

**SPECIAL MEETING OF THE AMES CITY COUNCIL
AND REGULAR MEETING OF THE AMES CITY COUNCIL
CITY COUNCIL CHAMBERS
AMES CITY HALL
FEBRUARY 12, 2013**

NOTICE TO THE PUBLIC: The Mayor and City Council welcome comments from the public during discussion. You are requested to step to the microphone, state your name for the record, and to limit the time used to present your remarks in order that others may be given the opportunity to speak. The normal process on any particular agenda item is that the motion is placed on the floor, input is received from the audience, the Council is given an opportunity to comment on the issue or respond to the audience concerns, and the vote is taken. On ordinances, there is time provided for public input at the time of the first reading. **In consideration of all, if you have a cell phone, please turn it off or put it on silent ring.**

CALL TO ORDER: 5:15 p.m.

FY 2013/14 BUDGET WRAP-UP

1. Council Budget Presentations:
 - a. Arts Funding (COTA)
 - b. Human Services (ASSET)
 - c. Public Art
 - d. Outside Funding Requests
2. Public Input on Capital Improvements Plan (CIP) and Budget
3. Final Council Decisions:
 - a. Set salaries for Council appointees
 - b. Amendments to 2013-2018 CIP
 - c. Vote on motion to approve 2013-2018 CIP, as amended
 - d. Amendments to FY 2012/13 budget
 - e. Vote on motion to approve proposed budget amendments for FY 2012/13
 - f. Motion to set March 5, 2013, as date of public hearing on proposed budget amendments for FY 2012/13
 - g. Amendments to proposed FY 2013/14 budget
 - h. Vote on motion to approve proposed budget for FY 2013/14, as amended
 - I. Motion to set March 5, 2013, as date of final public hearing on proposed budget for FY 2013/14

REGULAR CITY COUNCIL MEETING*

*The regular City Council meeting will immediately follow Budget Wrap-Up.

CONSENT AGENDA: All items listed under the consent agenda will be enacted by one motion. There will be no separate discussion of these items unless a request is made prior to the time the Council members vote on the motion.

1. Motion approving payment of claims
2. Motion approving Minutes of Special Meetings of January 19, February 1, 5, 6, and 7, 2013, and Regular Meeting of January 22, 2013
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for January 16-31, 2013
5. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class E Liquor, C Beer, and B Wine – Fareway Store #386, 619 Burnett Avenue
 - b. Class E Liquor, C Beer, and B Wine – Fareway Store #093, 3619 Stange Road
 - c. Class C Liquor – El Azteca, 2727 Stange Road
 - d. Class B Liquor – Holiday Inn Ames, 2609 University Boulevard
 - e. Class C Beer and B Wine – Gateway Expresse, 2400 University Boulevard

- f. Class E Liquor, C Beer, and B Wine – Wal-Mart Supercenter #4256, 534 South Duff Avenue
- g. Class C Liquor & Outdoor Service – Buffalo Wild Wings, 400 South Duff Avenue
- h. Special Class C Liquor w/ Outdoor Service – Stomping Grounds, 303 Welch Avenue, #101
- 6. Motion approving submission of application for 2013/14 Governor’s Traffic Safety Bureau 405c Grant, and if awarded, authorizing participation by Police Department
- 7. Resolution approving the 2012 Resource Recovery Annual Report
- 8. Resolution approving 2013 Urban Revitalization tax abatement requests
- 9. Resolution approving Traffic Safety Improvement Program (TSIP) Agreement with Iowa DOT for 2012/13 Traffic Signal Program (Lincoln Way and Hayward Avenue)
- 10. Resolution setting date of public hearing for February 26, 2012, on General Obligation (G.O.) Corporate Purpose Loan Agreement in an amount not to exceed \$10,000,000 for the purpose of paying the cost of constructing improvements to streets and solid waste disposal facilities and of refunding the outstanding balances of the City’s G.O. Corporate Purpose Bonds, Series 2004; and G.O. Corporate Purpose and Refunding Bonds, Series 2005A
- 11. Resolution approving preliminary plans and specifications for Asbestos Maintenance Services for Power Plant; setting March 13, 2013, as bid due date and March 26, 2013, as date of public hearing
- 12. Resolution approving preliminary plans and specifications for 2012/13 Low-Point Drainage Program (Oliver Circle); setting March 20, 2013, as bid due date and March 26, 2013, as date of public hearing
- 13. Resolution approving preliminary plans and specifications for 2012/13 Asphalt Street Reconstruction Program (Pierce Court/Westbend Drive/Southbend Drive); setting March 20, 2013, as bid due date and March 26, 2013, as date of public hearing
- 14. Resolution awarding contract for engineering design services to Renewable Resource Consultants of Maple Grove, Minnesota, in an amount not to exceed \$99,400.00 for Phase 1 Resource Recovery Primary Shredder Replacement
- 15. Resolution waiving purchasing policy requirement for Request for Proposals and awarding contract for Time and Materials in an amount not to exceed \$256,870.00 to General Electric International, Inc., of Omaha, Nebraska, for providing technical direction for Steam Turbine No. 8 Overhaul
- 16. Resolution awarding contract to Wesco Distribution of Des Moines, Iowa, at an estimated total cost of \$65,640 for Compact Copper Cable and to RESCO Distribution of Ankeny, Iowa, at an estimated total cost of \$11,000.10 for Copper Wire for Electric Services
- 17. Resolution awarding contract to Mitsubishi Electric of Warrendale, Pennsylvania, in the amount of \$52,873.01 for 69-kV Breaker Replacement
- 18. Resolution approving contract and bond for Steam Turbine No. 8 Overhaul
- 19. Resolution approving Plat of Survey for 2826, 2904, 2012 South Loop Drive and 2900 University Boulevard
- 20. Resolution approving Ames Middle School Subdivision, Plat 2

PUBLIC FORUM: This is a time set aside for comments from the public on topics of City business other than those listed on this agenda. Please understand that the Council will not take any action on your comments at this meeting due to requirements of the Open Meetings Law, but may do so at a future meeting. The Mayor and City Council welcome comments from the public; however, at no time is it appropriate to use profane, obscene, or slanderous language. **The Mayor may limit each speaker to five minutes.**

PERMITS, PETITIONS, & COMMUNICATIONS:

- 21. Motion approving Class B Beer Permit & Outdoor Service for Homewood Golf Course, 401 East 20th Street
- 22. Motion approving Class C Liquor License & Outdoor Service for Cazador, 3605 Lincoln Way
- 23. Motion approving Class C Liquor License & Outdoor Service for Cy’s Roost, 121 Welch Avenue
- 24. Resolution approving/motion denying waiver of subdivision regulations for 3491 Cameron School Road

PLANNING & HOUSING:

25. Resolution approving/motion denying request for tax abatement for 127 Stanton Avenue
26. Northern Growth Annexation:
- a. Resolution approving/motion denying Annexation Agreement with Phyllis Athen Trust, James Athen Trust, and Ricky Madson (“Athen Properties”)
 - b. Resolution approving/motion denying Annexation Agreement with Quarry Estates, LLC (“Quarry Estates”)
 - c. Resolution approving/motion denying Annexation Agreement with Hunziker Land Development on Grant Avenue (“Hunziker North”)
 - d. Resolution approving/motion denying Annexation Agreement with Erben and Margaret Hunziker Apartments on Grant Avenue (“Hunziker South”)
27. Motion accepting Petitions for Annexation for the “Athen Properties” as one territory and the “Quarry Estates” and “Hunziker North” properties as another territory and referring Petitions to Planning and Zoning Commission

LIBRARY:

28. Resolution approving/motion denying closure of Lot S for staging of construction materials for Library Renovation Project

ADMINISTRATION:

29. Resolution approving/motion denying 2012/13 funding request from Community and Family Resources (CFR)

POLICE:

30. Fleet Replacement Program:
- a. Resolution authorizing solicitation of bids for the purchase of Ford Interceptor all-wheel-drive police sedans

FINANCE:

31. Resolution approving Contract for Economic Development Financial Assistance with Iowa Economic Development Authority and Solum, Inc., and Agreement for local match in the form of a forgivable loan

HEARINGS:

32. Hearing on CyRide Bus Facility Expansion Project:
- a. Resolution approving final plans and specifications and awarding contract to Henkel Construction Company of Mason City, Iowa, in the amount of \$4,489,000.00
33. Hearing on 2009/10 Low-Point Drainage (Crystal Street):
- a. Resolution approving final plans and specifications and awarding contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$61,335.00
34. Hearing on 2012/13 West Lincoln Way Intersection Improvements (Lincoln Way and Dotson Drive):
- a. Resolution approving final plans and specifications and awarding contract to Manatt’s, Inc., of Ames, Iowa, in the amount of \$549,699.00

ORDINANCES:

35. Second passage of ordinance striking references to Board of Health in *Municipal Code* Chapter 11 (Health and Sanitation)
36. Second passage of ordinance striking reference to Board of Health in the index of *Municipal Code*
37. Third passage and adoption of ORDINANCE NO. 4139 rezoning property located at 2008-24th Street from Residential Low-Density (RL) to Residential High-Density (RH)

COUNCIL COMMENTS:

ELECTRIC:

38. Motion to hold Closed Session as provided by Section 21.5(1)[a] *Code of Iowa*:

- a. Resolution waiving Purchasing Policy requirement to solicit bids for coal
- b. Resolution approving amendment to the original Agreement with Peabody Coal Sales, LLC to supply coal for the City of Ames Steam Electric Plant for the period January 1, 2013, through December 31, 2015, with coal from Peabody's North Antelope Rochelle Mine located in Campbell County, Wyoming

ADJOURNMENT:

***Please note that this agenda may be changed up to 24 hours before the meeting time as provided by Section 21.4(2), *Code of Iowa*.**

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JANUARY 19, 2013

The Ames City Council met in special session at 8:30 a.m. on the 19th day of January, 2013, in the Parks and Recreation Activity Room, 1500 Gateway Hills Park Drive, pursuant to law with Mayor Ann Campbell, Council Members Jeremy Davis, Matthew Goodman, Jami Larson, Peter Orazem, Victoria Szopinski, and Tom Wacha and *ex officio* Member Sawyer Baker present. City Manager Steve Schainker, Assistant City Managers Bob Kindred and Melissa Mundt, Acting City Attorney Judy Parks, Management Analyst Brian Phillips, and City Clerk Diane Voss were also in attendance.

UPDATE ON EXISTING CITY COUNCIL GOALS/OBJECTIVES: Assistant City Manager Kindred led the group in a team-building exercise.

Mayor Campbell led a discussion on City Council interactions between Council members and other Council members, Council members and staff, and Council members and the public.

Council/Council. Council members shared their evaluations of Council meetings. Suggestions for improvement were made as follows:

1. Council Member Goodman: Not allowing discussion until a motion had been made and seconded.
2. Council Member Szopinski: Council members discuss their perspectives one-on-one with other Council members to get each other's perspectives prior to the meeting.
3. City Manager Schainker: Put more items under the Consent Agenda.
4. Mayor Campbell: Redundant points should not be made.

Council Member Orazem said that the City is unique in that: it includes a Power Plant as part of its Electric Utility and it has a jointly operated Transit system. He also noted that the City has an aging sewer system and is building a new Water Treatment Plant. Mr. Orazem contended that there are many issues that need to be dealt with, so sometimes lengthy meetings are necessary.

Council Member Larson acknowledged that the meetings are many and long, but needed due to the complexity of the issues.

Council Member Wacha pointed out that he had been the Council member who had wanted a goal of more efficient meetings; however, he now believes that could actually comprise quality.

Discussion ensued on "calling the question" when discussion had stalled, was becoming redundant, or no new information was being presented. Assistant City Attorney Judy Parks advised that it was her understanding of Robert's Rules that if a Council member called for the question, discussion would cease, and the vote would be taken. Council Member Davis added that there are two options under Robert's Rules: (1) all discussion ceases immediately or (2) the legislative body would actually vote on whether the question should be called.

The Council was also asked if the amount of information to be provided on Agenda items by staff was adequate. Council members concurred that it was. Mayor Campbell noted that if a Council member had any questions about any items on an Agenda, he or she should ask City Manager Schainker to answer those prior to the meeting.

Council Member Goodman asked if it were possible for staff to be more conservative when creating the Agendas. City Manager Schainker pointed out that there are many time-sensitive items and the Council has directed that staff have a “can-do attitude.” He believes that staff needs to be more direct in telling the Council that there is only time to deal with a certain number of issues; therefore, the Council has to direct which items will have to “slide” to the next agenda.

Council/Staff - City Attorney. Mayor Campbell advised that Council Members Goodman and Larson had been assigned to work on the recruitment of the new City Attorney. Mr. Larson gave a report on his and Mr. Goodman’s meetings with Acting City Attorney Judy Parks, City Manager Schainker, and Mayor Campbell. It was noted that the City Council directly supervises the City Attorney. Council Member Goodman said that he felt the Council had been remiss in not knowing what the City Attorney does and providing direction to him or her. The Mayor shared that the Council members needed to be cognizant of the amount of work that they assign to the City Attorney. Council Member Szopinski stated her preference that the City Attorney be seated around the dais with the Mayor, Council, and City Manager.

The City Council committed to continue to meet with the City Attorney periodically. It was decided that the Mayor and two Council members serving on the compensation committee would be the ones to periodically meet with him or her.

Council/Staff – City Manager and Staff. City Manager Schainker reviewed the current policy regarding City Council members contacting staff: Any Council member has the prerogative to go directly to any City employee to ask questions, just like any other citizen. Mr. Schainker would like to be apprised of the issue, if possible. It is understood that Council members will not direct any staff member to embark on any task without the consensus of other Council members. City Manager Schainker noted that there are times when a citizen has an issue, shares it with a Council member, and that Council member asks a member(s) of City staff to meet at the site of the issue. When the Council member also attends such a meeting, it puts pressure on the City employee, who is unsure whether he or she is being directed to do whatever action is being asked for by the citizen or just there to listen to the issue. Mr. Schainker recommended that, if he or she chooses, the Council member could continue to meet at the site with the citizen and City employee (preferably including City Manager Schainker) and listen to the complaint or issue, but not direct staff to take any action at that time. City Manager Schainker clarified that it is important for Council members to continue to meet with their constituents. The difference is that no direction to take any action should be given to staff by the Council member. To do that, it needs to be by a vote of the Council as a whole. Council Member Larson asked Mr. Schainker to let the Council know if staff ever expresses that he or she felt pressured by a Council member to take any action.

Mr. Schainker shared that 80 referrals for some type of action had been made by the City Council to staff. Staff was requested to send the Referrals update to Council on a monthly basis.

Council/Public. The City Manager noted a staff policy that if one Council member asks a question of the City Manager or staff, staff’s response is sent to all Council members, not only to the one making the inquiry. Discussion ensued whether a Council member should forward information via email to the other Council members after he or she had met with a neighborhood association, citizen advocacy group, or constituent. Concerns were expressed whether doing so was actually violating the Open Meetings Law since all Council members could be offering dialog on the issue without it occurring at a public meeting. It was noted that members may

have discussions one-on-one, but the public perception is very important and the public may draw the wrong conclusion. Acting City Attorney Parks cautioned the Council about having individual meetings with citizens and sharing their opinions about the issue in an email with all the Council members.

Ms. Parks also cautioned the Council that when discussion involves a certain set of facts pertaining to a legislative change, e.g., rezoning, that information needs to be presented to the remainder of the Council at the same time. Any discussion between the Council member and the public should be curtailed and a recommendation made to bring it before the entire Council as a whole. An example was provided by Council Member Goodman that if a zoning change has been applied for, therefore pending, it should not be discussed in an individual meeting. Assistant City Manager Kindred stated that City staff needs to advise the Mayor and Council when applications had been filed.

The meeting recessed at 10:30 a.m. and reconvened at 10:37 a.m.

Review of Current Status of Goals/Objectives/Tasks. City Manager Schainker noted that 33 tasks had emanated from the Goals and Objectives set during the last Goal-Setting Session.

Council Member Wacha recommended that the Council “stay the course;” when the current goals were set, they were set as two-year goals. He pointed out that there is a great deal already placed on staff’s plate.

Council Member Larson noted that situations had changed, so what was germane last year might not be so this year. City Manager Schainker noted that, on the Summary distributed by staff, if the item says “Completed,” it only refers to the Task, not necessarily the Objective or the entire Goal.

Discussion ensued on specific items where no action had yet been taken, as follows:

Wayfaring Signs (Entryway Signs). City Manager Schainker noted that the Chamber had taken a different path to accomplish the objective. Management Analyst Phillips noted that the Chamber had submitted a grant for funding through the Outside Request funding program.

Council Member Goodman asked to review each goal individually.

- **SUPPORT ENVIRONMENTAL SUSTAINABILITY**

Improve electric energy efficiency within the community. Council Member Goodman suggested that a strategy be developed to go from informing to action.

Educate Ames residents about environmental sustainability. Council Member Larson recommended asking the Student Affairs Commission to assist the City with educating the public about Ames efforts.

Increase availability of alternative forms of transportation. Nothing further.

Increase availability of alternative forms of transportation Consider life-cycle operating costs when making vertical infrastructure decisions.

- **PROMOTE ECONOMIC DEVELOPMENT**

Develop Ames as a Regional Center. The first two tasks are in progress, and nothing further is needed. Regarding the third task that pertains to extending utilities to 590th Street, it was concurred by the Council that a resolution to the issue as to what entity was going to provide water to the east needed to be found.

Support private sector growth to improve quality of life, increase number of jobs, develop stronger tax base. Discussion occurred about the use of EDSAT (Economic Development Self-Assessment Tool). It was concurred that the Council needed to be re-educated as to how the matrix works. They need to review the matrix and determine if the matrix needed to be “tweaked.” Council Member Goodman asked staff to report specifically on what EDSAT has to offer (receivables) and if there are similar companies who do that work. Council also asked to receive an update from the AEDC as to what has already been done in this area. *Ex officio* Member Baker also commented on keeping Iowa State graduates in Ames and finding ways to notify them of what jobs were available. A suggestion was made for the Student Affairs Commission to work with the Chamber of Commerce/Economic Development Commission to link graduates with available jobs.

The meeting recessed at 11:35 a.m. and reconvened at 11:50 a.m.

