Downtown Facade Program Requirements.”

Council Member Betcher stated that in her conversations with Drew Kamp he had indicated that the feeling about the facade grants has shifted since the first request came in, so shifting what the Council is specifying makes sense.

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

Mayor Haila asked for an explanation about the “Review zoning requirements for landscaping on private property to determine if they are compatible with CPTED principles.” Director Diekmann advised that this item was something that the Police Chief asked the Council to add to the Planning & Housing Work Plan as it means Community Policing through Environmental Design (CPTED).

Council Member Gartin asked if there was any interest in keeping the first two items on the list. Council Member Betcher stated she will make the same argument to leave the two items on the list as she does believe they relate to the ongoing discussions about sustainability and what the City is incentivising. She noted that it doesn’t hurt to leave them on the list.

Moved by Gartin, seconded by Corrieri, to remove the first two items from the non-prioritized list (Attachment B).

Vote on Motion: 2-4. Voting Aye: Gartin, Corrieri. Voting Nay: Betcher, Junck, Martin, Beatty-Hansen. Motion failed.

Council Member Betcher asked if the requested staff memo regarding the old KFC lot on Lincoln Way would be something that the Council could get. Mr. Diekmann stated this item is related to the Squeaky Clean site that remains zoned DGC after the change of the corner property. Ms. Betcher stated it shows it would take ten hours to complete and wanted to know if that could be done and removed from the list. Director Diekmann stated it could and suggested putting it on Attachment

A. Council Member Martin stated that this whole situation is due to the Downtown Gateway Project that is in the queue right now. He would like to take care of it eventually, but recommended seeing how things unfold first.

Moved by Corrieri, seconded by Martin, to approve the Planning & Housing Work Plan, as amended.
Vote on Motion: 6-0. Motion declared unanimously.

Council Member Gartin noted it had been awhile since the Council had seen the Planning & Housing Work Plan, and asked if it could be brought back to the Council every year. Council Member Corrieri stated it would be helpful to have the Planning & Housing Work Plan during the same time as the Council Goal setting. Mayor Haila explained that it is easy to refer items to staff and not realize all the items on the Departments list that need to be completed, and seeing the Work Plan more often will help. Director Diekmann stated that he can send it to the Council every six months, and if they want to change anything, it can be brought before a Council meeting.

HEARING ON GENERAL OBLIGATION CORPORATE PURPOSE AND REFUNDING BOND ISSUES: Mayor Haila opened the public hearing. He closed the hearing after there was no one wishing to speak.

Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 20-125 entering into a Loan Agreement in a principal amount not to exceed \$23,500,000 and authorizing Debt Service Levy.

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

HEARING ON AMENDMENTS TO FISCAL YEAR 2019/20 BUDGET: The Mayor opened the public hearing and closed it after there was no one wishing to speak.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 20-126 amending the Budget for the current Fiscal Year ending on June 30, 2020.

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

HEARING ON ADOPTION OF FY 2020/21 BUDGET: The public hearing was opened by the Mayor. He closed the hearing after no one asked to speak.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 20-127 approving the FY 2020/21 Budget.

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

HEARING ON IOWA STATE UNIVERSITY RESEARCH PARK PHASE IV ROAD AND UTILITY IMPROVEMENTS PROJECT: The public hearing was opened by Mayor Haila and

closed after no one came forward to speak.

Moved by Gartin, seconded by Junck, to adopt RESOLUTION NO. 20-128 approving the final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$2,823,757.81.

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

HEARING ON FUEL FORWARDING PUMP HOUSE FIRE PROTECTION UPGRADE AT POWER PLANT: Mayor Haila opened the public hearing. He closed the hearing after there was no one wishing to speak.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 20-129 approving the final plans and specifications and awarding a contract to The Waldinger Corporation of West Des Moines, Iowa, in the amount of \$129,071.00.

