

COUNCIL ACTION FORM

SUBJECT: OCTAGON ART FESTIVAL REQUESTS

BACKGROUND:

The Octagon Center for the Arts plans to host its 42nd annual Art Festival in the Ames Main Street Cultural District (MSCD) on Sunday, September 23, 2012. The event is scheduled to begin at 10:00 a.m. and conclude at 5:00 p.m. Booths selling art works, crafts, and food items will be in operation that day. In addition, there will be entertainment on the sidewalks in Tom Evans Plaza and in Cynthia Duff Plaza.

To facilitate this event, the following items are requested:

1. Closure of the following streets, from 6:00 a.m. to 6:00 p.m.:
 - a. Main Street, east of Clark (not blocking Wells Fargo Driveway) to just west of Duff Avenue (allowing traffic to access parking lot behind businesses)
 - b. Douglas Avenue, 5th Street to Main Street
 - c. Kellogg Avenue, 5th Street to Main Street
 - d. Burnett Avenue, south of the alley to Main Street
2. Waiver of costs for electricity during the event
3. Approval of a Blanket Temporary Obstruction Permit for the Central Business District
4. Approval of a Blanket Vending License for the duration of the event
5. Waiver of fee for Blanket Vending License (\$50)

Insurance coverage for the event has been provided by The Octagon Center for the Arts. Notification signs will be placed on parking meters on Saturday evening after 6:00 p.m. Since the event occurs on a Sunday, there is no potential loss of parking meter revenue. Public Works will provide the necessary barricades for the street closures. The Main Street Cultural District has been informed of the Art Festival and has extended its support.

ALTERNATIVES:

1. The City Council can approve the requests from The Octagon Center for the Arts for the Art Festival on September 23, 2012, including: closure of various streets from 6:00 a.m. to 6:00 p.m., blanket Vending License and waiver of fee for Vending License,

Blanket Temporary Obstruction Permit for sidewalks adjacent to closed streets, and waiver of costs for electricity during the event.

2. The City Council can approve the requests, but require payment for the Blanket Vending License.
3. The City Council can deny these requests.

MANAGER'S RECOMMENDED ACTION:

This is the 42nd year that the Octagon has held the Art Festival. There will be more than one hundred artists on hand with unique, hand-crafted artwork for sale, two stages with live entertainment, and local food vendors. No admission is charged, and Festival organizers expect 12,000 people to attend. The Main Street Cultural District has expressed its full support of the event.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby approving the requests from The Octagon Center for the Arts for the Art Festival on September 23, 2012.



September 7, 2012

Mayor and City Council
City of Ames
515 Clark Ave
Ames, IA 50010

Dear Mayor Campbell and City Council,

The Main Street Cultural District (MSCD) endorses and welcomes of the Octagon Art Festival scheduled for September 23, 2012. MSCD fully supports this event and recommends council approval be granted. Thank you for your continued support of downtown Ames.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Drenthe".

Tom Drenthe
Executive Director

Cc: Jeff Benson, City of Ames

312 Main Street, Ste 201, Ames, IA 50010 AmesDowntown.org 515.233.3472

COUNCIL ACTION FORM

SUBJECT: CAMPUSTOWN ACTION ASSOCIATION REQUESTS FOR “FRIDAY AFTERNOON CELEBRATION”

BACKGROUND:

Representatives of the Campustown Action Association (CAA) have been working with City staff on details of an inaugural Friday Afternoon Celebration (FAC) in Campustown on October 26, 2012. Organizers propose to host a beer garden and live band in Welch Parking Lot T from 3:00 to 7:00 p.m. The purpose of the event is to bring ISU alumni who are in Ames for Homecoming weekend into the Campustown business district.

In order to facilitate this event, organizers are requesting the closure of Welch Lot T from 12:00 to 9:00 p.m. on October 26, including a waiver of parking meter fees and enforcement. Lost revenue would equate to approximately \$57. The CAA is also requesting a Blanket Vending License and waiver of the \$50 fee for the license, and a Blanket Temporary Obstruction Permit for the area.

A Class B Beer Permit with Outdoor Service has been applied for in order to provide alcoholic beverage service at the beer garden, and the CAA is asking for the application to be approved.

Public Works will provide appropriate barricades for the event. Organizers will obtain a noise permit through the Police Department, and City staff is requiring that the event organizers pay for the cost of one Police Officer from 3:00 p.m. to 7:00 p.m. to assist with monitoring the beer garden.

Since the CAA is an affiliate organization of the Ames Chamber of Commerce, the Chamber is providing liability insurance coverage for this event.

ALTERNATIVES:

1. Approve the above requests for the Friday Afternoon Celebration on October 26, 2012, as requested by the Campustown Action Association.
2. Approve requests for lot closure and blanket permits, but require the CAA to pay the \$50 Vending License fee and reimburse the City for lost revenue to the Parking Fund.
3. Deny the requests.