The discussion on the tasks under Promote Economic Development continued.

Beautify entrances to Ames and major arterials. No new tasks were assigned, but Council concurred that it wanted to retain this objective.

Revisit City Codes, policies, and procedures to streamline processes and to help facilitate renovation of existing buildings. It was noted that the Fire Chief is working with the Management Analyst to determine how other cities have dealt with this issue.

Promote Ames as a welcoming place to do business by embracing a “Can Do” attitude. The Business Development Coordinator is working on developing a page on the City’s website to help businesses who are contemplating developing and/or expanding in Ames.

- **STRENGTHEN OUR COMMUNITY**

Promote community vision and brand. Council Member Goodman stated his opinion that the City should be expanding its efforts, including allocating funding for external advertising. Council decided to direct the BRAG Team to have conversations with all local groups to share a common message promoting Ames and to identify a list of specific organizations that would help spread the word. Staff asked to have a report from the BRAG Team as a Council presentation.

Enhance interactions between ISU students and permanent residents. It was suggested that members of the Student Affairs Commission be asked for recommendations to revamp the Commission.

Work with ASSET funders to identify and address service deficiencies in human service delivery. Discussion centered around whether the Objective needed to be changed to

“Review the Needs Assessment annually (with City’s ASSET volunteers)in the summer prior to the budget hearings and possibly set new priorities.”.

Explore issues related to youth in the community. Council Member Szopinski said that she will talk to YSS, Ames and Gilbert School Systems, United Way, etc., to share information and see if there is any interest in developing a youth master plan and report back to the Council.

- **MITIGATE FLOODING IN OUR COMMUNITY.** Staff was asked to provide recommendations regarding possible City policies regarding overland (non-river) flooding. It was decided that staff would continue to work on developing a strategy to educate the public regarding the impacts of future intense rainfall events and how they can take to prevent and/or ensure against damage.
- **ENHANCE RELATIONSHIPS WITH ISU THROUGH ADDITIONAL PARTNERSHIPS.**

Revitalize Campustown. Council concurred that staff should continue to work with Campus Action Association and ISU to assist in their efforts to revitalize Campustown.

Foster negotiations between ISU and CAA to help Campustown businesses be viable. City Council members concurred that this task should be removed.

Explore convention center funding feasibility. Council Member Larson suggested that they talk to the Governor about options other than a beverage tax. It was also recommended that this task be moved under Economic Development. It was decided that the Mayor and City Manager should work with the ACVB and Iowa State University about alternate funding sources.

It was decided to add a new task under Enhancing Relationships with ISU through Additional Partnerships: Host a working lunch (informal setting) with the ISU President Leath and his key staff to get a brief review of the University’s goals, discuss Town & Gown, share information about Airport, etc.

Council Comments: Mayor Campbell shared with the Council that after the Legislature went back into Session, House File 9 was introduced that would deregulate the number of unrelated persons who may live in a unit. She said it was a Bill that would be watched carefully by the City. She invited anyone who desired to listen in on a telephone conference that she and Assistant City Manager Kindred have regularly with the Iowa League of Cities.

Attempts were made to find alternate dates for workshops on the Flood Study #2, Inspection of Greek Houses, and the Gasification Study. Council Member Larson asked that the City Manager request Fire Chief Shawn Bayouth to be present at a meeting to be held in the afternoon on February 2, 2013, to discuss inspection of Greek houses with fraternity/sorority Board Presidents. Discussion occurred as to whether to schedule the Council meeting regarding the inspection of Greek Houses during the morning of February 2, 2013, and perhaps opening up Saturday mornings for Council workshops. No further action was taken.

ADJOURNMENT: The meeting adjourned at 2:08 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

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

AMES, IOWA

FEBRUARY 1, 2013

The Ames City Council met in special session at 2:15 p.m. on February 1, 2013, in the Council Chambers of City Hall, 515 Clark Avenue, pursuant to law with Mayor Campbell presiding and the following Council members present: Matthew Goodman, Jami Larson, Peter Orazem, and Victoria Szopinski. Council Member Jeremy Davis was absent. Council Member Tom Wacha arrived at 2:35 p.m. *Ex officio* Member Baker was also present.

WAIVER OF GENERAL SERVICES ADMINISTRATION PRICING THRESHOLD AND AUTHORIZING PURCHASE OF EQUIPMENT FOR POLICE DEPARTMENT: Chief Chuck

Cychosz explained that, as part of the City Hall Renovation project, the Police Department has identified evidence storage lockers and shelving that will meet its needs. The Department intends to fund the purchase through a Department of Justice Edward Byrne Memorial Justice Assistance Grant, which will expire on February 20, 2013. There is an urgency to procure the evidence lockers before the Grant expires. This equipment is being offered through General Service Administration (GSA) contract pricing; however, the City's Purchasing Policies limit the use of GSA expenditures to \$25,000. The Police Department is requesting that that dollar limit be waived. The cost of the lockers is \$29,004.74 and the shelving is \$2,034.90 for a total cost of \$31,039.64.

Moved by Larson, seconded by Orazem, to adopt RESOLUTION NO. 12-037 approving a waiver of City Purchasing Policies regarding General Services Administration pricing threshold and authorizing the purchase of evidence lockers and weapons shelving at a cost of \$31,039.64. Roll Call Vote: 4-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

COUNCIL COMMENTS: Moved by Orazem, seconded by Larson, to refer to staff the request from Bob Gibson, Civil Design Advantage, for a waiver of the design and improvement standards for a 16-lot single-family home rural subdivision to be located at 3491 Cameron School Road.

Vote on Motion: 4-0. Motion declared carried unanimously.

FY 2013/14 BUDGET OVERVIEW: City Manager Steve Schainker told the Council that the FY 2013/14 budget is particularly challenging because of a number of unfunded mandates as well as the responsibility to fund the recently voter-approved bond issue. The need to repair or replace deteriorated utility infrastructure, as well as meet federal and state environmental regulations, have included the need for user fee increases in two (Water and Sanitary Sewer) of the five utilities for FY 2013/14. Mr. Schainker advised that the budget that he was recommending for FY 2013/14 reflected expenditures of \$206,272,897.

Council Member Wacha arrived at 2:35 p.m.

City Manager Schainker announced that he is proposing a property tax increase of \$.14 (or a 1.27% increase) per \$1,000 of taxable valuation (from \$10.72 to \$10.86). He explained that the City was informed that the additional cost to finance the state-mandated Fire & Police Retirement System will be \$340,558. That amount alone would cause a \$.12 increase in the tax rate. Secondly, the additional cost to cover debt service payments for the construction phase of the Library renovation project is estimated to be \$906,000 or a \$.39 increase in the tax rate. Those

two items would have increased the tax rate by \$.51. According to Mr. Schainker, property taxes historically have been used to finance the Police, Fire, Transit, Planning, Parks, Recreation, Cemetery, and Library services. The Department Heads have worked very hard to keep the expenditures as low as possible without sacrificing the quality of services citizens have come to expect. The increase in the cost of General Fund operations is 3.2%.

Finance Director Duane Pitcher stated that the City's levy makes up 33.13% of a property's total tax bill; the School District makes up 44.72% (if in the Ames Community School District); 20.34% is the County's share; and 1.81% goes to Des Moines Area Community College DMACC).

Mr. Pitcher gave a comparison of City Property Tax Valuations and Total Levies to be collected for fiscal year 2013/14 for the 13 largest cities in Iowa. Ames has the second-lowest total city tax levy per \$1,000 valuation; Mr. Pitcher reiterated that for FY 2013/14, the total tax levy/\$1,000 taxable valuation will be \$10.86.

City Manager Schainker gave a summary of the Local Sales Tax Expenditures for 2013/14. Total receipts for 2013/14 is estimated at \$7,122,355. Sixty percent (60%) of that goes directly to property tax reduction and 40% (\$2,848,942) goes for Community Betterment. The funding coming from Community Betterment goes to:

ASSET Allocations (3% increase)	\$1,184,786
COTA Allocations (2% increase)	140,879
Human Services Administration	16,149
Public Art	33,500
Municipal Band	26,968
City Council Special Allocations	116,000
Hotel/Motel Tax Revenues to Replace LOST	88,286
Contribution to Park Development Fund	100,000
Contribution to Ames/ISU Arena Fund	20,000
City CIP Projects	<u>1,237,270</u>
Difference	\$ 61,676

Mr. Schainker listed the agencies being funded through City Council Special Allocations:

Ames Historical Society
Ames Partner City Association
Campustown Action Association
Main Street Cultural District
Hunziker Youth Sports Complex
ISU Homecoming
FACES
VEISHEA

Council Member Goodman asked to have the CIP broken down. Mr. Schainker said that is already being done and will be reviewed for the City Council.

He gave a detailed analysis of changes in taxable values among residential, commercial, industrial, and utilities. Residential increased by 5.43%, Commercial increased by 2.36%,

Industrial decreased slightly (1.65%), and Utilities increased 2.93%. The percentage change in taxable value equates to 3.85%.

The Fire & Police Trust Fund was reviewed in detail by Mr. Pitcher. He emphasized that the amount to be funded out of property tax will continue to increase; next year it is estimated that it will be amount \$2,000,000.

Finance Director Pitcher reviewed the debt service cost allocation for the 2013/14 Budget. He told the Council how the bond proceeds will be used, with the largest portion (\$5,540,222) going to streets. The debt service issues for Fiscal Years 2012/2013 through 2017/18 were highlighted. The total FY 2013/14 Debt Service Levy will be 3.59946/\$1,000 valuation.

Council Member Goodman asked for a graph showing total costs of City Services, not only those amounts provided by property taxes.

A summary of change in tax asking for 2013/14 was presented by Finance Director Pitcher..

The costs of City services for 2013/14 per residence from property taxes (based on a \$100,000 home) were summarized, as follows:

Streets/Traffic	\$	138
Police Protection		131
Fire Protection		89
Recreation and Parks		52
Library		71
Transit		34
General Support Services		23
Planning		10
Storm Sewer		7
Resource Recovery		6
Animal Control		5
Building and Grounds/Airport		4
Inspections/Sanitation		3
TOTAL	\$	<u>573/\$100,000</u>

An historic breakdown of the budget, specifically valuation increases and rollback, from 1992/93 to the present was given by Mr. Pitcher. He also reviewed the Full-Time Equivalents (FTEs) recommended for 2012/13. There will be no new FTEs in 2013/14.

Rental Housing Fees, including FY 2012/13 Adjusted and FY 2013/14 Recommended, were shown. City Manager Schainker emphasized that the new software for Inspections (estimated at \$250,000) will not be charged back to customers; it will be paid for from excess revenue in the General Fund.

Finance Director Pitcher showed the proposed FY 2013/14 fees for Building Permits, which will be increased by an average of 3.0%. He showed the proposed fees for 2013/14 for Parks and Recreation facilities and programs.

City Manager Schainker reported that two out of five utilities (Water and Sanitary Sewer) will have rate increases.

Assistant Director of Water and Pollution Control Steve DuVall reviewed water and sewer rates, including the Water and Sewer Funds and CIP expenses. He noted that FY 2013/14 is the last rate increase associated to the new Water Plant. In FY 2015/16, the increase of 7% will go towards development of new well fields. Mr. DuVall showed the Water Fund Balance projection, which has been built up and will make the transition into paying the expenses for the new Water Plant easier.

The Sewer Rate Projections as of April 10, 2012, were shown. Those projected rates changed as of February 1, 2013. FY 2013/14 will need a 9% increase, instead of 5%; FY 2014/15 will be 12%, instead of 8%; FY 2015/16 will be 9%, instead of 0% and FY 2016/17, a 6% increase will be needed. Much of the increase is due to increases in CIP projects that have been proven necessary by studies being conducted. There is a possibility that the increases will not be as large when the two studies are complete. The Total Sewer CIP Expense Projections as of February 1, 2013, were given.

Council Member Orazem left the meeting at 3:45 p.m.

Mr. DuVall showed what a typical residential, commercial, and industrial customer will pay.

City Manager Schainker emphasized that the City Council is not approving the rates at this time. Staff will come back to the Council in April for a decision.

Budget Officer Nancy Masteller outlined the Fund Sheets, broken down by General Fund, Special Revenue Funds [e.g., Local Option Sales Taxes, Hotel/Motel Tax, Leased Housing, Road Use Tax, City-Wide Affordable Housing, Tax Increment Financing, Fire/Police Pension Retirement, Employee Benefit Property Tax, Miscellaneous Special Revenues, Library Donations, Developer Projects, and Economic Development (Revolving Loans and Forgivable Loans)], Permanent Funds (Cemetery, Furman Aquatic Center Operations), Debt Service, Capital Projects (Special Assessment, Street Construction, Airport Construction, American Recovery and Reinvestment Act Energy Block Grant, Various Construction Grants, and Bond Proceeds), the Enterprise Funds (Water Utility, Water Construction, Sewer Utility Operations, Sanitary Sewer Improvements, Electric Utility, Parking Operations and Improvement, Transit Agency Operations, Transit Capital Reserve, GSB Transit Trust, and Transit Agency Intermodal Facility.)

City Manager Schainker reminded the Council about the agreement with Iowa State University to split the amount of any operations deficit for the Intermodal Facility.

Ms. Masteller continued with the Enterprise Funds (Storm Sewer, Ames/ISU Ice Arena, Ice Arena Capital Reserve, Homewood Golf Course, Resource Recovery Operations and Improvements). Internal Services were summarized, including Fleet Maintenance Services, Fleet Replacement, Information Technology, Computer Replacement Fund, Risk Management, and Health Insurance.

Finance Director Pitcher pointed out that the City's Health Benefits Plan is self-insured (funded through City and employee contributions). The Health Insurance Fund has enjoyed lower increases for many years. There were some larger claims in 2012/13, and an 8% contribution rate increase is budgeted for FY 2013/14.

Council Member Larson noted the lower balance in the Electric Utility fund. He did not want the fund balance to drop so low that it necessitates a large rate increase.

City Manager Schainker brought the Council's attention to the memos pertaining to:

1. 2013/14 ASSET Allocations and COTA Funding requests. More in-depth information will be provided on February 12, 2013, during Budget Wrap-Up.
2. 2013/14 Public Art Commission funding request.
3. 2013/14 Outside Funding Requests.

City Manager Schainker told the Council that the request from Ames Historical Society for funds to help with the Ames Sesquicentennial celebration had not been included as part of the 2013/14 Outside Funding Requests.

Mayor Campbell also reported that she had gotten notice from the Jaycees that they will no longer be involved in funding the 4th of July fireworks. Therefore, funding for the fireworks will need to come from another source, be it from the City or others.

It was noted by Mr. Schainker that the minutes of the Town Budget Meeting on October 2, 2012, were included in the budget information.

The Council's attention was brought to six revised CIP sheets. Three of the revisions pertain to the Resource Recovery Plant, shifting funding to General Obligation Bonds for the Primary Shredder, the PDS Cyclone, and a new project, the Area Sprinkler System. One of the revisions is for the Cy Ride Building Expansion and Modernization, shifting funding on a small portion of the project not eligible for federal funding. Two revisions pertain to Parks and Recreation and both are new projects: one for Playground/Park Equipment Improvements for Roosevelt Neighborhood Park Development and the other to add playground equipment to the former Willson-Beardshear School, which has recently been purchased by the Ames Community Preschool Center.

Regarding the recommendation to fund improvements in the amount of \$80,000 to the playground at the former Roosevelt School in 2014/15, Council Member Wacha asked why only Roosevelt was being included and not the other the other closed schools. Council Member Larson noted that the City had not heard anything from Edwards or Crawford.

Discussion ensued about the potential CIP project to add \$30,000 for playground equipment for Ames Community Preschool Center (ACPC) at the former Willson-Beardshear school site. Mr. Schainker advised that a User Agreement would need to be developed and signed. Council Member Goodman noted that normally the City pays 50% with the School District paying the other 50% for playground equipment. That arrangement has been the norm because the school sites are used as neighborhood parks. He pointed out that the school property is used for a neighborhood park for those months and times when school is not in session. That would not be the case for Willson-Beardshear as ACPC would be in operation during the day year-round.

Council Member Wacha said that he felt Willson-Beardshear was a unique situation. From a neighborhood asset standpoint, the development of Willson-Beardshear as a neighborhood park would be ideal.

Discussion continued about the City Manager inquiring from ACPC if it would be willing to pay a portion of the playground equipment. Due to two members of the Council being absent and

Council Member Wacha indicated that he would need to abstain due to a conflict of interest, no further action was taken on this matter.

ADJOURNMENT: Moved by Larson to adjourn the meeting at 4:40 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

FEBRUARY 5, 2013

The Ames City Council met in special session at 5:21 p.m. on February 5, 2013, in the Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Campbell presiding and the following Council members present: Jeremy Davis, Matthew Goodman, Jami Larson, Peter Orazem, Victoria Szopinski, and Tom Wacha. *Ex officio* Member Sawyer Baker was also present.

FY 2013/14 BUDGET PROPOSALS: Moved by Goodman, seconded by Larson, to approve the proposed FY 2013/14 budget. (Vote will be taken on March 5, 2013.)

Library. Acting Director Lynne Carey presented the proposed budget for Library Operations, including Administration, Outreach, Collection Development, Youth Services, Information Services, Circulation, Network Services, and Grants and Gifts. Ms. Carey reported on the completion of several Library-wide initiatives, specifically highlighting the design development for the renewed Ames Public Library, its relocation to temporary sites, and commencement of the construction phase.

Ms. Carey told the Council that staff made “educated guesses” as to what to include in the FY 2013/14 budget due to the Library being located at temporary sites. There will be salary savings and building maintenance savings, which will be used towards unique needs and opportunities related to staffing changes, temporary relocation, emerging technologies, changing operations, and planned capital improvements.

The changing trends in materials checked-out towards audiobooks and e-books due to emerging technologies were noted by Ms. Carey; that has increased from 1% to 2% from last fiscal year. In addition, an “Ames Pocket Library” app for smart phones and mobile devices has been created and proven to be very popular.

At the inquiry of Council Member Davis, Ms. Carey advised that the fundraising efforts towards the Library renovation/construction are ahead of schedule. The community was thanked by Ms. Carey, on behalf of the Public Library, for their monetary donations and volunteerism related to the Library Renovation and Construction project.