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

HEARING ON EAST INDUSTRIAL UTILITY EXTENSION: City Manager Steve Schainker explained that staff is not asking for the Council to award the project, but only to accept the report of bids at this time. This will give staff time to speak with the design engineers to see why the project came in over budget. Public Works Director John Joiner stated they will be talking with the consultant and staff to reach out to the bidders to see what their thought processes were when putting in their numbers and to see what the options are.

Council Member Gartin wondered if there was some kind of physical barrier as typically this is a process of time and unit prices. Director Joiner stated that is exactly what they need to find out and if there are any potential modifications that can be made. Mr. Gartin stated there are some timing issues with this project and asked what the process would be to rebid. Mr. Joiner stated it would depend on how extensive the time to redesign would be. If staff was confident they could do a redesign within the budget and what the scope of the redesign would be, they would expedite it. Council Member Gartin wanted to know if there was any feedback from Dan Culhane about the timing of this project. Mr. Schainker stated he is sure they would want the project to be done as soon as possible, but the bids came in way over budget for the City to recommend proceeding with awarding the project at this time. Council Member Gartin inquired if the project was rebid would there be opportunities to cast the net wider to see if more bids could come in. Director Joiner stated they if they are able to find out what lead to only the two bidders, they can change that in the project scope. Mayor Haila commented that he is concerned about the workforce as there are not enough construction workers anymore, and this may cause a problem in the future.

The public hearing was opened by the Mayor. He closed the hearing after no one asked to speak.

Moved by Gartin, seconded by Betcher, to accept the report of bids for the East Industrial Area

Utility Extension Project.

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

HEARING ON CYRIDE 2020 HVAC IMPROVEMENTS PROJECT: The Mayor opened the public hearing and closed it after there was no one wishing to speak.

Moved by Beatty-Hansen, seconded by Corrieri, to adopt RESOLUTION NO. 20-130 approving the final plans and specifications and awarding a contract to Mechanical Comfort, Inc., of Ames, Iowa, in the amount of \$539,500 for the base bid.

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

ORDINANCE INCREASING WATER RATES BY 2% AND SEWER RATES BY 5%, EFFECTIVE JULY 1, 2020: Water and Pollution Control Director John Dunn highlighted a few points from the FY 2020-21 Water and Sewer Rate presentation. He noted that there have been some years when there had not been any rate increases at all, and last year there was a 7% adjustment to the water rate. He explained that over the past five years, the water increases have averaged 2.9% per year and the sewer increases have increased 1.6% per year. Director Dunn then reviewed the 1999-2019, Iowa trends in water rates for cities with populations greater than 10,000 with lime softening and consuming 600 cubic feet (cf) per month. City Manager Steve Schainker asked where the rural water rate would be in comparison to the City's water rates. Mr. Dunn mentioned that Xenia Rural Water's bill would be around \$80-90 for the 600 cf per month where the City of Ames, for the same consumption, would be around \$27. Council Member Martin noted that when he looked at the graph it shows that the City of Ames was slightly above the median and now has been below it for the past few years. He wanted to know if something changed to explain the transition or was it just overall excellence. Mr. Dunn explained that over the over the 20-year period of time the envelope of rates has become very broad. Part of it are cities that are growing and have been added to the survey of cities with populations over 10,000, and the smaller systems tend to have higher rates. Mr. Schainker mentioned that some cities have had major capital improvements before the City of Ames did them, and this timing could have changed the data.

Director Dunn explained that every year staff does a rate model, where they put in the capital expenses and projecting operating expenses. He then showed what would happen in ten years if there were no rate adjustments, and then showed what the rate model would like with the projected rate increases. Mr. Schainker stated they raise the rates in order to cover operating costs and capital over a period of time. Mayor Haila inquired as to what would happen when Prairie View is up and running, if there is a need to increase capacity, and how would this factor in when planning to increase the gallons per day that is put out. Mr. Dunn explained that in the model he had not made any assumptions about any major growth in consumption.