MANAGER'S RECOMMENDED ACTION:

Since this is the first attempt by the Campustown Action Association to hold this event, City staff and the Association will closely monitor the success of the event, and note any corrective actions which may be needed should the Association decide to do this in the future. It is to the benefit of the entire community that the CAA is successful in promoting the Campustown area, just as the Main Street Cultural District is promoting the Downtown.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the requests as stated by the CAA for Friday Afternoon Celebration on October 26, 2012.



campustown
action
association

September 5, 2012

Mayor and City Council
Ames City Hall
515 Clark Ave
Ames, IA 50010

Dear Honorable Mayor Campbell and City Council,

The Campustown Action Association is planning to hold a new, annual event to coincide with Iowa State University's Homecoming weekend on Friday, October 26 from 3pm to 7pm. The purpose of this event is to bring Iowa State alumni to Campustown and bring in a more diverse mix of customers to our business district. At this time, CAA requests the Council to consider these specific requests:

1. CAA requests the closure of Welch Lot T on October 26 between 12pm and 9pm to host the ISU Homecoming Alumni Friday Afternoon Celebration.
2. CAA requests a Blanket Temporary Obstruction Permit for the same space (Welch Lot T) to enclose part of the sidewalks and the parking lot with double fencing to host the beer garden and event space. CAA requests the permit for October 26 between the hours of 12pm and 9pm. Set up for fencing will begin at 1pm after the parking lot closure.
3. CAA requests a Blanket Vending License for various food and retail vendors within the beer garden, and further request that the fee for the license be waived.
4. CAA requests the use of all metered parking spaces within the confines of the beer garden in Welch Lot T to place the music stage, beer tent, tables, guests, retail, and food vendors. CAA further requests that the parking lot fees be waived.

Matthew Goodman, owner of Battles Bar B Q has agreed to apply for a Class B Beer Permit with Outdoor Service to provide alcoholic beverage service for the event. The CAA is supportive of the application and asks that the City Council also approve the application.

Thank you for your consideration of these requests and continued support of the Campustown Action Association. We look forward to a successful and safe inaugural year of Campustown's first ISU Homecoming alumni event and your assistance in making this event a success. Please save the date to attend on October 26, 2012.

Sincerely,

Kim Hanna
Director
Campustown Action Association

Applicant

| | | | |
|--------------------------------|-------------------------------------------|--------------------------|--|
| Name of Applicant: | <u>Matthew Enterprises, LLC</u> | | |
| Name of Business (DBA): | <u>FACytenial 2012</u> | | |
| Address of Premises: | <u>City Parking Lot: Welch Ave. Lot T</u> | | |
| City: <u>Ames</u> | County: <u>Story</u> | Zip: <u>50014</u> | |
| Business Phone: | <u>(515) 441-0460</u> | | |
| Mailing Address: | <u>2019 Friley Rd.</u> | | |
| City: <u>Ames</u> | State: <u>IA</u> | Zip: <u>50014</u> | |

Contact Person

| | | | |
|---------------|------------------------|-----------------------|---------------------------------------|
| Name: | <u>Matthew Goodman</u> | | |
| Phone: | <u>(515) 441-0460</u> | Email Address: | <u>matthew@eatfightingburrito.com</u> |

Classification: Class B Beer (BB) (Includes Wine Coolers)

Term: 5 days

Effective Date: 10/26/2012

Expiration Date: 10/30/2012

Privileges:

Class B Beer (BB) (Includes Wine Coolers)
Outdoor Service

Status of Business

| | | | |
|-----------------------------|----------------------------------|------------------------------|-------------------|
| BusinessType: | <u>Limited Liability Company</u> | | |
| Corporate ID Number: | <u>386345</u> | Federal Employer ID # | <u>27-0919525</u> |

Ownership

Matthew Goodman

First Name: Matthew

Last Name: Goodman

City: Ames

State: Iowa

Zip: 50014

Position Owner

% of Ownership 100.00 %

U.S. Citizen

Insurance Company Information

| | | | |
|----------------------------------------|-----------------------------------|-----------------------------------------|-------------------|
| Insurance Company: | <u>Founders Insurance Company</u> | | |
| Policy Effective Date: | <u>10/26/2012</u> | Policy Expiration Date: | <u>10/31/2012</u> |
| Bond Effective Continuously: | | Dram Cancel Date: | |
| Outdoor Service Effective Date: | | Outdoor Service Expiration Date: | |
| Temp Transfer Effective Date: | | Temp Transfer Expiration Date: | |

Applicant

| | | | |
|--------------------------------|---------------------------------|----------------|---------------------------------------|
| Name of Applicant: | <u>Natalya LLC</u> | | |
| Name of Business (DBA): | <u>AJ's Liquor III</u> | | |
| Address of Premises: | <u>129 Welch Avenue Ste 101</u> | | |
| City: | <u>Ames</u> | County: | <u>Story</u> Zip: <u>50014</u> |
| Business Phone: | <u>(515) 268-1722</u> | | |
| Mailing Address: | <u>129 Welch Avenue Ste 101</u> | | |
| City: | <u>Ames</u> | State: | <u>IA</u> Zip: <u>50014</u> |

Contact Person

| | | | |
|---------------|-----------------------|-----------------------|--|
| Name: | <u>Ravinder Singh</u> | | |
| Phone: | <u>(515) 290-4657</u> | Email Address: | |

Classification: Class C Beer Permit (BC)

Term: 12 months

Effective Date: 09/01/2012

Expiration Date: 08/31/2013

Privileges:

Class B Wine Permit (Carryout Wine)

Class C Beer Permit (BC)