Water. Steve DuVall, Water and Pollution Control Assistant Director, gave highlights of the budget of the Administration, Production, Treatment, Plant Maintenance, Plant Operation, Laboratory, and Water Metering/Cross-Connection Control.

Under Administration, Mr. DuVall noted that the drought of 2011 that continued through 2012 had an impact on the Department’s operating expenses. There were some slight increases in chemical and electricity expenses; however, on the positive side, the increase in revenues was sufficient to adequately maintain the Water Fund balance. The rate increases needed to fund the new Water Treatment Plan will be completed in FY 2013/14, with a proposed 6% increase. Last year, extra effort had been put towards the Summer of Smart Irrigation program; that will likely continue in FY 2013/14.

Water Production reflects a -2.2% change from the 2012/13 Adopted. In FY 2013/14, the combined electrical efficiency of the wells will be increased by about 17.5%. Mr. DuVall reported that the increased efficiency was realized this year in spite of the drought and the increased energy required to pump groundwater from a greater depth. Regarding routine well

rehabilitation, it was noted that the first year of the next five-year cycle has already been completed with no major repairs being required. Mr. DuVall said that the decrease in contractual expenses projected for FY 2013/14 is because only four of the 22 wells are scheduled for rehabilitation. He emphasized that planning is underway for development of a future well field. The investment made in prior years to fund a comprehensive model of the aquifer formation has paid off with the identification of a viable location for a new well field that can be developed at a lower total cost than had been previously estimated.

Pertaining to Water Treatment, Mr. DuVall said that routine preventative maintenance is only being performed on infrastructure that will continue to be used with the new treatment plant. Only those repairs necessary to keep the existing facility operational are being performed. A modest increase in the cost of treatment chemicals is anticipated when the contracts are re-bid in Spring 2013. A significant increase in quantities of lime sludge disposal is expected during FY 2012/13 and the next two fiscal years as a portion of the large north lagoon is emptied to allow it to be subdivided to maximize its usable capacity. The lime disposal expenses are included in the Operations Budget; however, the additional disposal quantities will be included in the State Revolving Fund loan for the new plant.

The Water Laboratory program will see a decrease of 3% from the 2012/13 Adopted.

A collection of major maintenance activities are planned for FY 2013/14 under the Water Pumping program and will result in a 13.3% increase from 2012/13.

Under the Water Metering/Cross Connection Control program, Mr. DuVall advised that the Water Meter Division had been using the same technology to transit the water meter reading from the meter to a location on the outside of the property for more than 20 years. However, the last remaining manufacturer of the Legacy Generator/Remote System has advised the City that it will no longer produce the equipment after June 2013. Staff is currently evaluating possible migration strategies to a newer technology. The funding for the transition to an Automatic Meter Reading/Advanced Metering Infrastructure system is included in the Capital Improvements Plan as a place-holder for funds until the team finalizes its recommendation. Increased contractual expenses in FY 2013/14 are due to planned repairs to the building's membrane roof and to the HVAC system; those expenses are shared between the Water Meter and the Laboratory Services Divisions.

Highlights were given of Water Distribution Maintenance and Storm Sewer Maintenance.

The proposed 2013/14 Budget for WPC Operations, including Administration, Plant Maintenance and Operation, and Laboratory, reflects a 2.3% change from the 2012/13 Adopted Budget. Mr. DuVall reported that the increase in the number of industrial pretreatment permits was due to the addition of each building in the ISU Research Park to the program. Mike Klocke-Sullivan, Environmental Engineer, added that the nature of wastewater discharges from the buildings can change rapidly as the nature and purpose of the Park is to foster new businesses. Recently, discharges by a tenant in the Park have led to unanticipated challenges for the WPC facility, prompting the addition of the Research Park to the pretreatment program.

Mr. DuVall told the Mayor and Council that, for the 22nd consecutive year, the City's Water Pollution Control Facility achieved 100% compliance with its NPDES Discharge Permit. That is the third-longest compliance streak in the country and represents meeting 27,412 individual

limits without a violation. The Facility again achieved 100% compliance in Calendar Year 2012, and receipt of the Platinum 23 award is anticipated.

It was stated by Mr. DuVall that an opportunity to restructure the staffing for the WPC Laboratory presented itself when a Laboratory Technician position came open in Fall 2012. One full-time equivalency (FTE) was split, with one-half FTE being used to move a half-time Laboratory Analyst to full-time and the other one-half FTE used to create a part-time Laboratory Aide position. This has resulted in the positions now being better matched with the workload. Payroll savings were also realized from having a new employee start at the beginning of the wage steps.

Public Works. The Council heard an overview of the major work activities for the Public Safety Program, which included Traffic Control (Traffic Maintenance and Traffic Engineering), presented by Public Works Director John Joiner.

Under Traffic Maintenance, Mr. Joiner announced that, as a result of replacing incandescent bulbs in traffic signals with light-emitting diode (LED) lamps, there has been a reduction in power consumption costs of over \$36,400 annually. In 2013/14, new legislation is anticipated to require traffic signal battery back-up systems for those intersections adjacent to railroad crossings. The City has four such intersections: Duff/Main and Hazel/Brookridge/6th Street will be done in 2013/14 and 13th/Ridgewood and 13th/Northwestern will be done in 2014/15. With nearly 10,000 traffic signs throughout the community, a Sign ID Program has been put into the FY 13/14 budget in an amount of \$5,300. This Program will include the addition of a property tag on the back of each sign, which will be connected with the traffic sign database. If a traffic sign goes missing or is recovered, more accurate maintenance records will be kept and replaced more efficiently.

Budget highlights of the Utilities Program, which included Resource Recovery, Water Distribution Maintenance, Storm Sewer Maintenance, and Sanitary Sewer Maintenance, were given. Under Resource Recover Operations, the per capita rate for the partner cities and Story County will remain at \$9.10 for FY 2013/14, tipping fees for municipal solid waste will remain at \$52.75/ton, cars and passenger vans will remain at \$8, and pickups and vehicles with trailers will remain at \$22. Staff will be carefully evaluating all rates with the goal of maintaining a 10% balance in the Resource Recovery Fund; that might mean rate increases as soon as FY 14/15.

Reports were summarized for Street Surface Maintenance, Street Cleaning, Snow and Ice Control; and Right-of-Way Maintenance. Mr. Joiner told the Council that the City was recently selected as one of three pilot cities for inclusion in an Iowa Department of Natural Resources (IDNR) grant application with the United States Forest Service. That grant would allow the City an opportunity to work with an urban forester on public education to build a network of volunteers to develop effective maintenance plans to ensure the health of trees and develop ordinances to protect and enhance the “urban forest.” For FY 2013/14, the rights-of-way tree trimming contract has been increased to \$75,000. With the Urban Forester position and the completed tree inventory, it is anticipated that additional tree trimming and removals will be needed.

Under Parking Operation and Maintenance, Mr. Joiner reported that in FY 2012/13, the City began offering SmartCards (an alternative payment for parking meters in select locations). Success of the pilot project may lead to changeover of the entire system over a ten-year period.

Council Member Larson suggested that additional public education efforts regarding the use of Smart Cards be undertaken.

Mr. Joiner reviewed the budget details for the Airport and Cemetery. Regarding the Airport, in FY 2012/13, staff held numerous Airport user meetings to help define expectations of a new terminal building. Over the next two years, staff will continue to work on the funding aspects of that project. The Airport Terminal Building and Hangar is included in the FY 2015/16 year of the Capital Improvements Plan. Mr. Joiner reported that staff worked with a Cemetery Focus Group to provide input and recommendations on how the Cemetery can be a better experience for visitors. Staff purchased three granite benches and 11 new trash cans that will be placed in the Cemetery. Additional improvements are included in the Capital Improvements Plan.

Lastly, Mr. Joiner reviewed the budgets for Public Works Administration, Engineering, and Public Buildings. He reported that Administration staff had worked with Parks and Recreation Administration on the mowing team efforts, which resulted in transcending Department boundaries and using the principles of Total City Perspective to realize greater efficiencies. Major activities of the Engineering program were highlighted. Pertaining to the City Council's priority goal of flood mitigation, staff had been directed to proceed with a new rate structure based on impervious area. The Sanitary Sewer System Evaluation (SSSE) is a high priority project for Engineering and Operations staff. Mr. Joiner noted that staff partners with Iowa State to hire Civil Engineering students as co-ops and interns. Public outreach efforts and partnerships on a variety of projects were highlighted.

Ex-officio Member Baker asked if it would be possible for the SmartCards issued by Iowa State University to be compatible with the City's meters. Director Joiner said he would check into the possibility.

Finance. Finance Director Duane Pitcher presented the budget for Economic Development. City personnel costs associated with Economic Development have shifted from the Hotel/Motel Fund to the General Fund. He said that an impact of the funding shift shows that the Hotel/Motel Fund will go down in 2013/14 by approximately \$70,000. When forgivable loans have met all the criteria to be forgiven, the Economic Development fund "gets whittled down." Mr. Pitcher gave an update on various companies that had received economic development funding from the City in 2012/13. Council Member Goodman commented on the funding shift. He believed that the same type of funding shift could be used to fund Human Services, i.e., from the General Fund instead of drawing down the Local Option Sales Tax Fund. Council Member Larson said that there are different philosophies on where certain items should be funded. He found it unusual to assign portions of the salaries of the City Manager and Finance Director to various departments throughout the City. Mr. Larson originally suggested that the portion of the City Manager's and Finance Director's salary not come out of Economic Development. City Manager Schainker noted that in order to arrive at a true program budget, the cost of administration should be allocated to the respective programs. He believes, therefore, that it is correct to show a portion of the administrators' salaries in the programs that they administer.

Highlights of the budgets for Finance Administration, Accounting and Reporting, Information Technology and WiFi Services, and Communication were given by Director Pitcher. It was noted that the Finance Administration and Budget program reflects a 0.7% decrease from FY 2012/13. Accounting and Reporting is up only 1.4%. Change in personnel, specifically, retirements of long-tenured employees was the main reason. The Information Technology

budget is dependent largely on the number of computers and/or servers replaced. New Inspections software is planned to be purchased and implemented in 2013/14. In 2013/14, the network fiber infrastructure will be expanded to connect Water and Pollution Control, Animal Control, and Fire Station #3.

Mr. Pitcher also reviewed budgets for Purchasing Services, Customer Service, and Parking Violation Collection. Staff from the Parking Violation Collection handle the sale of SmartCards.

Lastly, Mr. Pitcher highlighted the City Council Contingency, which allows the Council to be able to respond to needs that were not foreseen at the time of budget preparation. He noted that for FY 2013/14 the amount remains at \$50,000.

Projects to be funded by City Council Special Allocations were listed during Budget Overview held on February 1, 2013. The Council was reminded about the City's grant process used to determine funding requests from outside groups.

Finance Director Pitcher lastly explained the merit pool, which is used to reward employees for good performance. A percentage of increase is budgeted, however, Mr. Pitcher noted that City employees are not guaranteed any increases; it depends on their job performance.

ADJOURNMENT: Moved by Davis to adjourn at 7:00 p.m.

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

FEBRUARY 6, 2013

The Ames City Council met in special session at 5:19 p.m. on February 6, 2013, in the Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Campbell presiding and the following Council members present: Jeremy Davis, Matthew Goodman, Jami Larson, Peter Orazem, Victoria Szopinski, and Tom Wacha. *Ex-officio* Member Sawyer Baker was also present.

FY 2012/13 BUDGET PROPOSALS: The Council heard and discussed highlights of the Community Enrichment, Public Safety, and Utilities Programs.

Parks & Recreation. Acting Director Keith Abraham advised that the Parks and Recreation Commission had approved the fees and charges for 2013/14 to support the Operating Budget. He said that staff had worked hard to "hold the line" on expenses; fees were only increased where there was a direct program change.

Mr. Abraham advised that, although the Recreation budget includes almost \$2 million in expenses, \$1,296,210 is generated through fees and charges. The tax subsidy for that program is approximately 58%.

The Parks Division generates revenue only through shelter reservations; 94% of that program budget is subsidized. Homewood Golf Course and Ames/ISU Ice Arena are both enterprise funds. Homewood's revenue currently exceeds its expenses.

The importance of volunteers to the Parks and Recreation Department was emphasized by Mr. Abraham. They have over 2,000 annual volunteers. Permanent staff in the Department totals 19.5; however, there are also over 400 seasonal workers.

Summarizing activities that occurred in 2011/12, Mr. Abraham advised that there were 12,000 program registrations in 141 programs; participants came from 8,400 Ames households. On-line registrations account for 35% of all registrations.

Highlights of the Instruction and Athletic Programs were given. The City partners with the Ames Racquet and Fitness Club to provide Parks and Recreation tennis lessons. Three out of 40 instructional programs have seen a decline in participation: youth basketball, soccer, and flag football, basically due to club teams. Registrations for instructional programs equated to 2,700.

There were over 3,698 participants in 28 different adult athletic programs. Ms. Abraham gave statistics showed that 312 teams had participated in the adult leagues..

Mr. Abraham reported that attendance totaled 110,000 in Summer 2012 at the Furman Aquatic Center. It is projected to net \$78,173 in revenue in FY 2012/13 and \$93,671 in FY 2013/14. The facility receives no direct operating subsidy. Swimming lessons continue to be popular with over 1,500 people of all ages learning to swim each year.

Activities for the Community Center/Auditorium/Bandshell and the Wellness Program were described. There were 119,000 visits to the Community Center Gymnasium; 17,000 people used the weight room, and 14,000 participated in open gym. The Auditorium hosts an average of 56 events per year. Bandshell averages over 800 people at each Municipal Band concert.

There were over 3,000 participants in over 50 fitness classes/week. There are 28 fitness instructors and personal trainers. Zumba classes draw approximately 325 people per week; 16 classes/week are held. Over 55 people participate in the program for older adults. Humana reimburses the City for participant fees for the *Silver Sneakers* program.

The public/private partnership with the Green Hills Retirement Community (GHRC) was highlighted. The City provides fitness and aqua classes for GHRC residents, and some classes are also offered to the public. Expenses are anticipated to be \$35,709, and revenues are expected to be \$40,559; Green Hills reimburses the City \$25,000.

Mr. Abraham reported that the Wellmark 3-Point-Play Program totaled \$16,530 as of February 6, 2013, and per Council direction, that money will be used to purchase fitness equipment.

Pertaining to the Homewood Golf Course, fees will not increase for the 2013 season. It was noted that the cell tower revenue equates to \$28,995 and motorized carts bring in \$19,000. It is the City's goal to maintain a fund balance of 27% of operational expenses. There were approximately 19,000 rounds of golf played at Homewood last year.

Regarding the Ice Arena, Acting Director Abraham reported the policy is to also maintain a fund balance of 15% of operational expenses. No rental fee increases are being recommended; however, the fund balance will be drawn down. Mr. Abraham reported on the two annual tournaments held at the Ice Arena.

The Council was apprised of a possible cost-share (50/50) agreement with ISU to make a new parking lot to be built by Iowa State University as part of the Hansen Agriculture Student Learning Center available for Ice Arena parking, which experiences ongoing parking shortage. The amount estimated at approximately \$51,000 to be paid from Capital Reserve Funds to provide the City's share of the costs. City Manager Schainker stated that he is working out an Agreement with Iowa State University for this project. Council Member Larson asked whether the parking lot would be the primary lot for ISU's Student Learning Center and what would happen if there were events being held at each facility. Mr. Schainker advised that those details will need to be worked out.

The Park System budget was reviewed. There are 37 parks and woodland/open spaces totaling over 1,200 acres; however, only 337 acres are mowed. Fifty (50) to 60 trees are planted each year. Mr. Abraham acknowledged Holub Greenhouse and Garden Center's annual donation of \$8,000 in flowers for the "Adopt a Flower Garden" program.

Electric. Donald Kom, Director of Electric Services, highlighted the operations budgets for each division (Administration, Production, Fuel Purchases, Distribution, Technical Services, and Engineering).

Administration decreased its budget by 27% (\$444,000) from FY 2012/13, which is due mainly to the redistribution of insurance costs to the applicable Divisions. Demand Side Management programs continue to be quite effective in keeping demand growth low. As a result of these programs, it is estimated that the peak demand has been reduced by over 6.6 megawatts and energy usage by over 11,000 megawatt hours. Increases in Ames' rates were approved by the Council in late 2012 and implemented in January 2013. The new rates were aimed at encouraging energy conservation and matching rates with time-of-use.

Council Member Goodman reported that the Council had discussed energy audits at its recent Goal-Setting Session and how to encourage people to take action after the audit. City Manager Steve Schainker said that staff will follow up on that task.

"Smart Energy" programs were specifically highlighted. The budget is currently \$1,000,000, and no increase is planned for 2013/14; \$540,416 has been paid out to date, which is 54% of the budget. The City is considering adding solar to the rebate program. The installation of 450 *Prime Time Power* switches has resulted in a reduction in demand of 3.3 MW; that is half of the reduction in peak demand. Staff is considering instituting an Industrial Interruptible Rate.

Electric Production's total expenditures equate to \$10,823,934, which is an increase of 3.6% over the FY 2012/13 Adopted. The upgrade to OSI SCADA was highlighted.

A new historical peak of 130.7 MW was reached on July 25, 2012. The previous peak of 128.6 MW occurred on July 19, 2011.

The budget for Fuel and Purchased Power will decrease 5.3% to \$30,962,505. It is the largest component of the Electric Services budget. The major items include coal, market energy purchases, wind, fuel oil, transmission service, and refuse-derived-fuel payments.

City Manager Schainker recalled that the City Council had directed staff to work on coal storage alternatives. He informed the Council that discussion on the coal contract will be occurring at the Council's February 12, 2013.

Electric Distribution Operations and Maintenance will see an increase of 3.2% from FY 2011/12. The main expense will be the tree trimming contract, which is very important to prevent outages. This Division works with the Technical Services Division (substation crew) to perform routine and emergency maintenance on all substations and the Downtown Central Business District underground network. There will be system upgrades to reduce animal-related outages.

Electric Distribution Extension/Improvements will increase 43.2% due mainly to equipment that will be purchased for a major 3M expansion project. That percentage is misleading because the City will be reimbursed by that customer.