A sample of a customer's bill for residential use was shown using the proposed increase of 2% for water and 5% for sewer with 600kWh of electricity used and 600 cf of water used. Before the increase, the bill would be \$136.48 and after the percentage increases it would change to \$138.41

for a total impact of a 1.41% increase.

Mayor Haila opened public comment. No one came forward and it was closed.

Moved by Betcher, seconded by Beatty-Hansen, to pass on first reading an Ordinance increasing the water rates by 2% and sewer rates by 5%, effective July 1, 2020.

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

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Mayor Haila mentioned that the first item was a Memo from Planning and Housing Director Kelly Diekmann regarding a referral request for front-yard parking standards at 2030 Country Club Boulevard.

Moved by Betcher, Corrieri, to ask the Mayor to indicate that the Council has no interest in pursuing the request for front-yard parking. Vote on Motion: 5-0-1. Voting Aye: Betcher, Junck, Corrieri, Martin, Beatty-Hansen. Voting Nay: None. Abstaining due to Conflict of Interest: Gartin. Motion declared carried.

The second request was a request from the Story County Board of Supervisors asking to extend the Ames Urban Fringe Plan by one year (July 11, 2022). City Manager Steve Schainker noted that no action is required tonight, but will need to place the extension on a future agenda.

Moved by Beatty-Hansen, seconded by Betcher, to put the extension request on a future agenda. Vote on Motion: 6-0. Motion declared carried unanimously.

Mayor Haila noted that the third item was a letter from Mediacom about the change in channel selections. It was for information purposes only.

Mr. Schainker noted that the email from Matt Shuey requesting to have staff review the intersections of South Wilmoth and Tripp Street as well as South Franklin and Tripp Street does not need to be referred. He explained that Public Works Director John Joiner has already completed a memo in regards to this request, and he will send it out to the rest of the Council. No further action is needed.

Item 5 was a staff report from the Planning and Housing Department regarding identified deficiencies with the Sign Ordinance. City Manager Steve Schainker stated that this item has already been taken care of as it was incorporated earlier into the Planning and Housing Work Plan. Council Member Corrieri mentioned that the Council still needed to give direction as the Staff Report asked for Council to choose from “Option A” or “Option B”. Director Diekmann stated that “Option A” was a limited scope and was reflective of a shorter time frame and would make a few changes where “Option B” would be the full scope of where all concerns are addressed and a more complete modern Sign Code would be created. However, that this process would take 12 months. Council Member Martin stated that he doesn’t feel any urgency and would rather go slower and more comprehensively.

Moved by Martin, seconded by Corrieri, to go with “Option B,” which states that staff would prepare changes for Items 1-2 on the Staff Report for Council to review. This process would involve additional research and outreach beyond Option A as it would create a more complete modern Sign Code.

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

COUNCIL COMMENTS: Council Member Betcher stated she just got back from the National League of Cities Conference and she did pick up on some additional tips on diversity, inclusion, and equity in Emergency Management that she will be passing onto the Council.

Council Member Gartin stated that a memo was sent out from ISU President Wintersteen about exploring the possibility of delivering classes over the internet. A number of institutions are closing during the duration of the virus. He wanted to thank the City staff for the proactive planning.

Ex Officio Leeson explained that he had heard from two teachers and isn’t sure if this is the same as what President Wintersteen had said, but he believes there is the impression that classes are going to be moved to online at least for two weeks following Spring Break, and then monitored from there.

Mayor Haila wanted to give his appreciation to the City staff, Mary Greeley Medical Center, ISU, Ames Community School District, Story County, and other partners as a lot of time has been spent on the planning and preparing for an outbreak of the COVID-19. There is a link on the City of Ames website with information.

ADJOURNMENT: Moved by Corrieri, to adjourn the meeting at 8:39 p.m.

Amy L. Colwell, Deputy City Clerk

John A. Haila, Mayor

Diane R. Voss, City Clerk