Sunday Sales

Status of Business

| | | | |
|-----------------------------|----------------------------------|------------------------------|-------------------|
| BusinessType: | <u>Limited Liability Company</u> | | |
| Corporate ID Number: | <u>397398</u> | Federal Employer ID # | <u>27-2485379</u> |

Ownership**Andrea Singh**

First Name: Andrea

Last Name: Singh

City: Ames

State: Iowa

Zip: 50010

Position Member

% of Ownership 50.00 %

U.S. Citizen

Ravinder Singh

First Name: Ravinder

Last Name: Singh

City: Ames

State: Iowa

Zip: 50010

Position Member

% of Ownership 50.00 %

U.S. Citizen

Insurance Company Information

Insurance Company:

Policy Effective Date:

Policy Expiration Date:

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

Applicant

| | | | |
|--------------------------------|--------------------------------------------|--------------------------|--|
| Name of Applicant: | <u>Gateway Center Associate</u> | | |
| Name of Business (DBA): | <u>Gateway Hotel and Conference Center</u> | | |
| Address of Premises: | <u>ISU Alumni Center - 2nd Floor</u> | | |
| City: <u>Ames</u> | County: <u>Story</u> | Zip: <u>50314</u> | |
| Business Phone: | <u>(515) 292-8600</u> | | |
| Mailing Address: | <u>200 10th St., Ste 300</u> | | |
| City: <u>Des Moines</u> | State: <u>IA</u> | Zip: <u>50309</u> | |

Contact Person

| | | | |
|---------------|-------------------------|-----------------------|--------------------------------------|
| Name: | <u>Michelle Mathews</u> | | |
| Phone: | <u>(515) 331-1753</u> | Email Address: | <u>mmathews@orchestrate-mgmt.com</u> |

Classification: Class C Liquor License (LC) (Commercial)

Term: 5 days

Effective Date: 09/14/2012

Expiration Date: 09/18/2012

Privileges:

Catering Privilege
Class C Liquor License (LC) (Commercial)

Status of Business

| | | | |
|-----------------------------|----------------------------|------------------------------|-------------------|
| BusinessType: | <u>Limited Partnership</u> | | |
| Corporate ID Number: | <u>86769</u> | Federal Employer ID # | <u>42-1068825</u> |

Ownership

Douglas DreesFirst Name: DouglasLast Name: DreesCity: Des MoinesState: IowaZip: 50313Position Manager% of Ownership 0.00 %

U.S. Citizen

Friends of ISU Hotel HoldingsFirst Name: Friends of ISULast Name: Hotel HoldingsCity: Des MoinesState: IowaZip: 50313Position Partner% of Ownership 1.00 %

U.S. Citizen

Gateway Center Holdings, Inc.First Name: Gateway CenterLast Name: Holdings, Inc.City: Des MoinesState: IowaZip: 50313Position Partner% of Ownership 99.00 %

U.S. Citizen

Michelle MathewsFirst Name: MichelleLast Name: MathewsCity: Des MoinesState: IowaZip: 50309Position Controller% of Ownership 0.00 %

U.S. Citizen

Insurance Company InformationInsurance Company: General CasualtyPolicy Effective Date: 09/14/2012Policy Expiration Date: 09/19/2012

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

Applicant

| | | | |
|--------------------------------|-------------------------------------------------------|--------------------------|--|
| Name of Applicant: | <u>LJPS, Inc</u> | | |
| Name of Business (DBA): | <u>Olde Main Brewing Co</u> | | |
| Address of Premises: | <u>ISU Alumni Center, 420 Beach Ave. Second Floor</u> | | |
| City: <u>Ames</u> | County: <u>Story</u> | Zip: <u>50010</u> | |
| Business Phone: | <u>(515) 232-0553</u> | | |
| Mailing Address: | <u>316 Main St</u> | | |
| City: <u>Ames</u> | State: <u>IA</u> | Zip: <u>50010</u> | |

Contact Person

| | | | |
|---------------|-----------------------|-----------------------|--------------------------------------|
| Name: | <u>Jamie Courtney</u> | | |
| Phone: | <u>(515) 291-8346</u> | Email Address: | <u>jcourtney@oldemainbrewing.com</u> |

Classification: Special Class C Liquor License (BW) (Beer/Wine)

Term: 5 days

Effective Date: 09/15/2012

Expiration Date: 09/19/2012

Privileges:

Special Class C Liquor License (BW) (Beer/Wine)

Status of Business

| | | | |
|-----------------------------|-----------------------------------|------------------------------|------------------|
| BusinessType: | <u>Privately Held Corporation</u> | | |
| Corporate ID Number: | <u>286196</u> | Federal Employer ID # | <u>770613629</u> |

Ownership

Len GriffenFirst Name: LenLast Name: GriffenCity: PotomacState: MarylandZip: 24854Position Vice President% of Ownership 25.00 %

U.S. Citizen

Scott GriffenFirst Name: ScottLast Name: GriffenCity: AmesState: IowaZip: 50010Position President% of Ownership 50.00 %

U.S. Citizen

Sue GriffenFirst Name: SueLast Name: GriffenCity: PotomacState: MarylandZip: 24854Position Treasure% of Ownership 25.00 %