There will be an increase of 6.9% for Electric Technical Services over FY 2012/13. Replacement of defective meters will be accelerated. There will be a capital increase to purchase a Vacuum Bottle Tester and Field Tester. There will be a contractual increase for substation equipment painting.

There will be an increase of 15.5% for Electric Engineering. The biggest expense will be from relay testing aimed at improving reliability. Underground and pole inspections, infrared testing, and the 161kV project are ongoing. A New Outage Management System was implemented in 2012, which has improved outage response times. An additional upgrade is planned to add call overflow and contingency services, which will further improve Electric Services' ability to take outage-reporting calls during a major storm event.

Pertaining to Customer Services, the amount for FY 2012/13 for net write-offs was based on an estimate done at a time when utility rates were increasing and the number of customers needing payment arrangements for their delinquent balances was at an all time high. Conditions have improved since that time, and the amount of net write-offs is trending lower than the projections used for the Adopted Budget. The estimate for bad debts in FY 2012/13 has been decreased by \$15,640 from the amount adopted and the estimate for FY 2013/14 is \$13,280 less than adopted for FY 2012/13.

In summary, the estimated FY 2013/14 revenues will be approximately \$59,154,860, which is a decrease of 4%. The estimated fund balance is \$29,021,911 at the beginning of FY 2013/14 and ending at \$27,021,911. Mr. Kom noted that the Council has a policy of maintaining a minimum fund balance target of \$10,100,000. No rate increase is being requested for 2013/14.

Council Member Larson asked how many of the 450 Prime Time Power units installed were new construction. Director Kom answered that he believed it to be approximately half, but he would have to check. Mr. Larson raised the possibility of mandating those units on all new construction. Mr. Kom said that the City wants its customers to be happy, so if they do not want it, they would prefer not to install it. City Manager Schainker added that the City could adopt a policy. Mr. Larson said he could not see it being anything but a "win-win" for the City and the customer.

Police Department. Details were given, by Police Chief Chuck Cychosz, of the budget for the Public Safety Program, which included Administration and Records, Crime Prevention and Police Services, General Investigation, Emergency Communications, and Forfeiture/Grants. It was noted that Animal Control and Parking Enforcement also falls under the Police Department. The budget for overall operations is up 2.0%.

Under Administration and Records, Chief Cychosz highlighted the Department's partnership with Story County and Iowa State University in implementing an information management system (OSSI). Due to many retirements of long-tenured officers, the Department is engaged in leadership development of a new workforce. The Department's biggest challenge is the Municipal Fire and Police Retirement System expenses, which will increase \$163,777 for next year. The rates for that System is set at the state level. The total System expense for the City (which includes both Fire and Police) will increase from \$1,781,000 to \$2,122,000 for FY 2013/14.

Chief Cychosz gave highlights of the Crime Prevention and Police Services, specifically the use of Automated External Defibrillators, the Safe Neighborhoods Team (SNT), and Crime-Free Housing. The Chief expressed pride in the officers' response times to medical calls and added the value of the City's investment in the Defibrillators. Pertaining to the Safe Neighborhoods program, the Police Department has started to see the benefits from lower call volumes in the areas where the owners have made the investment. The SNT is currently working with Iowa State University to problem-solve VEISHEA-related issues.

The policy of rotating of officers to different shifts with different responsibilities was raised by Council Member Goodman, asking specifically about the Safe Neighborhoods Team. Chief Cychosz said that officers are assigned to the SNT for two years; however, some stay on that Team for as long as four years. Rotating on that basis allows officers to build contacts and relationships in neighborhoods, but after a couple years, allows officers to experience fresh challenges. The contacts and relationships made are maintained and new ones are formed. If there are properties that are costing the City, and thus its citizens, a lot in police calls, Council Member Orazem felt that there should be some penalties or sanctions. It is apparent that the SNT is making a difference in some areas, but not in others. Council Member Wachas suggested the publishing of the police call numbers could be a deterrent as renters would not want to rent those units.

Chief Cychosz shared his philosophy regarding the importance of the educational component of alcohol consumption as alcohol continues to be the No. 1 substance abuse problem within the community. He advised that there is a great amount of work being done in emphasizing a safe and healthy lifestyle. Council Member Larson noted appreciation for the enhancement to the reports being provided to the City Council concerning renewal of Liquor Licenses and Beer Permits; those assist the Council members in making difficult decisions.

Special initiatives being conducted by the General Investigations Division were listed. General Investigations includes the School Resource Officer, Juvenile Investigations, and Fraud. Every school in Ames will be visited this year by two officers. Ames assigns one officer to the Central Iowa Drug Task Force. Two officers have been assigned to monitor the Sex Offender Registry.

Chief Cychosz reported that the Police Department has seen a significant increase in mental-health-related service calls in 2012. During the past year, 408 mental-health-related incidents occurred. One hundred ninety (190) of those calls were attributed to 70 people. The FY 2012/13 Budget included a part-time Mental Health Advocate as the most-cost-effective way of addressing that workload increase; that has been very successful. The position provides support services to officers by compiling information and data on mental-health-related calls for service and provides analysis of the data. The Advocate provides a local-point of contact. He made 222 follow-up contacts, 39 of which were face-to-face. Chief Cychosz noted that the need is increasing and State funding is decreasing. Council Member Larson noted that it was important

for the Council to be advised in light of its upcoming discussion with ASSET volunteers on February 12, 2013. He stated his preference that the dilemma be solved on the mental health provider and treatment side rather than the law enforcement side. Chief Cychosz noted the good working relationships the Police Department has with Eyerly Ball and Mary Greeley Medical Center. The Chief reported on the actions taken by the Mental Health Advocate and the Police Department after the Sandy Hook Elementary tragedy.

Under Emergency Communications, Chief Cychosz reported that the Communications Center successfully implemented Emergency Medical Dispatching. The dispatchers fielded over 3,000 medical calls in 2012. The Emergency Communications Center continued its formal working relationship with Iowa State University and Story County, which has allowed for more effective emergency and citizen support responses. The Department is continuing its work with the Story County E911 Service Board to research and purchase replacement telephone equipment for the 911 calls. The existing equipment is very old and replacement parts are becoming hard to find. Also, advancing technology has significantly changed the nature of how phone calls are initiated and delivered. New equipment will be capable of handling text and data when those options for 911 become available.

Highlights of Forfeiture/Grants and Parking Law Enforcement were given. The Department has been fortunate to receive a number of state and federal grants that provided a significant infusion of funds. Equipment is purchased and programs are added without relying on property tax support. The recordkeeping, reporting, and compliance requirements attached to federal grant funding have become increasingly complex.

Under the Traffic and Impaired Driving program, Chief Cychosz reported that there were 1,287 collisions in 2012, 13% of those occurred on South Duff. There were 2,782 citations issued. Fifty percent (50%) were rear-end collisions mainly due to inattentive driving, following too close, and excessive speed. Six percent (6%) of the collisions resulted in injuries; 13% of those occurred on South Duff. The causes of those collisions were mainly due to the high volume of traffic on South Duff and excessive speed.

There has been turnover in the Community Safety Officers under the Parking program. Chief Cychosz recalled the Council approved the increase in the fine for Illegal Parking citations. It is too soon to tell if the fine has proven to be a deterrent.

Chief Cychosz reported that the service levels continue to increase at the Animal Shelter. In terms of sheltering, Animal Control is currently at an 93% rate for animal reclamation and adoption. The population of dogs at the Animal Shelter has remained lower than historic averages. It was noted that staff has enhanced its public interaction through Facebook and Twitter. Chief Cychosz explained the energy savings program that has been undertaken to improve the Shelter environment for animals and staff.

The meeting recessed at 7:34 p.m. and reconvened at 7:43 p.m.

Fire Department. The Fire Safety Activities portion of the Public Safety program was presented by Chief Shawn Bayouth. This included budgets for Administration and Support, Suppression and Emergency Action, Prevention and Safety Education, and Building Safety. Overall, the Department will see a 6.5% increase, due mainly to the contribution to the Municipal Fire and Police Retirement System. There are no capital requests contained in the 2013/14 Budget for Fire.

Chief Bayouth noted the leadership change with the retiring of former Chief Petersen. He explained his leadership team philosophy. The management team is looking at creative ways for Emergency Medical Services. The Department is also trying to improve transparency and fiscal awareness.

Under Administration & Support, Chief Bayouth noted that the City has obtained a Class 3 rating from the Insurance Services Organization (ISO). The Class 3 rating places the Fire Department in the top 2% of fire departments in the State of Iowa. Every ten years, ISO conducts a survey of the level of services provided by the fire department, communications (dispatch center), and water supply system. The percentages of time allocated to different programs among Fire Administration and Building Safety staff were analyzed; that resulted in an increase of .20 FTE and slightly more than \$11,000 added to the budget.

Pertaining to Fire Suppression, Ames Firefighters responded to 3,957 incidents in 2012, which is an increase of 1,781 calls or 81.9% since 2003. In 2012, the Department had set a goal of completing 270 preplans (documentation that the firefighters have gathered in advance of an emergency). At the end of 2012, the Firefighters had completed 306 preplans. In total, Firefighters have completed nearly 1,000 preplans. Neighborhood/Public Education Outreach activities were highlighted.

Under the Prevention and Safety Education, activities of the Fire Inspector were highlighted.

The retirement of the Building Official at the end of August 2012 initiated the recruitment process for that position. City Manager Schainker noted that, even with a 3% permit fee increase, projected revenues still result in a deficit for Inspections.

Pertaining to Rental Housing, Chief Bayouth said when he came on as Chief, the inspectors were two years behind. The Chief has directed that the inspectors inspect those units that are to be inspected this year at the same time as the scheduled inspections for next year. Chief Bayouth has given them a goal of being totally caught up by 2015. He noted that there was only one of the inspectors out in the field and the other one, who was a supervisor, was mainly assigned to administrative duties. That supervisor voluntarily was demoted, and now there are two inspectors in the field. There were also two and a-half Principal Clerks who each had a different supervisor. Those employees are now supervised by the Building Official. The half-time Principal Clerk will be re-assigned to the Planning and Housing Department on a trial basis to fill the vacancy created by the resignation of that Department's secretary. The reallocation of personnel resulted in a decrease of .05 FTE and a reduction of more than \$1,000 from the Building Safety program budget and a decrease of .15 FTE and reduction of \$25,000 from the Rental Housing program budget.

City Manager Schainker emphasized the benefits to the City of partnerships with other entities, specifically noting the partnership with Iowa State University with the Ames Fire Department.

ADJOURNMENT: Moved by Davis to adjourn the meeting at 8:16 p.m.

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

AMES, IOWA

FEBRUARY 7, 2013

The Ames City Council met in special session at 5:16 p.m. on February 7, 2013, in the Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Campbell presiding and the following Council members present: Jeremy Davis, Matthew Goodman, Jami Larson, Peter Orazem, Victoria Szopinski, and Tom Wacha. *Ex officio* Member Baker was absent.

FY 2012/13 BUDGET PROPOSALS: The City Council heard reports on the Transportation Program and General Government and Internal Services.

Transit System. Transit Director Sheri Kyras gave a six-year history of CyRide ridership. Ridership increased 40% in those six years, and it appears that that level of growth will continue. Om 2012/13, 5.9 million rides are anticipated in 2012/13. It is projected that over 6 million rides will be provided in 2013/14. With increasing Iowa State University enrollment predicted to continue in the near future, CyRide continues to be in a growth period, which places operational and infrastructure pressures on the system at a time when non-local funding is lowered.

Director Kyras noted that the total operating budget is approximately \$8.4 million for 2012/13 and \$8.8 million in 2013/14. She noted where the revenue will come from in 2013/14. Federal transit dollars have shifted with additional operating funding and no capital funding. There will be a 3.8 % increase in state dollars, local dollars from the three funders will increase 5% from each of the funders (City, Iowa State University, and the Government of the Student Body). Fuel prices are expected to increase 9.4% in FY 2013/14 budget with the average price of fuel budgeted at \$3.75/gallon; that will impact the budget by more than \$80,000 in FY 2013/14. To sustain the basic level of capital replacement, \$800,000 will need to come from the General Fund, and \$819,965 will need to be transferred from the Transit Operation to Capital Budget. It has been estimated that 90% of CyRide's ridership is from students; that is part of the reason that the funding shares are not even. Council Member Wacha, who represents the Council on the Transit Board, pointed out that the GSB provides 65% of the funding.

Major projects planned for 2013/14 were explained by Ms. Kyras: the Orange Route Study, which is anticipated to be completed in Spring 2014; the NEXTbus system, Articulated Buses, Management of Predicted Growth in the System, Intermodal Facility Project/Grant Close-out, Facility Construction Management, and Bus Shelter Improvements..

Council Member Larson noted, and Director Kyras concurred, that large apartment complexes increase demands on CyRide. Mr. Larson suggested that the Council consider those impacts when such a project comes before it for approval. Ms. Kyras said she was not sure the costs of those impacts; however, she can provide those to the Council.

Mayor Campbell asked how Dial-a-Ride is working since CyRide has contracted with the Heart of Iowa Regional Transit Agency for the service. Ms. Kyras reported that there have been some challenges with scheduling, but they are attempting to work out the issues. She noted that CyRide is not in a position to provide the service; if it is contracted-out, federal dollars are received; if it is done in-house, it is not federally funded.

Fleet. Fleet Support Manager Rich Iverson told the Council that they have been reducing its outsourcing. He noted that the public sector average shop rate is \$103 vs. the City rate of \$59.10. Public sector parts costs have a mark-up of 30%, and City parts are billed at cost. They reduce their costs through shop efficiencies, equipment and tools, communication, and training. Fuel prices are expected to rise to \$3.30 per gallon in FY 2013/14. Fuel continues to be the largest line item in the 2013/14 budget, at \$697,000.

Under Fleet Acquisition and Disposals, Mr. Iverson told the Council that the Department formerly had interest earnings to offset the cost of fleet; however, that is no longer the case. He added that the life cycles of fleet have been extended to reduce costs to departments, and there are some carry-over funds, but there will still be significant increases.

According to Mr. Iverson, 15% of fleet was considered “green” in 2013. They continue to purchase alternate-fueled fleet whenever possible. There are some challenges to alternate-fuel vehicles; however, the City continues to look at Compressed Natural Gas, Hybrid, all-electric, and bio-fueled vehicles.

Facilities. Director Hinderaker reported on budget changes. There is a \$10,000 increase in insurance premiums due to re-valuations. The City Hall’s appraised value doubled in 2011. There is a \$57,856 capital carry-over in FY 12/13, which is intended to be used for minor remodeling in Human Resources and Finance Departments. There is a \$17,000 (13%) reduction on electric expense for City Hall after energy-efficiency projects have been undertaken. There is an anticipated increase of \$10,000 for the cleaning contract in 2012/13; it has not increased in six years and more emphasis is going to be placed on the appearance of City Hall. For the exterior improvements, \$10,000 has been added for landscape borders/edging. Mr. Hinderaker stated that the focus will be on maintenance of City Hall. He shared the list of improvements to be undertaken.

Human Resources. The budget for Human Resources was detailed by Director Julie Huisman.

In 2010/11, 50 recruitments were launched. A total of 2,211 applications were received. NEO-GOV, the on-line applicant tracking system, significantly reduced the amount of paper and postage used by the Department. Ms. Huisman listed the key recruitments performed during 2011/12 and to date in 2012/13.

Highlights for the Health Insurance Management were given. She said that the City has implemented a host of programs and services that have strengthened the City’s ability to moderate and absorb expected fluctuations. The City is certified as a Gold Well Workplace by the Wellness Council of America. The City is the only municipality in the state with this level of designation, and has sustained that certification since 2000. Currently, the City is pursuing the Platinum designation.

Ms. Huisman gave an update on the Union settlements that have been reached. She advised that the Police Unit is going to arbitration.

Risk Management. Risk Manager David Eaton highlighted the workers’ compensation, safety, and insurance categories. It was noted that claims for workers’ compensation and property insurance claims are the main budget-drivers. Initiatives that allow the City to get out ahead of the claims were explained by Mr. Eaton.

The 2013/14 budget includes an increase of 3.6% increase for general risk management and liability insurance and related administrative fees and services. Regarding property insurance, appraisals were completed last year. No capital dollars, other than those planned and preferred by the Electric Department, will be included in the budget. Overall, the Risk Management budget will decrease 1%.

Health Benefits. Human Resources Officer Doug Garnett reviewed the service objectives of Health Insurance Management: to keep average healthcare cost increases below national and regional averages. For 2012/13, rates for health insurance contributions increased 5%; however, for FY 2013/14, health insurance rates are budgeted to increase by approximately 8%. That is due, in part, to additional fees that the City will be required to pay under the Patient Protection and Affordable Care Act. The City has implemented many programs and services to educate employees to make good health-care decisions. Mr. Garnett outlined the three programs that have strengthened the City's ability to moderate and absorb expected fluctuations: (1) Outcomes Medication Therapy Management Services, (2) Disease Management Services provided by Wellmark/Healthways, and (3) Health Promotion.

City Council. Assistant City Manager Melissa Mundt provided a brief summary of the Council's Goal-Setting Session held on January 19, 2013. Public Relations Officer Susan Gwiasda talked about the City's branding/visioning efforts, which included updating materials, Brag Team meetings, and encouraging partnerships. The annual events sponsored by the Council were listed. She asked the Council to think about whether or not to continue the Ames Citizens Academy, which has seen dwindling interest. Council Member Szopinski expressed her desire to continue the program. She had learned a great deal about the City from attendance at the Academy. Council Member Davis asked if there was any overlap between Leadership Ames and the Ames Citizens Academy. Council Member Wacha said that the Leadership Ames classes focuses on community, rather than just the City. It was pointed out that Leadership Ames costs; the Citizens Academy does not charge its participants. Ms. Gwiasda also asked the Council to consider participating in the University's WelcomeFest rather than holding its own Welcome Back Event on Welch Avenue. Attendance at the Event was lower than usual.

Executive Management. Assistant City Manager Mundt listed the numerous committees and commissions staffed by the City Manager's Office. She also noted the support provided by staff on major City projects and assisting departments due to Director vacancies. Work continues on the Excellence Through People initiatives.

The meeting recessed at 7:10 p.m. and reconvened at 7:20 p.m.