U.S. Citizen

Insurance Company InformationInsurance Company: Founders Insurance Company

Policy Effective Date:

Policy Expiration Date:

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

Applicant

| | | | |
|--------------------------------|--------------------------------|--------------------------|--|
| Name of Applicant: | <u>Christaini's Events LLC</u> | | |
| Name of Business (DBA): | <u>Christiani's Events</u> | | |
| Address of Premises: | <u>420 Beach Avenue</u> | | |
| City: <u>Ames</u> | County: <u>Story</u> | Zip: <u>50011</u> | |
| Business Phone: | <u>(515) 287-3169</u> | | |
| Mailing Address: | <u>1150 E. Dihel</u> | | |
| City: <u>Des Moines</u> | State: <u>IA</u> | Zip: <u>50315</u> | |

Contact Person

| | | | |
|---------------|-------------------------|-----------------------|--|
| Name: | <u>Carol Christiani</u> | | |
| Phone: | <u>(515) 287-3169</u> | Email Address: | |

Classification: Class C Liquor License (LC) (Commercial)

Term: 5 days

Effective Date: 09/20/2012

Expiration Date: 09/24/2012

Privileges:

Class C Liquor License (LC) (Commercial)

Status of Business

| | | | |
|-----------------------------|-----------------------------------|------------------------------|-------------------|
| BusinessType: | <u>Privately Held Corporation</u> | | |
| Corporate ID Number: | <u>0</u> | Federal Employer ID # | <u>20-2195774</u> |

Ownership

Carol Christiani

First Name: Carol

Last Name: Christiani

City: Des Moines

State: Iowa

Zip: 50321

Position member

% of Ownership 100.00 %

U.S. Citizen

Insurance Company Information

| | | | |
|----------------------------------------|-----------------------------------|-----------------------------------------|--|
| Insurance Company: | <u>Founders Insurance Company</u> | | |
| Policy Effective Date: | | Policy Expiration Date: | |
| Bond Effective Continuously: | | Dram Cancel Date: | |
| Outdoor Service Effective Date: | | Outdoor Service Expiration Date: | |
| Temp Transfer Effective Date: | | Temp Transfer Expiration Date: | |

Applicant

| | | | |
|--------------------------------|--------------------------------------------|--------------------------|--|
| Name of Applicant: | <u>Gateway Center Associates, LLP</u> | | |
| Name of Business (DBA): | <u>Gateway Hotel and Conference Center</u> | | |
| Address of Premises: | <u>ISU Alumni Center - 2nd Floor</u> | | |
| City: <u>Ames</u> | County: <u>Story</u> | Zip: <u>50014</u> | |
| Business Phone: | <u>(515) 292-8600</u> | | |
| Mailing Address: | <u>200 10th St., Ste 300</u> | | |
| City: <u>Des Moines</u> | State: <u>IA</u> | Zip: <u>50309</u> | |

Contact Person

| | | | |
|---------------|-------------------------|-----------------------|--------------------------------------|
| Name: | <u>Michelle Mathews</u> | | |
| Phone: | <u>(515) 331-1753</u> | Email Address: | <u>mmathews@orchestrate-mgmt.com</u> |

Classification: Class C Liquor License (LC) (Commercial)

Term: 5 days

Effective Date: 09/25/2012

Expiration Date: 09/29/2012

Privileges:

Catering Privilege
Class C Liquor License (LC) (Commercial)

Status of Business

| | | | |
|-----------------------------|----------------------------|------------------------------|-------------------|
| BusinessType: | <u>Limited Partnership</u> | | |
| Corporate ID Number: | <u>86769</u> | Federal Employer ID # | <u>42-1068825</u> |

Ownership

Douglas DreesFirst Name: DouglasLast Name: DreesCity: Des MoinesState: IowaZip: 50313Position Manager% of Ownership 0.00 %

U.S. Citizen

Friends of ISU Hotel HoldingsFirst Name: Friends of ISULast Name: Hotel HoldingsCity: Des MoinesState: IowaZip: 50313Position Partner% of Ownership 1.00 %

U.S. Citizen

Gateway Center Holdings, Inc.First Name: Gateway CenterLast Name: Holdings, Inc.City: Des MoinesState: IowaZip: 50313Position Partner% of Ownership 99.00 %

U.S. Citizen

Michelle MathewsFirst Name: MichelleLast Name: MathewsCity: Des MoinesState: IowaZip: 50309Position Controller% of Ownership 0.00 %

U.S. Citizen

Insurance Company InformationInsurance Company: General CasualtyPolicy Effective Date: 09/25/2012Policy Expiration Date: 09/30/2012

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

License Application ()

25e

Applicant

| | | | |
|--------------------------------|-------------------------------------------------------|--------------------------|--|
| Name of Applicant: | <u>LJPS, Inc</u> | | |
| Name of Business (DBA): | <u>Olde Main Brewing Co</u> | | |
| Address of Premises: | <u>ISU Alumni Center, 420 Beach Ave. Second Floor</u> | | |
| City: <u>Ames</u> | County: <u>Story</u> | Zip: <u>50010</u> | |
| Business Phone: | <u>(515) 232-0553</u> | | |
| Mailing Address: | <u>316 Main St</u> | | |
| City: <u>Ames</u> | State: <u>IA</u> | Zip: <u>50010</u> | |

Contact Person

| | | | |
|---------------|-----------------------|-----------------------|--------------------------------------|
| Name: | <u>Jamie Courtney</u> | | |
| Phone: | <u>(515) 291-8346</u> | Email Address: | <u>jcourtney@oldemainbrewing.com</u> |

Classification: Special Class C Liquor License (BW) (Beer/Wine)

Term: 5 days

Effective Date: 09/28/2012

Expiration Date: 10/02/2012

Privileges:

Special Class C Liquor License (BW) (Beer/Wine)

Status of Business

| | | | |
|-----------------------------|-----------------------------------|------------------------------|------------------|
| BusinessType: | <u>Privately Held Corporation</u> | | |
| Corporate ID Number: | <u>286196</u> | Federal Employer ID # | <u>770613629</u> |

Ownership

Len GriffenFirst Name: LenLast Name: GriffenCity: PotomacState: MarylandZip: 24854Position Vice President% of Ownership 25.00 %

U.S. Citizen

Scott GriffenFirst Name: ScottLast Name: GriffenCity: AmesState: IowaZip: 50010Position President% of Ownership 50.00 %

U.S. Citizen

Sue GriffenFirst Name: SueLast Name: GriffenCity: PotomacState: MarylandZip: 24854Position Treasure% of Ownership 25.00 %

U.S. Citizen

Insurance Company InformationInsurance Company: Founders Insurance Company

Policy Effective Date:

Policy Expiration Date:

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

Applicant

| | | | |
|--------------------------------|------------------------------------|--------------------------|--|
| Name of Applicant: | <u>Whiskey River on Main, Inc.</u> | | |
| Name of Business (DBA): | <u>Whiskey River</u> | | |
| Address of Premises: | <u>900 Dayton Avenue</u> | | |
| City: <u>Ames</u> | County: <u>Story</u> | Zip: <u>50010</u> | |
| Business Phone: | <u>(515) 612-4949</u> | | |
| Mailing Address: | <u>134 Main St.</u> | | |
| City: <u>Ames</u> | State: <u>IA</u> | Zip: <u>50010</u> | |

Contact Person

| | | | |
|---------------|-----------------------|-----------------------|-------------------------------------|
| Name: | <u>Nicole Romare</u> | | |
| Phone: | <u>(515) 419-7124</u> | Email Address: | <u>drink@whiskeyriveronmain.com</u> |

Classification: Class B Beer (BB) (Includes Wine Coolers)

Term: 5 days

Effective Date: 09/27/2012

Expiration Date: 10/01/2012

Privileges:

Class B Beer (BB) (Includes Wine Coolers)

Status of Business

| | | | |
|-----------------------------|-----------------------------------|------------------------------|-------------------|
| BusinessType: | <u>Privately Held Corporation</u> | | |
| Corporate ID Number: | <u>371596</u> | Federal Employer ID # | <u>26-3742479</u> |

Ownership**Nicole Romare**

First Name: Nicole

Last Name: Romare

City: Ankeny

State: Iowa

Zip: 50023

Position Owner

% of Ownership 100.00 %

U.S. Citizen

Insurance Company Information

| | | | |
|----------------------------------------|-----------------------------------|-----------------------------------------|-------------------|
| Insurance Company: | <u>Founders Insurance Company</u> | | |
| Policy Effective Date: | <u>09/27/2012</u> | Policy Expiration Date: | <u>10/02/2012</u> |
| Bond Effective Continuously: | | Dram Cancel Date: | |
| Outdoor Service Effective Date: | | Outdoor Service Expiration Date: | |
| Temp Transfer Effective Date: | | Temp Transfer Expiration Date: | |

COUNCIL ACTION FORM

SUBJECT: SETTING SEPTEMBER 11, 2012, AS THE DATE OF PUBLIC HEARING FOR AUTHORIZATION TO ISSUE HOSPITAL REVENUE BONDS, MARY GREELEY MEDICAL CENTER SERIES 2012, IN AN AMOUNT NOT TO EXCEED \$26,000,000

BACKGROUND:

Mary Greeley Medical Center (MGMC) is in the process of implementing a major facility expansion to continue to provide quality regional medical services. The Medical Center also has an opportunity for savings by refunding outstanding Series 2003 bonds. The Municipal Code section that specifies duties and authorities of the Hospital Trustees does not delegate activities related to the issuance and sale of revenue bonds. Therefore, Council action is required to issue revenue bonds for the Hospital.

Since revenue bonds are being issued, only revenues from MGMC will be used to pay back the bonds. Even though the issuance of revenue bonds by MGMC does not create a financial obligation or pledge of credit or taxing authority for the City of Ames, failure to follow through with bond payments could have a negative impact on the future credit of the City. Therefore, when available, the City Council previously required MGMC to purchase insurance to protect the City in the unlikely event of default. Since this type of insurance is no longer available, this bond issue will not be insured. However, it should be remembered that because of the strong financial condition of the Hospital, the City Council supported the most recent issuance of hospital revenues bonds even without the insurance protection.

ALTERNATIVES:

1. Establish September 11, 2012, as the date to hold a public hearing and take action to authorize the issuance of Hospital Revenue Bonds, Mary Greeley Medical Center Series 2012, in an amount not to exceed \$26,000,000.
2. Delay the hearing on the issuance of Hospital Revenue Bonds.