City Clerk. Diane Voss presented the City Clerk's Division budget. The Council's use of iPads allowed for a \$4,000 reduction in the Printing line item. The cost of purchasing the iPads was offset in fewer than eight months by savings in printing, staff time, and materials. A major expense for the City Clerk's Division is the publication of legal notices, minutes, and ordinances, which is projected to equate to approximately \$38,000/year.

Public Relations. Susan Gwiasda, Public Relations Officer, listed ways that the City communicates internally and externally. There were 170 media releases during 2012. She showed how the publications have changed throughout the years. Pertaining to social media, the City participates in *Twitter* and *Facebook*. Ms. Gwiasda advised that the City has 1,500 Friends on *Facebook* and 2,500 on *Twitter*. Four events promoted by the Public Relations

Officer to be held in 2013 were highlighted. Ongoing promotions under the EcoSmart - Smart Energy (Demand Side Management) were described by Ms. Gwiasda.

Cable TV. Derek Crisler, Cable Coordinator, was present. Highlights were provided for Channel 12 (Government) and Channel 16 (Public) were provided by Public Relations Officer Gwiasda. Upgrades are being made and equipment replaced in the Control Room. Mr. Crisler has changed all graphics on live and original programs to match the new color scheme and logo. New video control system has been installed for Channel 16. New programs for weekly playback continued to be received. Under Mr. Crisler's leadership, there has been an increase in programs and continued improvement in quality. Council Member Larson suggested that Channel 16 be better promoted.

Ms. Gwiasda gave tribute to the interns who assist the Public Relations Officer and Cable TV.

Legal Services. Acting City Attorney Judy Parks recognized that the City Attorney's position has been vacant after the retirement of Doug Marek in early December. Ms. Parks showed the funding sources for Legal Services; the General Fund provides \$322,803. Major planning and Public Works projects were highlighted. Ms. Parks compared the costs of services provided by the City Attorney versus a private attorney. Council Member Larson stated that he and Council Member Goodman have begun to meet with the City Attorney's Office on a regular basis to provide guidance. He noted that the City Attorney is one of two City employees who is directly supervised by the City Council..

Planning & Housing. Highlights on the budgets for Long-Range and Current Planning were presented by Acting Planning and Housing Director Bob Kindred. For 2013/14, they have decreased budgeted staff time devoted to Long-Range Planning from 50% to 20%. This stems from the more active development climate and from staff's efforts to emphasize responsive customer service and the Council's "Can Do Attitude." Current Long-Range activities for 2012/13 and 2013/14 were listed as were work activities under the Current Planning Program. Planner Jeff Benson has been designated to be a liaison to work with the Ames Community School District on development of new schools and disposition/redevelopment of former school sites.

Housing & Community Development. Vanessa Baker-Latimer, Housing Coordinator, said that she would be focusing on the administration of the Neighborhood Sustainability Program. She noted that for 2012/13 and 2013/14, their Action Plan will include: (1) Neighborhood Sustainability Program, (2) and Neighborhood Public Improvement Programs, which includes neighborhood infrastructure improvements. Ms. Baker-Latimer reported that the City has not heard what its CDBG allocation will be for 2013/14.

Council Member Larson suggested that the City's event trailer could be used to facilitate a "ribbon cutting" when infrastructure projects funded via CDBG funds are completed. That would allow the Mayor and City Council members as well as members of the public to celebrate the completion of the project with the affected neighbors..

COMMENTS: City Manager Schainker brought the Council's attention to a graph prepared by the Budget Officer at the request of Council Member Goodman showing the Total Costs of City Services.

Mr. Schainker also wanted the Council to note the letter placed around the dais from Julie Weeks, on behalf of the Ames Convention & Visitors Bureau, requesting the City to match the Ames Community Grant Program funding in the amount of \$10,000 for 4th of July fireworks. Council Member Goodman explained that when the Council agreed to a referendum to be placed before the citizens for a 2% increase in the Hotel/Motel Tax, the Ames Convention & Visitors Bureau agreed to fund several funding requests; fireworks was one of those.

City Manager Schainker told the Council that a memo reminding the Council of pending issues that they will need to make decisions on at Budget Wrap-Up on February 12:

ADJOURNMENT: Moved by Davis to adjourn at 8:34 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

**MINUTES OF THE REGULAR MEETING OF THE
AMES CONFERENCE BOARD AND
REGULAR MEETING OF THE AMES CITY COUNCIL**

AMES, IOWA

JANUARY 22, 2013

REGULAR MEETING OF THE AMES CONFERENCE BOARD

The regular meeting of the Ames Conference Board was called to order by Chairperson Ann Campbell at 6:30 p.m. on January 22, 2013. Present from the Ames City Council were Jeremy Davis, Matthew Goodman, Jami Larson, Peter Orazem, Victoria Szopinski, and Tom Wacha. Story County Board of Supervisors present were Wayne Clinton and Rick Sanders. Representing the Ames School Board were Teresa Simpson and Bill Talbot. Gilbert School District was represented by Marcia Dezonias. United School District was not represented.

MINUTES OF THE JULY 10, 2012, SPECIAL MEETING OF THE CONFERENCE BOARD:

Moved by Clinton, seconded by Goodman, to approve the minutes of the Special Meeting of the Conference Board held July 10, 2012.

Vote on Motion: 3-0. Motion declared carried unanimously.

ASSESSOR'S BUDGET PROPOSALS: Ames City Assessor Greg Lynch highlighted information from the City Assessor's 2013/14 Annual Report. He specifically explained Taxable Valuations by Class at 100% Assessed Value and at Rolled Back or Taxable Values. The percentage of change between the 2011 and 2012 values was noted. The 2012 rollback factor was 52.8166%. According to Mr. Lynch, the increase in the rollback is the primary driver of the net 5.4% change in taxable value from 2011 to 2012.

Department activities were reviewed by Mr. Lynch. Residential properties are starting to rebound from problems experienced in past years. He brought the Council's attention to Attachment D contained within the Report, which shows the quarterly sales activity. The overall sales volume for new homes decreased 30% from 2010 to 2011, but in 2012, it increased back up to 43. The sale price for new homes also increased. There were 575 sales in 2012 compared to 492 in 2011. The overall sales volume for existing homes increased by 16.87%, and the average sales price per square foot increased 2.05%. The median sales price showed a slight increase of 1.49% from \$161,500 in 2011 to \$163,000 in 2012. According to Mr. Lynch, that, coupled with a median sales ratio of 99.3% for sales that are believed to be included in the Iowa Department of Revenue's sales ratio analysis for equalization, leads to the conclusion that residential revaluation for January 2013 would not be required. He also stated that since the Assessor's Office current software that is used to generate values is no longer supported, they have developed a new model and are currently calibrating it. It will be used to revalue residential properties.

In regards to commercial properties, based on information provided by the Iowa Department of Revenue through October of 2012 and on other sales that have occurred since then, Mr. Lynch estimated the median sales ratio to be 98%. This is down from a year ago when it was 100.7%. The 98% range is well within the range of 95% to 105%, which excludes it from equalization by the Department of Revenue; based on that, no city-wide commercial revaluation is warranted.

Department accomplishments for 2012 were highlighted by Mr. Lynch.

Assessor Lynch reported on staff changes within the office. Brenda Swaim, who has been with the Assessor's Office since 1996 was appointed as Deputy Assessor in 2012. The former Deputy Assessor, Paul Overton, had been appointed the Boone County Assessor. Matt Emerson was hired on July 1, 2012, as the Database Manager/IS Administrator.

Mr. Lynch detailed the City Assessor's budget proposal for 2013/14. Pertaining to salaries, he is asking for a 2.0% cost-of-living increase and a 1.00% merit pool, for a total of 3.00%, for the Assessor and all other staff. The Health Insurance line item was increased by 8%. Mileage reimbursement increased by \$.01/mile; it is paid at the current IRS rate. Mr. Lynch reminded the Conference Board that the Assessor's Office now uses the City's Information Technology Division for all of its needs.

The Board of Review line item was reviewed by Mr. Lynch, and a summary of the cases that had come before the Property Assessment Appeal Board was given. For 2012, 15 cases were filed; ten of those cases involved parcels held in a cooperative form of ownership.

Regarding the GIS and Mapping portion of the Assessor's Budget, Mr. Lynch advised that they had contracted with Pictometry for new aerial imagery. The flight occurred in March 2012, but because of early foliage, the photography was not acceptable. The company gave the Assessor's Office those images at no cost and re-flew the City in November 2012. They are hoping to be on a three-year cycle for aerial photography.

An explanation of the funds and balances uses and proposed was given by City Assessor Lynch. He noted that the projected ending balance is about 30% of the annual budget; it is felt that that amount of reserves is adequate.

The annual survey, as required by the Conference Board, was summarized by Mr. Lynch. Of the 100 forms mailed, 37 were returned. The Board's attention was brought to the comments that were contained within the Report.

Mr. Lynch pointed out that the percentage of change between the Proposed and Current Budget shows a decrease except for Assessment Appeals/Court Costs. The total percentage increase in the Assessor's Budget is 1.9%, which is the least amount of increase during Mr. Lynch's tenure.

Moved by Sanders, seconded by Szopinski, to approve the proposed City Assessor's 2013/14 budget, as above-discussed.

Roll Call Vote: 3-0. Motion declared carried unanimously.

Moved by Sanders, seconded by Szopinski, to receive the proposed budget (adoption of the budget will occur after the hearing is held).

Roll Call Vote: 3.0. Motion declared carried unanimously.

Moved by Sanders, seconded by Szopinski, to set 6:30 p.m. on February 26, 2013, as the date of public hearing on the proposed FY 2013/14 City Assessor's budget.

Roll Call Vote: 3-0. Motion declared carried unanimously.

COMMENTS: Council Member Larson added that the *Iowa Code* mandates that the City Attorney represent the Conference Board and states that the city may be reimbursed for its expenses. As part of an evaluation of the duties of the City Attorney in connection with the City's recruitment for that position, Acting City Attorney Judy Parks had done an analysis of the costs incurred over the past two years by the City Attorney's Office to provide the services to the City Assessor's Office. That analysis revealed that, depending on the number of appeals, the costs came out between \$5,000 and \$10,000/year, which was at the rate that other City departments are charged for the City Attorney's services. It was noted that those fees were much less than using the

services of a private attorney. Mr. Larson said that City Assessor Lynch had agreed to add that reimbursement to the City for the services of the City Attorney in the future. For 2013/14, that amount will be \$10,000.

ADJOURNMENT: Moved by Sanders, seconded by Davis, to adjourn the Ames Conference Board at 7:00 p.m.

Vote on Motion: 3-0. Motion declared carried unanimously.

REGULAR MEETING OF THE AMES CITY COUNCIL

The Regular Meeting of the Ames City Council was called to order by Mayor Campbell at 7:05 p.m. on January 22, 2013, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Davis, Goodman, Larson, Orazem, Szopinski, and Wacha. *Ex officio* Member Sawyer Baker was also present. The Mayor announced that the Council would be working off of an Amended Agenda: (1) The properties at 118-122 Campus Avenue were added to Item No. 16 pertaining to approval of a Plat of Survey; (2) Item No. 20 had been stricken because the establishment is not ready for final inspection; and, (3) approval of a Fireworks Permit for North Grand Mall was added under Permits, Petitions, and Communications. She also advised that staff had requested that Item No. 11 (purchase of Medium-Duty Truck Chassis for Electric Distribution Division) be pulled.

CONSENT AGENDA: Moved by Goodman, seconded by Davis, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of January 8, 2013, and Special Meeting of January 15, 2013
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for January 1-15, 2013
5. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class C Liquor - The 5 & Dime, 115 5th Street
 - b. Class C Liquor & Outdoor Service - West Towne Pub, 4518 Mortensen Road, Suite 101
 - c. Class C Liquor & Outdoor Service - Dublin Bay, 320 South 16th Street
 - d. Special Class C Liquor & Outdoor Service - Black Market Pizza, 2610 Northridge Parkway
 - e. Class C Liquor & Outdoor Service - Mickey's Irish Pub, 109 Welch Avenue
6. RESOLUTION NO. 13-019 approving Quarterly Investment Report for period ending December 31, 2012
7. RESOLUTION NO. 13-020 approving plans and specifications for 2012/13 Asphalt Street Reconstruction – 2012/13 Water System Improvements (South Wilmoth Avenue, Hilltop Road, Tripp Street, and Morningside Street), Water Main Replacement; setting February 20, 2013, as bid due date and February 26, 2013, as date of public hearing
8. RESOLUTION NO. 13-021 approving plans and specifications for Toronto Area Water Main Replacement (Toronto Street, Arizona Avenue, Tucson Court, Windsor Circle); setting February 20, 2013, as bid due date and February 26, 2013, as date of public hearing
9. RESOLUTION NO. 13-022 approving plans and specifications for 2012/13 Ames Municipal Cemetery Paving Improvements; setting February 20, 2013, as bid due date and February 26, 2013, as date of public hearing
10. RESOLUTION NO. 13-023 approving plans and specifications for Hickory Drive Improvements (Lincoln Way and Westbrook Drive); setting February 20, 2013, as bid due date and February 26, 2013, as date of public hearing
11. RESOLUTION NO. 13-025 approving Change Order No. 2 for 2011/12 Collector Street Pavement Improvements (Ash Avenue)
12. 2012 Electric Services Underground Trenching Project:

- a. RESOLUTION NO. 13-026 accepting completion of 2012 Underground Trenching primary contract with Ames Trenching & Excavating
 - b. RESOLUTION NO. 13-027 accepting completion of 2012 Underground Trenching back-up contract with Dig America
 - c. RESOLUTION NO. 13-028 approving preliminary plans and specifications for rebid of Underground Trenching for Electric Services; setting February 14, 2013, as bid due date and February 26, 2013, as date of public hearing
13. RESOLUTION NO. 13-029 accepting completion of 2012/13 Collector Street Pavement Improvements (Meadowlane Avenue - East 13th Street to Carr Drive)
 14. RESOLUTION NO. 13-030 approving completion of Brookside Park East Side Improvements
 15. RESOLUTION NO. 13-031 approving Plat of Survey for 125 Hyland Avenue and 118-122 Campus Avenue
- Roll Call Vote: 6-0. Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

PUBLIC FORUM: Aaron Fultz, 1115 Orchard Drive, Ames, Chairperson of the Ames Human Relations Commission, announced the recipient of the Ames Humanitarian Award: Debra Lee, who had been nominated by Jane Acker and Lynne Carey. The Award had been presented to Ms. Lee at the Martin Luther King, Jr., Celebration held on January 21.

Mr. Fultz also summarized the program held in observance of Martin Luther King, Jr., Day,

Michelle DeLaRira, Interim Director of Community and Family Resources (CFR), 1619 S. High Avenue, Ames, gave an update on the changes that had occurred to CFR's Management Team. She presented the response of CFR to the State Audit. Ms. DeLaRira thanked the City for forgiving the \$25,000 loan made to The Richmond Center. She stated that the City has been paid for the amount of the billing error discovered for nursing services between the City and Story County. Ms. DeLaRira told the City that CFR is very committed to the Ames community and dedicated to the prevention, treatment, and services that it provides and wants to partner with the City. She said she was very willing to address any concerns that the City may have regarding CFR's new Management Team and/or fiscal operations.

No one else came forward to speak, and the Mayor closed Public Forum.

5-DAY CLASS C LIQUOR LICENSE FOR OLDE MAIN BREWING COMPANY: Moved by Goodman, seconded by Davis, to approve a 5-Day Class C Liquor License for Olde Main Brewing Company at the CPMI Event Center, 2321 North Loop Drive.
Vote on Motion: 6-0. Motion declared carried unanimously.

CLASS C LIQUOR LICENSE FOR CHARLIE YOKE'S: Moved by Goodman, seconded by Davis, to approve a Class C Liquor License for Charlie Yoke's, 2428-2430 Lincoln Way.
Vote on Motion: 6-0. Motion declared carried unanimously.

SPECIAL CLASS C LIQUOR LICENSE FOR SHOGUN OF AMES: Moved by Davis, seconded by Larson, to approve a Special Class C Liquor License for Shogun of Ames, 3704 Lincoln Way.
Vote on Motion: 6-0. Motion declared carried unanimously.

FIREWORKS PERMIT FOR NORTH GRAND MALL: Moved by Goodman, seconded by Davis, to approve a Permit to shoot fireworks from the rooftop of North Grand Mall on March 7, with a rain date of March 8, 2013.

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

2013-2018 CAPITAL IMPROVEMENTS PLAN (CIP): Mayor Campbell invited the public to provide input on the 2013-2018 CIP.

Sue Wuhs, 2920 Monroe, Ames, the Director of Ames Community Preschool Center (ACPC), advised that she had learned just last Friday that ACPC's bid had been accepted by the Ames Community School District for purchase of the former Willson-Beardshear School building. She said that the building will be the new home of ACPC. Ms. Wuhs said that she had already been contacted by members of the Sunset Neighborhood Association, who want some of the land to be donated and turned into a park. She said that ACPC was not in a position to give anyone land; however, Ms. Wuhs hoped that the City would be willing to do something similar to what it does at other schools where the playground would be opened up for use by the public at night and on weekends when ACPC is closed. In that regard, Ms. Wuhs asked for the City to include in its CIP funding for playground structures at the subject site. She noted that it would be some time before ACPC could afford to purchase any playground equipment. Ms. Wuhs requested \$27,000 be placed in the CIP for purchase of playground equipment at the new ACPC site. Council Member Orazem asked when ACPC would move into the Willson-Beardshear building. Ms. Wuhs said that the contractor and architect believe ACPC could move into the building as early as Fall 2013. She said that one of the improvements that will have to be done is to add a kitchen, which will be very costly. According to Ms. Wuhs, ACPC's current lease with the Ames Christian Church expires in December 2013; they would honor that lease. At the question of Council Member Orazem, Ms. Wuhs responded that ACPC is a non-profit agency. She also answered the inquiry about how the \$27,000 figure was arrived at by stating that she had met with staff from the City's Parks and Recreation Department.