MANAGER'S RECOMMENDED ACTION:

Mary Greeley Medical Center provides quality medical services to both Ames and a large surrounding area, and is a major economic contributor to the community. Issuance of these bonds is needed to provide funding for the Medical Center's planned facility expansion, and will also provide savings by refunding outstanding bonds. Issuance of these bonds involves no financial obligation on the part of Ames property taxpayers.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby establishing September 11, 2012, as the date to hold a public hearing and take action to authorize the issuance of Hospital Revenue Bonds, Mary Greeley Medical Center Series 2012, in an amount not to exceed \$26,000,000.

COUNCIL ACTION FORM

SUBJECT: ZONING ORDINANCE TEXT AMENDMENT TO ALLOW LIMITED RESIDENTIAL USE ON THE FIRST FLOOR IN THE DOWNTOWN SERVICE CENTER ZONE

BACKGROUND:

On July 24, 2012, the City Council referred to staff a request from Mr. William Talbot on behalf of the property owners, Craig and Beth Marrs, to amend the Zoning Ordinance to allow limited residential use on the first floor in the Downtown Service Center (DSC) Zone.

This request was prompted by a recent application for a building permit to renovate the original McFarland Clinic building most recently used as the Ames Tribune Business Offices. The submitted floor plans for the renovation indicated four residential units that would be accessed from the second floor via a staircase on the back of the building, but with portions of two units being located on the first floor of the building.

Staff had previously discussed with the applicant how the residential portion of the first floor was not allowed under existing Downtown development standards. Specifically, Table 29.808(2) does not allow household living in the Downtown Service Center Zone “except in combination with permitted non-residential use or uses, in which case Household Living shall be located **above the first floor**” (emphasis added). The stated purpose of the Downtown Services Zone is to encourage a strong pedestrian activity along the downtown street frontage by allowing uses that emphasize safe, vital and attractive streets.

**Table 29.808(2)
 Downtown Service Center (DSC) Zone Uses**

| USE CATEGORY | STATUS | APPROVAL REQUIRED | APPROVAL AUTHORITY |
|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------|--------------------|
| RESIDENTIAL USES | | | |
| Group Living | N | -- | -- |
| Household Living | N, except in combination with permitted non-residential use or uses, in which case Household Living shall be located above the first floor. | SDP Minor | Staff |
| Short-term Lodgings | Y | SDP Minor | Staff |

To address this need, the applicant requested a text amendment to revise the allowance for residential household living in the table above to read as follows, “No, except in combination with permitted non-residential use or used, in which case 75% to

100% household living shall be located above the first floor, and the façade of the building retains a commercial appearance.”

While the applicant’s proposed wording maintained the majority of the residential use above the first floor and attempts to maintain a commercial frontage appearance, staff suggested that the language be modified to ensure that the **front** of downtown buildings actually be useable for non-residential purposes. Staff believed this is important for facilitating commercial synergies in the downtown.

Accordingly, staff proposed language (included in the attached draft ordinance) that allows household living in combination with a permitted non-residential use or uses, provided that 75% of the household living use is located above the first story (the same as the applicant’s language), but also provided that at least the front 50% of the first story be maintained for non-residential use. This differs from the applicant’s proposed language that only requires a commercial “*appearance*” along the street-facing façade, and instead requires that space be actually maintained for non-residential use on the first floor street frontage. **The applicant’s proposed project can be accomplished within these requirements.**

Recommendation of the Planning & Zoning Commission. At its meeting of September 5, 2012, with a vote of 6-0, the Planning and Zoning Commission recommended that the City Council adopt the draft ordinance as proposed. The only person from the public that spoke on the item was Bill Talbot, attorney for the applicant. Mr. Talbot spoke in favor of the amendment.

ALTERNATIVES:

1. The City Council can approve the attached draft ordinance amending Table 29.808(2) to allow limited residential use on the first floor in the Downtown Service Center (DSC) Zone.
2. The City Council can decide not to adopt the proposed text amendments.
3. The City Council can refer this issue back to staff for additional information.

MANAGER’S RECOMMENDED ACTION:

The proposed amendment addresses the stated essential needs of the property owner in the revitalization of a prominent downtown structure, while also reflecting the purpose statement of the Downtown Service Center Zone.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative 1, thereby approving the attached draft ordinance amending Table 29.808(2) to allow limited residential use on the first floor in the Downtown Service Center (DSC) Zone.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING TABLES 29.808(2), AND ADOPTING NEW TABLE 29.808(2) TO ALLOW LIMITED RESIDENTIAL USE ON THE FIRST FLOOR IN DOWNTOWN; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council received a request from Newbrough Law Firm, LLP to amend the Zoning Ordinance to allow limited residential use on the first floor in the Downtown Service Center (DSC) Zone; and

WHEREAS, the Council referred said request on July 24, 2012, directing staff to initiate the text amendment process; and

WHEREAS, one of the stated purposes of the Downtown Service Center is to encourage pedestrian activity with a strong emphasis on safe, vital and attractive streets, and

WHEREAS, a continuous street face of commercial or non-residential uses can support the synergy needed to ensure a vibrant commercial economy and create visual draw for pedestrians walking along downtown streets; and

WHEREAS, amending the code to allow some degree of residential use on the first floor will not hinder commercial clustering or visual draw along commercial streets, provided that residential uses are not located along the front, street side of the buildings at street level.