Stacey Ross, 1121 Marston Avenue, Ames, representing the Citizens for Roosevelt Park, thanked the City Council for its vote on November 27, 2013, to accept as large of parcel as possible from the School District. As such, Ms. Ross asked that the City Council budget monies in the CIP for Roosevelt Park development. She noted that the School Board had recently created a bid document to sell 2.2 acres of land around the School; the 1.3-acre potential park is exempted from the bidding document. Ms. Ross said that it was her understanding that the School Board will take formal action to recommend transferring 1.3 acres to the City within 60 to 90 days. According to Ms. Ross, the current 2.3-acre park space at Roosevelt gets extensive use by individuals and families from throughout the community of Ames. The 1.3-acre park space does not include the blacktop or the "iconic fort playground."

Marty Helland, 1024 Roosevelt Avenue, Ames, said that the Roosevelt School green space has served as a city park for nearly 100 years. For the 80+ years that the School had been opened, the park space had been labeled "a school playground." According to Ms. Helland, since the School closed, the area has gotten little attention from the School or the City, but it certainly didn't mean that it wasn't used as a park; dedicated neighbors have maintained the area - trimming the bushes, planting flowers, picking up trash. She urged the Council to add money for park development in the CIP.

Kate Padgett-Walsh, 1209 Marston Avenue, Ames, stated that she was the President of the City's oldest neighborhood association, also urged the Council to allocate funding in the CIP for development of Roosevelt Park. She said that there are people from all over Ames and Gilbert that use the Park, some on a daily basis.

City Manager Schainker noted that staff had already been in discussion with the Parks & Recreation Commission concerning the Roosevelt School site. City staff will probably recommend placing development of a park at the Roosevelt School site in the second year of the CIP. Meetings will need to be held and input received from the neighbors.

Regarding the request of ACPC, City Manager Schainker noted that the City has considered open space/play areas at schools as neighborhood parks, and the City had entered into an agreement to share 50/50 with the Ames Community School District to buy playground equipment. ACPC is not offering to pay 50%; however, the difference might be that ACPC's new location might not necessarily be a city park. Discussion will need to occur with ACPC and the Parks & Recreation Director as to what percentage of the costs of playground equipment would be paid for by the City.

ANNEXATION AGREEMENTS WITH HUNZIKER LAND DEVELOPMENT, LLC, AND QUARRY ESTATES: City Manager Schainker advised the Council that there currently is an approved annexation agreement with the owners of Rose Prairie. Quarry Estates representatives also had signed an annexation agreement; however, it was never approved by the City Council. The Council had hoped to approve an agreement with Hunziker and Quarry Estates at the same time.

According to Mr. Schainker, based on the Council's most recent discussions, there are two policy issues that need City Council direction before City staff can prepare an agreement for approval:

Issue 1: Sprinklers in Homes. In order to address the concern of the new development north along Grant Avenue impacting the City's emergency response time, the developer suggested that any residential building include a fire sprinkler system; said requirement would be included in the annexation agreement. Mr. Schainker reported that Chuck Winkleblack, who represents Hunziker Land Development is adamant that no agreement can be reached for its two properties unless the sprinkler requirement be eliminated. Officials from Quarry Estates subsequently stated that even though the City has a signed agreement that includes the sprinkler requirement, they will not proceed with their development unless the sprinkler requirement is removed from the agreement. Therefore, the issue before the City Council is whether or not to include the residential sprinkler requirement in the annexation agreements with Hunziker and Quarry Estates.

Issue 2: Extension of Electric Utility Lines to Area B. Electric Services Director Donald Kom stated that all of Rose Prairie is not within the Ames Electric Utility service area.

City Manager Schainker pointed out that someone must pay for the extension of the electric distribution system up to the Hunziker property. The issue before the City Council is who should be responsible for extending the electric distribution system from Bloomington Road up to the southern boundary line of the Hunziker property.

Director Kom pointed out that the developer of Bloomington Heights was not required to extend the electric distribution system to the northern edge of his property up to the Hunziker property. Since it has been decided to annex property to the north, the electric system must be extended. The costs to add overhead lines would be approximately \$280,000. The costs to add underground lines would equate to approximately \$430,000. The system would be built big enough to accommodate all the growth that would happen in the Ames service territory. It would be the responsibility of the developer to install the internal infrastructure (within the development) and create the capability to get through to the edge of the development.

Council Member Goodman asked if there were any instances when the City would give up any of its territory to another utility. City Manager Schainker said that would mean the City would give up revenue. There are times when utilities “swap” areas, but not give it up.

According to Mr. Kom, from an electrical infrastructure standpoint, the estimated investment in this case to pick up the number of customers who would be living in the area is not out of line. If this property were somewhere else in the City, it would do the same thing. Also, if only Bloomington Heights was going to be served with a redundant system, the cost would be approximately one-half of the amount, i.e., \$140,000 for overhead lines or \$215,000 for underground lines. Assistant City Manager Bob Kindred noted that the *Code* requires that the distribution system be installed underground in residential areas. Mr. Kom added, however, if additional transmission is needed, and a transmission line would need to be constructed, because of the size of the load, it would need to be overhead. Even though it would be along the railroad tracks, this might not be appealing to new home owners.

Council Member Larson stated his opinion that it was not fair to require Hunziker to pay for expansion of the electric distribution system because Midland Homes or Regency Builders were not required to construct it to the northern edge of its property.

Council Member Szopinski expressed her frustration that the City is already investing \$1.4 million to extend infrastructure, paying 23% of the paving of Grant Road. She felt that the City keeps saying, “Sure.” It is her opinion that the developers needed to share in the costs, instead of it “being all us. It is always the City picking up the tab.” Ms. Szopinski said it will “only benefit a few.”

Director Kom noted, from an electrical provider standpoint, that when new territory is added, the City typically service is brought to the property at the City’s cost.

Chuck Winkleblack, 105 S. 16th Street, Ames, pointed out that, regardless of what the Land Use Policy Plan shows, the property in question has been in the Ames Electric Service territory for a long time, probably decades. He has never known any utility to give up its service territory because it refused to provide basic infrastructure. Mr. Winkleblack noted that Rose Prairie had already been annexed to the City of Ames. Assistant City Manager Kindred advised that the annexation agreement does require the developers of Rose Prairie to pay for electric distribution lines; however, in order for service to that land, the lines would have to go through the Hunziker land. Mr. Winkleblack asked who would pay for the infrastructure if the Hunzikers do not agree to annex; that would be approximately \$500,000 waiting to be paid for Rose Prairie.

Mr. Winkleblack took offense to Ms. Szopinski’s comments that “the Hunzikers keep asking” and the comments in Council Member Goodman’s blog, which is transmitting information to the public that is inaccurate. According to Mr. Winkleblack, the blog says, “that the Hunzikers keep asking and asking.” He wanted the record set straight: the developers of the Hunziker parcel have never asked the City to invest \$1.4 million in infrastructure; they preferred to “keep the City out of it.” In addition, he noted that paying a portion (23%) of paving Grant Road is an actual policy of the City – that adjacent property owners pay their share, and the City is an adjacent property owner. Mr. Winkleblack emphasized that the Hunzikers were paying costs for this annexation above and beyond what is traditional for subdivisions. They did not ask for their percentage of that to be done; the Hunzikers did not want to be a part of it. Regarding the electrical connection, it is traditional that the City brings the infrastructure to the development. This is the first time that Hunziker developers have ever been asked to pay to get power to their property. Mr. Winkleblack also stated that the Athen development needs to move forward because it is up against strict time constraints. He

advised that the retirement community equates to approximately \$13 million plus the residential development, and it needs to move forward.

Moved by Larson, seconded by Orazem, to exclude residential sprinklering requirement in both Hunziker and Quarry Estates annexation agreements.

Council Member Wacha asked what would happen if the developer of Rose Prairie asks to also be excluded from the sprinklering requirement. Mr. Larson stated that his motion did not include Rose Prairie.

Council Member Goodman noted that the developers of Quarry Estates had signed the annexation agreement as it was negotiated at that time. The fact that the City had not consummated the agreement was irrelevant; it could be signed by the City at any time. Hunziker had never signed the agreement; however, Quarry Estates had signed it, and he felt that developer should uphold its commitment. Mr. Goodman said that he was concerned over the City being willing to renegotiate agreements that had been signed.

It was asked by Mr. Goodman where the low-impact development comes into play. Assistant City Manager Kindred answered that the Conservation Subdivision Ordinance applies to all of the land within the Ada Hayden Watershed; that would apply to all three subdivisions (Hunziker, Quarry Estates, and Rose Prairie).

Vote on Motion: 4-2. Voting aye: Davis, Larson, Orazem, Wacha. Voting nay: Goodman, Szopinski. Motion declared carried.

Moved by Larson, seconded by Orazem, for the City of Ames bear the cost and the responsibility for extending the electric distribution system from Bloomington Road up to the southern boundary line of the Hunziker property, and that be accomplished in an overhead along the railroad portion.

Council Member Goodman stated his disagreement with that motion. He stated that these choices are made because the Land Use Policy Plan changed. When that happens, there are extra costs that are incurred by the City. Mr. Goodman said that he did not think it was unreasonable to ask for cost-share. The requests of developers triggers the extra costs and those costs should be shared to those whom stand to benefit the most in terms of profit.

Vote on Motion: 4-2. Voting aye: Davis, Larson, Orazem, Wacha. Voting nay: Goodman, Szopinski. Motion declared carried.

STONE BROOKE SUBDIVISION EROSION CONCERNS: Civil Engineer Eric Cowles stated that the City's Storm Sewer Outlet Erosion Control annual program provides for stabilization of areas that have become eroded due to discharges of the storm sewer system into streams, channels, swales, gullies, or drainage ways in residential areas. The intent of that annual CIP program is to provide a more permanent control of the erosion and will reduce recurring maintenance costs in these areas. He noted that the location identified for this program in 2011/12 was the creek adjacent to the Stone Brooke Subdivision (the creek crossing at Hoover Avenue to the outlet at Ada Hayden Park).

Although his property will not be impacted, City Manager Schainker recused himself from assisting the City Council on this issue since he is a member of the Stone Brooke Homeowners Association.

According to Mr. Cowles, the main area of concern for the property owners is an area of settlement between their respective properties. Maps were shown of the settlement area between 4002/1506 Stone Brooke Road. Between the properties is an existing storm sewer pipe that outlets into the creek. The land settlement is occurring above/near the storm sewer pipe installation. Mr. Cowles listed several possibilities as to why the land could be settling.

Assistant City Manager Kindred advised that it is the City's responsibility to maintain the storm sewer pipe as well as the creek since it carries public storm water discharge.

Mr. Cowles reported that City staff televised the section of storm sewer to determine if there were any irregularities in the storm sewer and found no evidence of collapse, cracks, holes, or soil infiltration into the storm sewer. The drainage channel was also analyzed and showed little evidence of significant erosion. The only point of issue was the small location between the two homes. No major bank erosion in this area was found that would lead to the settlement issue. In fact, it was found that the drainage channel is one of the more stable drainage channels across the City.

In summary, Mr. Cowles said that the likely reason for the settlement is due to poor compaction above or near the storm sewer trench when the pipe was installed. The settlement will be monitored with an electronic survey to ensure that the area is no longer settling. If it has ceased, the area will be stripped of the existing grass, soil will be added, and the area will be re-sodded. If the settlement is not yet complete, the area will be excavated, fill material added and compacted, and the area will then be re-sodded. In regards to the creek and the out-of-bank flows, no further action is recommended. It is estimated that this work will cost in the range of \$10,000 to \$15,000.

COMPLETION OF CONTRACT PROVISIONS FOR REDEVELOPMENT OF NORTH

GRAND MALL: Moved by Wacha, seconded by Goodman, to adopt RESOLUTION NO. 13-032 accepting completion of contract provisions for redevelopment of North Grand Mall.

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

2013/14 ANNUAL ACTION PLAN: Housing Coordinator Vanessa Baker-Latimer told the Council that, as part of the City's process for preparing the Community Development Block Grant (CDBG) Program Annual Action Plan, staff had hosted three public input opportunities. Those meetings were designed to educate the public about the CDBG Program, receive feedback on Program activities based on customer input during program implementation and/or from requests for assistance, and receive input from various community groups, organizations, and citizens regarding other possible program activities. According to Ms. Baker-Latimer, 26 persons representing various agencies and five citizens had attended and/or provided specific input. The overall feedback received centered around affordable housing, and specifically, rental housing.

Ms. Baker-Latimer reported that the following suggestions were made:

1. The City continue utilizing CDBG funds to administer the Renter Affordability Program.
2. Expand the Dangerous Buildings Program to include substandard rental properties for non-profit organizations to build new affordable housing units.
3. Set aside the 15% public service cap for non-profit organizations in order for them to apply for implementation of various programs or services.
4. If any affordable housing is removed for any reason, there should be a one-to-one replacement of each property due to the affordable housing shortage.

5. Utilize CDBG funds to assist Project Iowa with job training opportunities for under-employed persons seeking living wage careers and employers seeking workers.
6. Utilize CDBG funds to subsidize K-12 students for CyRide transportation costs to attend school.

Council Member Goodman asked if it would be possible to use CDBG funding in connection with human service agencies. Ms. Baker-Latimer said that she would have to look into that further.

7. Utilize CDBG funds to assist with expanding affordable rental housing.
8. Utilize CDBG funds to assist with the Coordination Intake Process for non-profits to track assistance provided to homeless individuals and/or households.

Ms. Baker-Latimer noted that the City had not been notified of its CDBG funding allocation for 2013/14. Last year, the City was notified in March. The Plan needs to be submitted to HUD by May 17, 2013.

The following programs were recommended by City staff after taking into consideration the public forum comments. Ms. Baker-Latimer emphasized that it would depend on the amount of CDBG funds that the City will receive for 2013-14.

1. Home Improvement Rehabilitation
2. Homebuyer Assistance
3. Acquisition/Reuse
4. Operations and Repair
5. Dangerous Buildings
6. Deposit Assistance
7. Neighborhood Infrastructure Improvements

Ms. Baker-Latimer provided staff's rationale for recommending a continuation of those Programs. She noted that all of the activities proposed, except for the Dangerous Building Program, would be of 100% benefit to low- and moderate-income persons and/or neighborhoods.

Shari Reilly, 320 Ash Avenue, Ames, said that she was representing A Mid-Iowa Organizing Strategy. She expressed AMOS' concerns about a lack of affordable rental housing. Members of AMOS believe that it is important to use CDBG funding to develop programs that support people, rather than City infrastructure. AMOS would like to see a close working relationship between the City and Central Iowa Regional Housing Authority (CIRHA). AMOS would like to see transportation assistance be included in the next five-year Action Plan. Ms. Reilly also voiced AMOS' support for Project Iowa with job-training opportunities for under-employed persons.

Mayor Campbell noted that Ames is unique due to the ASSET process. That process is utilized for many of the projects that Ms. Reilly spoke about; the ASSET process has the scrutiny, without many of the administrative "strings" attached.

Council Member Larson acknowledged that Ms. Reilly's ideas were very creative. He noted that some of the funders take on other projects outside of the ASSET process, e.g., the United Way working on the transportation issue on a County-wide basis and provided separate funding on a one-time basis. Perhaps there would be CDBG funds that could be used for such programs since ASSET funds are in such demand. Mayor Campbell noted that the City Council has requested to review the

ASSET guidelines much earlier in the process, i.e., in the summer instead of right before budget time.

Council Member Orazem said that, in order to prioritize the Programs, it was important to know what services already have a funding source.

Moved by Wacha, seconded by Davis, to adopt RESOLUTION NO. 13-033 approving the proposed 2013/14 Annual Action Plan Program projects as noted above in connection with the City's CDBG Program and authorize staff to prepare the Action Plan document for the 30-day public comment period.

Council Member Goodman noted that some of the CDBG funding goes to pay for infrastructure (curb and gutter) in the low- to moderate-income areas. He said he shared Ms. Reilly's philosophy that the funding go to people, not infrastructure. Mayor Campbell noted that the infrastructure being funded is in the low- to moderate-income neighborhoods. Mr. Goodman said he felt that this year might be the year to explore other opportunities.

Council Member Davis stated that Housing Coordinator Baker-Latimer would soon be requesting that the Council develop its priorities for the next five-year Plan. He would like to wait to develop new programs until priorities are set. Mayor Campbell suggested that Council establish the priorities for CDBG funding around the same time as the ASSET Needs Assessment.

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

Council Member Goodman said that he sees some value to the comments made by Ms. Reilly. He asked if it would be best to wait to bring up other ideas, making sure that AMOS representatives are aware of when the discussion would occur. Housing Director Baker-Latimer pointed out that 2013/14 is the last year of the second five-year Plan. Next year, the City would have to approve a new five-year Consolidated Plan and priorities. She thought that would be the best time to bring up new goals and Programs.

Ms. Baker-Latimer noted that HUD had changed the entire plan for next year. She has not had the opportunity to review all the changes, but the City might need to hire some assistants to collect data and community input.

Greta Anderson, 60371-190th Street, Nevada, stated that she does not live in Ames, but serves on the Board of the Emergency Residence Project (ERP). She noted that the ERP does provide partial rental and utility deposits, but not enough to cover the entire cost of the deposit. Ms. Anderson alleged that there is a crisis of homelessness in Ames. Ms. Anderson said that the ASSET funding is not nearly enough to meet the needs in the Ames community. She suggested that staff engage the creativity and knowledge of the non-profits and AMOS in the development of the five-year Plan. Ms. Anderson asked that the City, as a whole, make greater efforts to engage the creativity of non-profits in the planning process.

Moved by Goodman, seconded by Larson, to direct that a discussion of the current and possible processes to develop the next 5-Year Plan be placed on a future City Council agenda.

It was noted that the time frame would be late Summer or early Fall 2013.

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

REPORT OF AMES MUNICIPAL UTILITY PLAN: Moved by Davis, seconded by Goodman, to accept the Report from the Utility Retirement Advisory Board and recommend that the relationship with Vanguard as Plan Administrator be continued.

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

STEAM TURBINE NO. 8 OVERHAUL: Electric Services Director Kom explained that typically, about every five years, one the units is taken down, and the turbine is opened up, cleaned, examined for anything that needs to be replaced, and then closed up (“open, clean, and close”). Steam Turbine Unit No. 8 is scheduled to be disassembled and inspected during the Spring 2013 outage.

According to Mr. Kom, bid documents were issued to open, clean, and close Unit No. 8, and in addition to the Base Bid, the bid contains 14 options based on time and material not to exceed prices for major repair work that may be necessary once the unit is opened up. The purpose of the options was to limit costs for the City and pay actual costs for the repair since the scope of each repair could not be defined for a lump sum bid. A price not-to-exceed was requested from each bidder, and the bids were evaluated on that basis. Staff requested that the Council approve a contract to open, clean, and close plus three options that the City knows will need to be done as well as authorizing staff to approve repair work once the unit is opened up and the need verified. The contract with NAES Corporation, if approved, gives staff the flexibility to authorize repairs, if needed. According to Director Kom, the City may not need to spend the entire amount of the contract if there are no other unforeseen repairs needed.

At the request of Council Member Orazem, Mr. Kom gave the history of the maintenance work issues that had occurred with Unit No. 7.

Moved by Goodman, seconded by Larson, to adopt RESOLUTION NO. 13-034 awarding a contract to NAES Corporation of Houston, Texas, in the amount of \$807,800 for Steam Turbine No. 8 Overhaul.

City Manager Schainker emphasized that the City learned from what had occurred in Unit No. 7. The City is pre-bidding certain items. If there is a repair needed that is not on that list, Special Council Meetings might be necessary so that the parts can be bid as soon as possible (while the Unit is open). The City will also be hiring a consultant (equipment manufacturer representative) on this project to provide guidance to the City and monitor the project. Two of the three options that staff knows will be needed are: (1) recasting the bearings, and (2) a low-speed stop test.

Noting that another problem with Unit No. 7 had been that the company doing the work had limited bonding capacity, Council Member Larson stated that he wanted to ensure that the company hired has the ability to add to the original bond in case performance issues are encountered. Director Kom said that the company doing the work on Unit No. 7 was a much smaller company than NAES; it was the low bidder.

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

HEARING ON VACATING ELECTRIC FACILITIES EASEMENT AT 218-5TH STREET: The Mayor opened the public hearing. There being no one wishing to speak, the hearing was closed.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 13-035 vacating an electric facilities easement granted by Youth & Shelter Services for its properties located at 218-5th Street. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON VACATING UTILITY EASEMENTS IN THE STREETS OF NORTH GRAND SUBDIVISION: The public hearing was opened by the Mayor. She closed same after no one came forward to speak.

Moved by Wacha, seconded by Goodman, to adopt RESOLUTION NO. 13-036 vacating utility easements in the Streets of North Grand Subdivision. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON PROGRAMMATIC AGREEMENT WITH IOWA STATE HISTORIC PRESERVATION OFFICE (SHPO) IN CONNECTION WITH ADMINISTRATION OF CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM: Mayor Campbell opened the public hearing. No one asked to speak, and the hearing was closed.

Moved by Davis, seconded by Larson, to adopt RESOLUTION NO. 13-024 approving the Agreement and authorizing its submittal to SHPO.

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

ORDINANCE STRIKING REFERENCES TO BOARD OF HEALTH IN MUNICIPAL CODE CHAPTER 11 (HEALTH AND SANITATION): Moved by Goodman, seconded by Davis, to pass on first reading an ordinance striking references to Board of Health in *Municipal Code* Chapter 11 (Health and Sanitation). Roll Call Vote: 6-0. Motion declared carried unanimously.

ORDINANCE STRIKING REFERENCE TO BOARD OF HEALTH IN THE INDEX OF THE MUNICIPAL CODE: Moved by Davis, seconded by Szopinski, to pass on first reading an ordinance striking references to Board of Health in the index of the *Municipal Code*. Roll Call Vote: 6-0. Motion declared carried unanimously.

ORDINANCE REZONING PROPERTY LOCATED AT 2008-24TH STREET FROM RESIDENTIAL LOW-DENSITY (RL) TO RESIDENTIAL HIGH-DENSITY (RH): Moved by Goodman, seconded by Wacha, to pass on second reading an ordinance rezoning property located at 2008-24th Street from Residential Low-Density (RL) to Residential High-Density (RH). Roll Call Vote: 6-0. Motion declared carried unanimously.

COUNCIL COMMENTS: Moved by Davis, seconded by Larson, to refer to staff the letter from the Iowa State University Research Park Corporation dated January 14, 2013, requesting that the City consider:

1. Placing traffic lights at the intersection of Airport Road and University Boulevard
2. Examine the widening of University Boulevard adjacent to the WebFilings project to accommodate turning lanes and a through lane

3. Evaluate the intersection of the Highway 30 westbound exit and University Boulevard at the peak traffic times of 8:00 a.m. and 4-5:00 p.m.

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

Regarding the letter from Bo Su, City Manager Schainker stated that staff will contact Mr. Su again and discuss the issues with him.

ADJOURNMENT: Moved by Davis to adjourn the meeting at 9:30 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

MINUTES OF THE AMES CIVIL SERVICE COMMISSION

AMES, IOWA

JANUARY 24, 2013

The Ames Civil Service Commission met in regular session at 8:15 a.m. on January 24, 2013, in the Council Chambers of City Hall, 515 Clark Avenue, with Commission Members Adams and Shaffer present. Commission Member Crum was absent. Also in attendance was Human Resources Officer Doug Garnett.

APPROVAL OF MINUTES: Moved by Shaffer, seconded by Adams, to approve the minutes of the January 8, 2013, Civil Service Commission meeting as written.

Vote on Motion: 3-0. Motion declared carried unanimously.

CERTIFICATION OF ENTRY-LEVEL APPLICANTS: Moved by Shaffer, seconded by Adams, to certify the following individuals to the Ames City Council as entry-level applicants:

Accountant:	Su Xia	82
	Diane Oltmann	80
	Julie Petersen	75
	Donna Neubauer	74
Human Resources Analyst:	Krista Robinson	89
	Rachel Rasmussen	83

Vote on Motion: 3-0. Motion declared carried unanimously.

CERTIFICATION OF PROMOTIONAL-LEVEL APPLICANTS: Moved by Shaffer, seconded by Adams, to certify the following individuals to the Ames City Council as promotional-level applicants:

Parks Maintenance Specialist:	Gary Milam	73
	Jeremy Muschick	72
Underground Electric Service Worker:	Kevin Burkheimer	80
	Scott Hutzell	77
	Aaron Wirth	77

Vote on Motion: 3-0. Motion declared carried unanimously.

COMMENTS: The next regularly scheduled Civil Service Commission meeting was set for February 28, 2013, at 8:15 a.m.

ADJOURNMENT: The meeting adjourned at 8:16 a.m.

Terry Adams, Chair

Jill Ripperger, Recording Secretary



REPORT OF CONTRACT CHANGE ORDERS

Period:	<input type="checkbox"/>	1 st – 15 th
	<input checked="" type="checkbox"/>	16 th – end of month
Month and year:	January 2013	
For City Council date:	February 12, 2013	

Department	General Description of Contract	Contract Change No.	Original Contract Amount	Contractor/ Vendor	Total of Prior Change Orders	Amount this Change Order	Change Approved By	Purchasing Contact Person/Buyer
Water & Pollution Control	WPC Facility RWPS Pipe Supports & Check Valve Replacement	1	\$135,300.00	Story Construction Co.	\$0.00	\$5,190.00	J. Dunn	MA
Public Works	2009/10 Concrete Pavement Improvements	2	\$1,022,869.17	Concrete Technologies, Inc.	\$(2,074.00)	\$4,464.09	T. Warner	MA
Public Works	Design Features on South 16 th Street	1	\$555,495.00	RDG Dahlquist Art Studio	\$0.00	\$1,454.22	E. Cowles	MA
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		

*Caring People
Quality Programs
Exceptional Service*

5 a-h

TO: Mayor Ann Campbell and Ames City Council Members

FROM: Lieutenant Jeff Brinkley – Ames Police Department

DATE: February 4, 2013

SUBJECT: Beer Permits & Liquor License Renewal Reference City Council Agenda
February 12, 2013

The Council agenda for February 12, 2013, includes beer permits and liquor license renewals for:

- Class E Liquor, C Beer, and B Wine – Fareway #386, 619 Burnett Ave
- Class E Liquor, C Beer, and B Wine – Fareway #093, 3619 Stange Rd
- Class C Liquor – El Azteca, 2727 Stange Rd
- Class B Liquor – Holiday Inn Ames, 2609 University Blvd
- Class C Beer and B Wine – Gateway Expresse, 2400 University Blvd
- Class E Liquor, C Beer, and B Wine – Wal-Mart Supercenter #4256, 534 S Duff Ave
- Class C Liquor and Outdoor Service – Buffalo Wild Wings, 400 S Duff Ave
- Special Class C Liquor with Outdoor Service – Stomping Grounds, 303 Welch Ave #101

A routine check of police records found no violations for either Fareway, El Azteca, Holiday Inn, Gateway Express, Wal-Mart Supercenter, Buffalo Wild Wings, or Stomping Grounds. The police department would recommend renewal of these eight licenses.

COUNCIL ACTION FORM

SUBJECT: GOVERNOR'S TRAFFIC SAFETY BUREAU ENFORCEMENT GRANT PROGRAM

BACKGROUND:

The Ames Police Department is again requesting permission to apply for funding from the Governor's Traffic Safety Bureau to support additional overtime traffic enforcement, and to participate in the project should funding be awarded. The program is conducted through the Governor's Traffic Safety Bureau in cooperation with local and county law enforcement agencies in counties with higher rates of impaired driving related crashes. The program is designed with both enforcement and educational components to improve driver safety and protection, reduce impaired driving and enhance overall traffic safety. The Ames Police Department has participated in this annual program in the past.

The grant will support additional traffic enforcement during periods of high risk for impaired driving. The officers conducting this intensified traffic enforcement will be added to the normal staffing levels for the Police Department. The additional officers will work on an overtime basis. The areas in which the officers in this program will work will be selected on the basis of citizen complaints, officer observations and traffic incident data.

The application to the Governor's Traffic Safety Bureau from the Police Department would request \$29,950 in funding to pay officers at an overtime rate, to replace an in-car video camera and a preliminary breath test device, and to fund acquisition of educational materials on traffic safety. There is no local match required with this grant.

ALTERNATIVES:

1. Approve the Ames Police Department's application to and participation in the Governor's Traffic Safety Bureau Enforcement Grant program.
2. Do not approve the Ames Police Department's application to the Governor's Traffic Safety Bureau Enforcement Grant program.

MANAGER'S RECOMMENDED ACTION:

Participation in this program allows our Police Department to devote additional resources to traffic safety without additional local costs. These funds help reduce traffic violations and improve traffic safety for the citizens of Ames.

Therefore, it is the recommendation of the City Manager that the City Council approve alternative #1, authorizing the submission of a grant application for \$29,950 and participation in the program of the Governor's Traffic Safety Bureau.

COUNCIL ACTION FORM

SUBJECT: 2012 RESOURCE RECOVERY ANNUAL REPORT

BACKGROUND:

A calendar year report of revenues and expenditures is prepared annually for the Resource Recovery System. Based on this annual report, and in accordance with existing contracts, billings are prepared for the participating communities and Iowa State University.

The 2012 Resource Recovery Annual Report shows that 53,106 tons of Municipal Solid Waste (MSW) was received at the plant during 2012 with 6.8 percent (3,660 tons) from Iowa State University. Approximately 93 percent (49,381 tons) of the total tons received at the plant were processed, and 65 percent (32,329 tons) of this amount became Refuse Derived Fuel (RDF). The remaining 3,725 tons (7 percent) not processed at the plant were sent to the Boone County Landfill.

Revenues from all sources totaled \$4,641,704, and total expenses were \$4,089,447. This resulted in net income of \$552,256 for 2012. The per capita will remain at \$9.10 for 2012, and the tipping fee for haulers will remain at \$52.75 per ton.

ALTERNATIVES:

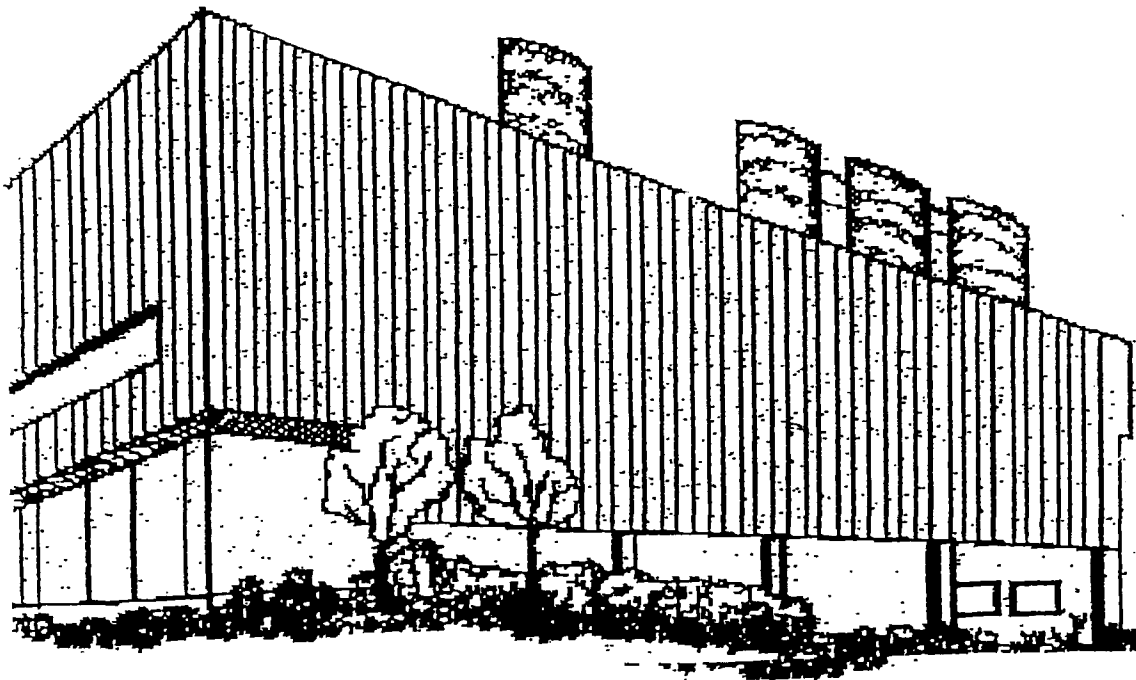
1. Accept the 2012 Resource Recovery Annual Report as presented, and authorize staff to distribute the report and to bill the participating communities and Iowa State University.
2. Request further information from staff.

MANAGER'S RECOMMENDED ACTION:

It is the recommendation of the City Manager that the City Council adopt Alternative No.1, thereby accepting the 2012 Resource Recovery Annual Report as presented, and authorizing staff to distribute the report and to bill the participating communities and Iowa State University.

**ARNOLD O. CHANTLAND
RESOURCE RECOVERY SYSTEM**

2012



CITY OF AMES, IOWA





February 12, 2013

Dear Resource Recovery System Members:

The Resource Recovery Plant continues to be one of the most successful methods of landfill diversion in the state of Iowa. Approximately **70% of the waste processed at the plant becomes Refuse Derived Fuel (RDF)**, which replaces a portion of the coal used for electric generation at the City of Ames Power Plant. Also, more than **2400 tons of metal** and **150 tons of glass** are recovered for recycling.

The **2012 per capita**, which is payable on July 1, 2013 and December 1, 2013, **will be maintained at \$9.10**. The per capita charges will be based on the certified 2010 census. **The tipping fee rate will remain at \$52.75 per ton and the car line rates will continue to be \$8 for cars/passenger vans and \$22 for pickups/trailers.**

The Resource Recovery System continues to offer drop-off Household Hazardous Materials disposal on an appointment basis, keeping **nearly 8 tons** of household hazardous materials from the landfill. This activity is coordinated through the Metro Waste Authority in the Des Moines area. A new, more secure sharps drop-off process has also been established.

Innovative ideas and improvements to the system are continuing to be evaluated. One of these continues to be further assessment of potential gasification technologies as an option to further process the traditional RDF. Additionally, a majority of **fixtures in the plant and offices were converted to LED lighting.**

Replacing the current primary shredder with a new, modern shredder will move forward with design and probable replacement in 2013. This would reduce the amount of electrical demand, operations and maintenance costs, as well as reduce landfill transportation/disposal costs. This will mean **approximately 900 tons per year or more of bulky waste that could be processed** rather than transported to the landfill.

The system **agreements with the county and member communities are to be renewed in 2014**. We will begin conversations this year with the members regarding the services of the system and continuing our partnerships. The agreement with Boone County Landfill was renewed last year.

If you or any of your constituents have questions about this annual report or any of the activities of the Resource Recovery System, please do not hesitate to contact me or our Superintendent, Gary Freel.