NOW THEREFORE, BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Table 29.808(2), and adopting a new Table 29.808(2), to read as follows:

**Table 29.808(2)
Downtown Service Center (DSC) Zone Uses**

| USE CATEGORY | STATUS | APPROVAL REQUIRED | APPROVAL AUTHORITY |
|----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------|
| RESIDENTIAL USES | | | |
| Group Living | N | -- | -- |
| Household Living | N, except in combination with permitted non-residential use or uses, in which case 75% Household Living shall be located above the first story, and at least the front 50% of the first story must be maintained for non-residential use. | SDP Minor | Staff |
| Short-term Lodgings | Y | SDP MINOR | STAFF |
| OFFICE USES | Y | SDP MINOR | STAFF |
| TRADE USES | | SDP MINOR | STAFF |
| Retail Sales and Services - General | Y | | |
| Retail Trade - Automotive, etc. | N | SDP MINOR | STAFF |
| Entertainment, Restaurant and Recreation Trade | Y | -- | -- |
| Wholesale Trade | N | SDP MINOR | STAFF |
| INDUSTRIAL USES | | -- | -- |
| Industrial Service | N | | |
| INSTITUTIONAL USES | | -- | -- |
| Colleges and Universities | Y | | |
| Community Facilities | Y | SP | ZBA |
| Social Service Providers | Y | SDP MINOR | STAFF |
| Medical Centers | N | SP | ZBA |
| Parks and Open Areas | Y | -- | -- |
| Religious Institutions | Y | SDP MINOR | STAFF |
| Schools | N | SP | ZBA |
| TRANSPORTATION, COMMUNICATIONS AND UTILITY USES | | -- | -- |
| Passenger Terminals | Y | | |
| Basic Utilities | Y | SDP MINOR | STAFF |
| Commercial Parking | Y | SDP MAJOR | CITY COUNCIL |
| Radio and TV Broadcast Facilities | Y | SDP MINOR | STAFF |
| Rail Line and Utility Corridors | Y | SP | ZBA |
| Railroad Yards | N | SP | ZBA |
| MISCELLANEOUS USES | | -- | -- |
| Commercial Outdoor Recreation | N | | |

| | | | |
|------------------------------|---|-----------|-------|
| Child Day Care Facilities | Y | -- | -- |
| Detention Facilities | N | SP | ZBA |
| Major Event Entertainment | Y | -- | -- |
| Vehicle Service Facilities | N | SP | ZBA |
| Adult Entertainment Business | Y | SDP MINOR | STAFF |

- Y = Yes: permitted as indicated by required approval.
- N = No: prohibited
- SP = Special Use Permit required: See Section 29.1503
- SDP MINOR = Site Development Plan Minor: See Section 29.1502(3)
- SDP MAJOR = Site Development Plan Major: See Section 29.1502(4)
- ZBA = Zoning Board of Adjustment

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, _____.

ATTEST:

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

Approved as to form:

Kristine Stone, Assistant City Attorney

COUNCIL ACTION FORM

SUBJECT: ZONING & SUBDIVISION ORDINANCE TEXT AMENDMENTS – MISCELLANEOUS CODE CLEAN-UP

BACKGROUND:

For FY 2010/11, the City Council included in its list of work priorities for the Planning Division a “Zoning Code Clean-Up.”

As part of these amendments, Section 23.401 was revised to change the order of the provisions pertaining to lot configuration standards. It was not intended to change the substance of the provisions of that section. However, during the reordering of sections, there was one sub-section that was inadvertently omitted in the final ordinance. It pertained to the allowance of multiple buildings on a single lot. Unless corrected, the omission means that there can no longer be multiple apartment buildings on a single lot, which of course is contrary to standard siting practices for multi-family development. This can be corrected by simply inserting back in Section 23.401 deleted language pertaining to residential development on single lots.

Another needed correction from the last code amendment process pertains to the table providing parking standards for compact stalls. During the update, it was intended to change only one of the cells on the table to provide a dimension for parallel parking stalls. However, the entire table was inadvertently replaced by the figures in the table for standard size parking stalls. This can be corrected by simply inserting back into Table 29.406(9)-2 the dimensions that previously applied to compact stalls, except for the dimension in the one cell that was intended to be changed with the last update.

Recommendation of the Planning & Zoning Commission. At its meeting of September 5, 2012, with a vote of 6-0, the Planning and Zoning Commission recommended that the City Council adopt the draft ordinances as proposed:

- (a) An ordinance to repeal Section 29.401(5) and adopt a new Section 29.401(5) for purposes of reinserting standards pertaining to multiple residential buildings on single lots; and
- (b) An ordinance to repeal Table 29.406(9)-2 and adopt a new Table 29.406(9)-2 for purposes of re-establishing dimensional standards for compact parking stalls.

MANAGER'S RECOMMENDED ACTION:

These code errors resulted in changes that were neither discussed nor intended, and they adversely affect an active development application. Staff has therefore prepared two ordinances that make the needed corrections.

To minimize the impact these errors will have on the current application, the City Manager recommends that the City Council suspend its rules to approve and adopt upon three readings the attached ordinances, including:

- (a) An ordinance to repeal Section 29.401(5) and adopt a new Section 29.401(5) for purposes of reinserting standards pertaining to multiple residential buildings on single lots; and
- (b) An ordinance to repeal Table 29.406(9)-2 and adopt a new Table 29.406(9)-2 for purposes of re-establishing dimensional standards for compact parking stalls.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING TABLE 29.406(9)-2, AND ADOPTING NEW TABLE 29.406(9)-2, FOR THE PURPOSE OF RE-ESTABLISHING DIMENSIONAL STANDARDS FOR COMPACT PARKING STALLS, WHICH WERE INADVERTETELY ALTERED DURING A PREVIOUS AMENDMENT OF SAID SECTION; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council included revisions to parking lot standards in its approved list of "code clean-up" items for the purpose of addressing those code provisions that have been problematic or otherwise difficult to implement; and

WHEREAS, the City Council approved the revisions to parking lot standards on January 10, 2012 under Ordinance No. 4100; and

WHEREAS, several standards pertaining to dimensions for compact parking stalls were inadvertently and unintentionally altered under adoption of Ordinance No. 4100, and it is the intent of this ordinance to re-establish previous standards by inserting back into Table 29.406(9)-2 the dimensions that previously applied to compact stalls, except for the dimension in the one cell that was intended to be changed with the last update.

NOW THEREFORE, BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Table 29.406(9)-2 and adopting a new Table 29.406(9)-2, to read as follows:

Compact Sized Vehicles Table 29.406(9)-2

| Parking Angle (A) | 0° | 20° | 30° | 40° | 45° | 50° | 60° | 70° | 80° | 90° |
|---------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Curb Length Per Space (B) | 24.0' | 23.4 | 16.0' | 12.4' | 11.3' | 10.4' | 9.2' | 8.5' | 8.1' | 8.0' |
| Space Depth (C) | 8.0' | 13.0' | 14.9' | 16.4' | 17.0' | 17.4 | 17.9' | 17.8' | 17.1' | 16.0' |
| Access Aisle Width (D) | 12.0' | 12.0' | 12.0' | 12.0' | 13.0' | 15.0' | 18.0' | 19.0' | 24.0' | 24.0' |
| Space Width (E) | 8.0' | 8.0' | 8.0' | 8.0' | 8.0' | 8.0' | 8.0' | 8.0' | 8.0' | 8.0' |

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, _____.

ATTEST:

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

COUNCIL ACTION FORM

SUBJECT: WATER POLLUTION CONTROL FACILITY EQUALIZATION BASIN AND BIOSOLIDS BASIN REPAIRS

BACKGROUND:

The City's Water Pollution Control (WPC) Facility has three membrane-lined basins. Two are used for flow equalization, and one is used to hold biosolids. All three basins were originally installed when the plant was built in the late 1980s. The basin liners now have areas that have torn and separated around the top perimeter, reducing the usable capacity. In addition, some dirt work needs to be performed where the liner support has been undermined. The damage will be repaired by replacing the support structure and patching damaged areas of the liner.

When this project was presented to Council for approval of plans and specifications, costs were estimated as follows:

| | |
|-------------------------|---------------|
| Design | \$ 11,000 |
| Inspections | 4,000 |
| Construction Estimate | 98,636 |
| <u>Contingency, 10%</u> | <u>11,364</u> |
| Total Estimated Cost | \$125,000 |

The bid form consisted of a Base Bid to repair the two equalization basins and an Alternate Bid to repair the biosolids basin. The purpose was to allow flexibility to get the most critical portion of the work completed should the sum of the two come in over budget.

Several contractors were sent plans and specifications with six weeks to respond. Despite our best effort to attract bidders, only one bid was received. The bid was from Ames Trenching and Excavating, Inc. and complied with all City of Ames requirements.

After receipt of bids, project costs are now estimated as follows:

| | | |
|--------------------------|--------------|----------------|
| Design | \$ 11,034 | (actual/final) |
| Inspections | 4,000 | (budgeted) |
| Base Bid | 72,600 | (Lump Sum) |
| Alternate Bid | 33,300 | (Lump Sum) |
| <u>Contingency, 3.2%</u> | <u>4,066</u> | |
| Total Estimated Cost | \$125,000 | |

The FY 2012/13 Capital Improvements Plan includes \$125,000 for this basin liner repair.

ALTERNATIVES:

1. Award the construction contract to Ames Trenching & Excavating, Inc. of Ames, Iowa, including both the Base Bid and Alternate Bid, for a total contract amount of \$105,900.
2. Award the construction contract to Ames Trenching & Excavating, Inc. of Ames, Iowa for the Base Bid only for a total contract amount of \$72,600.
3. Accept report of bids at this time and do not award the construction contract pending further direction to staff from Council.

MANAGER'S RECOMMENDED ACTION:

The Water Pollution Control Facility equalization and biosolids holding basins are in need of repair. It is in the best interest of the City to make the necessary repairs to extend the life and restore the usable volume to the basins.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving award of the construction contract to Ames Trenching & Excavating, Inc. of Ames, Iowa, including both the Base Bid and Alternate Bid for a total contract amount of \$105,900.