Sincerely,

John C. Joiner, P.E.
Public Works Director

CITY OF AMES, IOWA
RESOURCE RECOVERY SYSTEM
ANNUAL BILLING

Participating Communities
For Calendar Year 2012

REVENUES:

Per Capita	725,188.10	
Refuse sold for fuel	794,141.00	
Sale of metals	393,701.95	
Public fees	81,070.76	
Regular customers	2,352,663.27	
Reimbursements and refunds	8,612.59	
Other governmental units	20,287.37	
Iowa DNR SWAP Funding	24,950.00	
Out of County Revenue	22,431.65	
Scrap tires	1,583.00	
I.S.U. participation	198,205.20	
Interest Revenue	18,869.58	
		4,641,704.47

EXPENSES:

Operations	4,089,447.21	
Debt Service	-	
		<u>4,089,447.21</u>

Net Income	552,256.26
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PER CAPITA

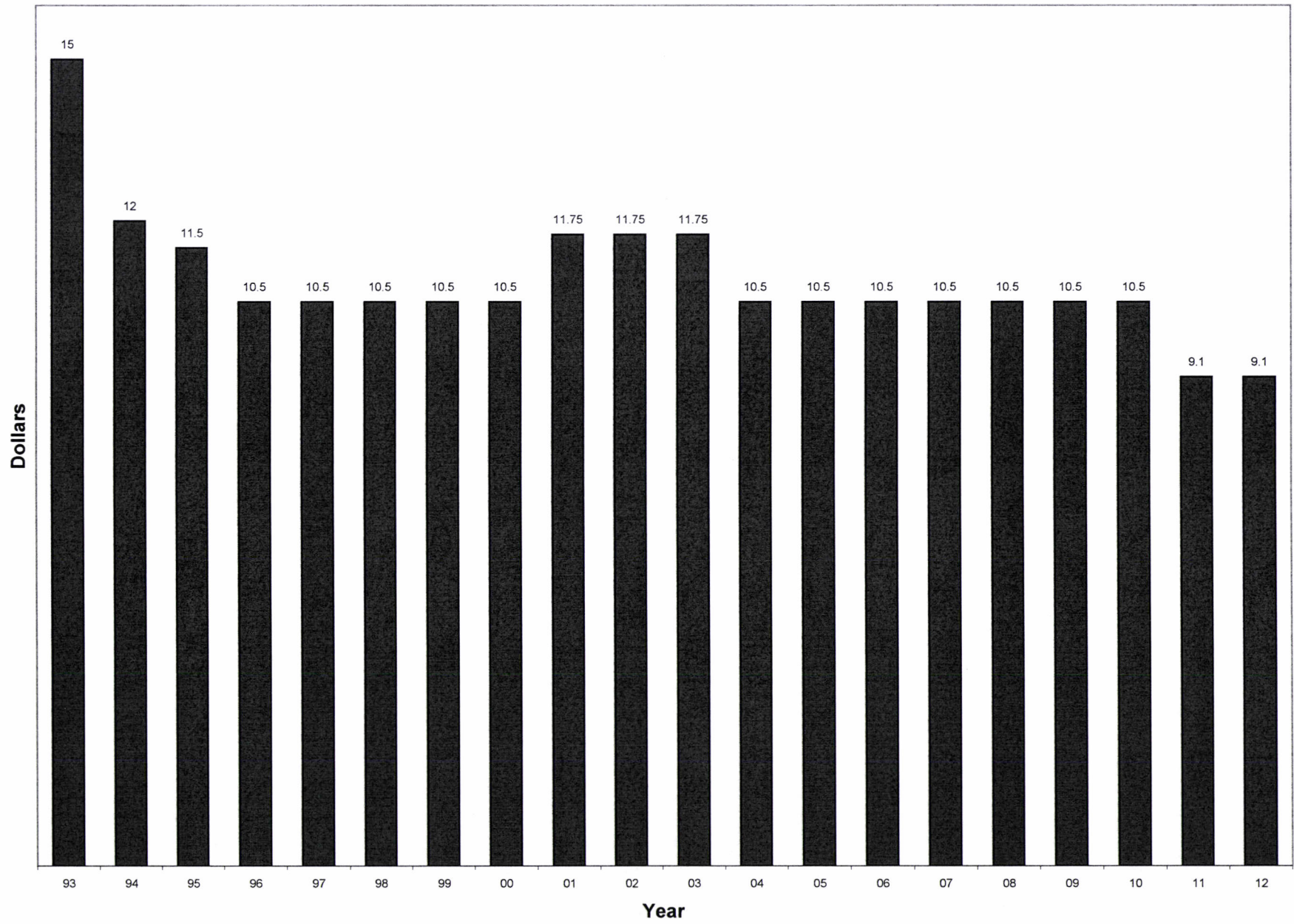


Figure 2

MATERIALS, REVENUES & EXPENSES RESOURCE RECOVERY SYSTEM

YEAR	AVAILABLE	TO PROCESS	(%)	FERROUS	(%) ¹	RDF	(%) ¹	(%) ²	REVENUES	EXPENSES	REV/EXP	NET EXPENSE (\$/TON)
1993	47,832	45,913	96%	1,803	4%	35,120	76%	73%	1,738,610	2,329,256	75%	12.35
1994	47,869	45,540	95%	1,906	4%	34,280	75%	72%	1,937,432	2,197,280	88%	5.43
1995	28,117	28,059	100%	1,097	4%	20,386	73%	73%	1,372,600 *	2,109,276	65%	26.20
1996	28,484	28,452	100%	835	3%	18,875	66%	66%	2,237,072 **	2,628,208	85%	13.73
1997	45,435	42,644	94%	1,464	3%	27,746	65%	61%	3,081,928	3,163,332	97%	1.79
1998	48,643	47,690	98%	1,903	4%	31,138	65%	64%	3,373,503	3,183,602	106%	(3.90)
1999	49,164	46,370	94%	1,654	4%	30,434	66%	62%	3,161,495	3,220,240	98%	1.19
2000	48,896	44,397	91%	1,401	3%	28,095	63%	57%	3,097,282	3,313,053	93%	4.41
2001	50,093	44,955	90%	1,104	2%	30,435	68%	61%	3,353,739	3,281,503	102%	(1.44)
2002	50,267	48,717	97%	1,258	3%	35,147	72%	70%	3,731,348	3,110,513	120%	(12.35)
2003	51,906	47,436	91%	1,678	4%	33,146	70%	64%	3,803,639	3,527,346	108%	(5.32)
2004	53,788	51,026	95%	2,332	5%	34,334	67%	64%	4,017,107	3,462,794	116%	(10.31)
2005	54,493	53,468	98%	2,250	4%	32,621	61%	60%	4,285,110	3,716,566	115%	(10.43)
2006	55,500	50,989	92%	2,229	4%	30,180	59%	54%	4,250,337 ***	4,449,985	96%	3.60
2007	57,333	52,820	92%	2,102	4%	34,182	65%	60%	4,392,686	4,531,663	97%	2.42
2008	57,470	52,716	92%	2,068	4%	36,060	68%	63%	4,632,493	3,725,904	124%	(15.77)
2009	53,395	46,647	87%	1,987	4%	31,040	67%	58%	3,956,279	5,507,045	72%	29.04
2010	58,756	57,494	98%	2,347	4%	37,865	66%	64%	4,937,018	4,605,121	107%	(5.65)
2011	55,270	50,611	92%	2,166	4%	34,422	68%	62%	4,697,573	3,729,248	126%	(17.52)
2012	53,106	49,381	93%	2,177	4%	32,329	65%	61%	4,641,704	4,089,447	114%	(10.40)
20 YEAR												
TOTAL	995,817	935,325	94%	35,761	4%	627,835	67%	63%	\$70,698,955	\$69,881,382	101%	(\$0.82)

¹Denotes percent of processed material

²Denotes percent of tons available

* Closed for renovation for part of the year (1995, 1996)

** Beginning in 1996, per capita is included as revenue

***Closed for one month for Air Knife Installation

TWENTY YEAR AVERAGES

<i>\$/Incoming Ton Revenue</i>	<i>\$71.00</i>
<i>\$/Incoming Ton Expense, Net</i>	<i>(\$0.82)</i>
<i>Percent Recovery - R.D.F.</i>	<i>63%</i>
<i>Percent Recovery - Ferrous.</i>	<i>4%</i>

Figure 3

CITY OF AMES, IOWA

POPULATION - PERCENTAGES - CHARGES

Annual Billing - Calendar 2012

Per Capita - \$9.10

	<u>POPULATION</u> ¹	<u>PERCENT OF</u> <u>POPULATION</u>	<u>TOTAL</u>
Ames	49,765 ²	62.45%	\$452,861.50
Story County	8,706	10.92%	\$79,224.60
Nevada	6,798	8.53%	\$61,861.80
Story City	3,431	4.31%	\$31,222.10
Huxley	3,317	4.16%	\$30,184.70
Slater	1,489	1.87%	\$13,549.90
Roland	1,284	1.60%	\$11,684.40
Gilbert	1,082	1.36%	\$9,846.20
Maxwell	920	1.15%	\$8,372.00
Colo	876	1.10%	\$7,971.60
Cambridge	827	1.04%	\$7,525.70
Zearing	554	0.70%	\$5,041.40
McCallsburg	333	0.42%	\$3,030.30
Kelley	309	0.39%	\$2,811.90
TOTALS	79,691	100.00%	\$725,188.10

¹ Based on 2010 U.S. Census

² 58,965 minus I.S.U. 9,200

APPENDIX

**CITY OF AMES, IOWA
MONTHLY REFUSE VOLUMES - 2012**

	TOTAL REFUSE RECEIVED (Tons)	TONS RECEIVED FROM <u>I.S.U.</u>	TONS RECEIVED FROM <u>N.A.D.C.</u>	TONS RECEIVED FROM <u>I.D.O.T.</u>	TONS RECEIVED FROM <u>OTHER</u>
January	4,076	300	18	10	3,748
February	3,881	340	20	10	3,511
March	4,443	341	20	11	4,071
April	4,337	222	13	6	4,096
May	4,984	352	24	11	4,597
June	4,151	212	19	13	3,907
July	4,797	220	19	9	4,549
August	5,092	337	16	10	4,729
September	4,182	348	20	6	3,808
October	4,815	373	20	10	4,412
November	4,362	337	20	9	3,996
December	3,986	278	19	6	3,683
TOTAL	53,106	3,660	228	111	49,107
% OF TOTAL	100.0%	6.9%	0.4%	0.2%	92.4%

**CITY OF AMES, IOWA
RESOURCE RECOVERY PLANT VOLUMES
12/31/2012**

CLASS	2012 TRIPS	2012 WEIGHT	PERCENT OF TOTAL WEIGHT
Non-Scale Refuse (Car line)	3,583	1,005	1.9%
Commercial Haulers	9,623	43,641	82.2%
Private Industry/Contractors	605	1,095	2.1%
City of Ames	67	46	0.1%
Iowa State University	994	3,660	6.9%
Iowa Dept of Transportation	319	111	0.2%
U S D A Lab	183	229	0.4%
Directly to Boone	651	3,319	6.2%
TOTALS	16,025	53,106	100.0%

CITY OF AMES, IOWA

RESOURCE RECOVERY SYSTEM FEE SCHEDULE

YEAR	TIPPING FEE	CARLINE	
		CARS	PICKUPS
2004/05	\$52.75/TON	\$8.00	\$22.00
2005/06	\$52.75/TON	\$8.00	\$22.00
2006/07	\$52.75/TON	\$8.00	\$22.00
2007/08	\$52.75/TON	\$8.00	\$22.00
2008/09	\$52.75/TON	\$8.00	\$22.00
2009/10	\$52.75/TON	\$8.00	\$22.00
2010/11	\$52.75/TON	\$8.00	\$22.00
2011/12	\$52.75/TON	\$8.00	\$22.00
2012/13	\$52.75/TON	\$8.00	\$22.00
2013/14	\$52.75/TON	\$8.00	\$22.00

COUNCIL ACTION FORM

SUBJECT: 2013 URBAN REVITALIZATION TAX ABATEMENT REQUESTS

BACKGROUND:

In accordance with Chapter 404 of the *Code of Iowa*, the City Council has established Urban Revitalization Areas (URAs) with Plans specifying standards for types and elements of physical improvements that provide public benefits. When property within one of these URAs is developed, redeveloped, rehabilitated, or remodeled the property owner is eligible for abatement of property taxes on the incremental increase in property value after the improvements are completed. This abatement can extend for three, five or ten years, based on the Plan approved by Council.

Every year, property owners who have improved property within the City's URAs in the previous year may apply for tax exemption on the incremental added value of their properties. The City must determine if the completed improvements meet the standards in the Urban Revitalization Plan for the URA in which the property is located. If the City Council finds the standard is met, this approval is forwarded to the City Assessor who must review the request and determine the value of the abatement.

Property owners of three redevelopment projects are requesting tax exemptions for the 2013 assessment year, which refers to improvements made in 2012. A listing of the project owners, locations, and estimated values is attached. The property owners have reported construction value totaling \$1,677,993 for these projects. The estimates are based on construction cost and may not be the same as the added property value. Under the Urban Revitalization Plan for the East University URA, the owner may elect abatement to be applied over three, five, or ten years, depending as illustrated by the attached abatement schedule. Under the Urban Revitalization Plan for the Downtown URA, abatement is only available over three years. More complete descriptions of the abatement projects are included in the attached copies of project applications.

ALTERNATIVES:

1. The City Council can approve the requests for tax exemption as conforming to the corresponding Urban Revitalization Plan.
2. The City Council can deny these requests for approval of the tax exemptions, only if found not to be in conformance with the revitalization plan.

MANAGER'S RECOMMENDED ACTION:

Staff has examined these projects as of January 2013, and finds that the work completed conforms to the corresponding Urban Revitalization Plans approved by the City Council.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1. This action will approve the requests for tax exemption as conforming to the corresponding Urban Revitalization Plan. This action will allow the requests for tax exemption to be processed by the City Assessor, who will determine the value of the respective tax exemptions.

2013 Tax Abatement Properties

Estimates For Incremental Values

East University Urban Revitalization Area

117 Ash, LLC (Delta Upsilon)	
117 Ash	
Greek House Renovation	
3 years	\$ 1,245,993

Downtown URA

Fifth Street 208, LC	
208 5 th Street	
Façade and Interior Improvements	
3 Years	\$ 120,000
Turnkey Investments, LLC	
203 Main Street	
Façade and Interior Improvements	
3 Years	\$ 312,000



Effective Date: October 10, 2006

Urban Revitalization Program Application Form

(This form must be filled out completely before your application will be accepted.)

1. **Property Address:** 117 ASH AVENUE
2. **Property Identification Number (Geocode):** 09-09-202-055
3. **Legal Description** (attach, if lengthy): PARKER'S ADDITION LOTS 20
#21 PARCEL "M" GEN 15-250
4. **Description of Improvements - Attach if lengthy:** SEE ATTACHED

Improvement costs: \$	<u>1,245,993</u>
Beginning construction date:	<u>AUGUST 2009</u>
Estimated or actual completion date:	<u>DECEMBER 2011</u>
Assessment year for which exemption is being claimed:	<u>2012</u>
Exemption Schedule (3, 5, or 10 years):	<u>3 YEAR</u>

5. **Property Owner:** 117 ASH LLC
Address: P.O. Box 1937 Ames, Iowa 50010
(Street) (City) (State) (Zip)
Telephone: 515-292-9083 515-451-4350 jlarson@ic
(Home) (Business) (Fax) email adl.com

I (We) certify that I (we) have submitted all the required information to apply for approval of the Urban Revitalization Program and that the information is factual.

Signed by: [Signature] Date: 1/14/13
(Property Owner)

(Note: No other signature may be substituted for the Property Owner's Signature.)

JAMES "JAMI" LARSON, Manager

Downtown
Urban Revitalization Program
Application Form

1. **Property Address:** 208 5th Street Ames 50010
(Building also includes addresses 210 and 214)
2. **Property Identification Number (Geocode)** (if known): _____

3. **Legal Description** (attach, if lengthy): _____

4. **Description of Improvements**(attach, if lengthy): New storefront windows/door for space 210 5th St. New window above 208 entrance. Renovations to 210 including new drywall /paint, wood flooring, light fixtures, HVAC unit.

Improvement costs: <u>\$120,000</u>
Beginning construction date: <u>April 24, 2012</u>
Estimated or actual completion date: <u>November 9, 2012</u>
Assessment year for which exemption is being claimed: _____

5. **Property Owner:** Fifth Street 208, LC (Dan and Alex McClanahan)

Address: 208 5th Street Ames IA 50010
(Street) (City) (State) (Zip)

515-290-6600 — mcclanahanstudio@gmail.com
(Phone) (Fax) (e-mail)



Effective Date: August 22, 2011



Downtown
Urban Revitalization Program
Application Form

1. **Property Address:** 203 Main Street
2. **Property Identification Number (Geocode)** (if known): 09-02-379-080
3. **Legal Description** (attach, if lengthy): OT E 7' LOT 27 & ALL LOTS
28 & 29 & W 2' LOT 30 BLK 11
4. **Description of Improvements** (attach, if lengthy): complete remodel of
the inside and exterior facade including new plumbing,
electrical and HVAC.

Improvement costs: \$ 312,000
Beginning construction date: March 2012
Estimated or actual completion date: Completed September 2012
Assessment year for which exemption is being claimed: 2013

5. **Property Owner:** TurnKey Investments LLC

Address: <u>105 S. 16th St</u>	Ames	IA
(Street)	(City)	(State)
<u>515-239-8606</u>	<u>515-232-4222</u>	<u>Chuck@hunziker.com</u>
(Phone)	(Fax)	(e-mail)

Effective Date: August 22, 2011

Designed by: J - Corp

Address: _____
(Street) (City) (State) (Zip)

515-290-3400 (Phone) duane@jcorp.biz (e-mail)

I (We) certify that I (we) have submitted to the best of our knowledge all the required information to apply for approval of the Downtown Urban Revitalization Program and that the information is factual.

Signed by: [Signature] Date: 1/4/2013
(Property Owner)

(Applicant - if different than Property Owner) Date: _____

COUNCIL ACTION FORM

SUBJECT: **TRAFFIC SIGNAL PROGRAM (LINCOLN WAY AND HAYWARD AVENUE)**

BACKGROUND:

This project is shown in the 2012/13 Capital Improvements (CIP) Traffic Signal Program for replacement of the traffic signal and pedestrian improvements at the intersection of Lincoln Way and Hayward Avenue. The Traffic Signal Program is the annual program that provides for replacing older traffic signals and constructing new traffic signals throughout the City. This project will result in improved visibility, reliability, and appearance of signals. The traffic signal replacements include radar detection systems instead of the typically used in-pavement loop detection system that frequently was the point of failure. Another advantage of the radar detection system is that it detects bicycles in addition to vehicles.

The City submitted a Traffic Safety Improvement Program (TSIP) Grant Application in fall 2012 to help cover the cost (materials only) of this project, which equates to \$111,500. After reviewing the grant application, Iowa Department of Transportation (Iowa DOT) officials have approved the request and submitted the funding agreement. The TSIP grant requires a local match of 20 percent, which is provided in the 2012/13 CIP through funding in the amount of \$175,000 from Road Use Tax.

ALTERNATIVES:

1. Approve the TSIP agreement with the Iowa DOT in the amount of \$111,500.
2. Reject the agreement and fund the project locally.

MANAGER'S RECOMMENDED ACTION:

It is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the TSIP agreement with the Iowa DOT in the amount of \$111,500.

COUNCIL ACTION FORM

SUBJECT: PUBLIC HEARING AND NOTICE OF INTENT TO ISSUE \$7,750,000 ESSENTIAL CORPORATE PURPOSE GENERAL OBLIGATION BONDS, \$2,250,000 GENERAL OBLIGATION REFUNDING BONDS AND ASSOCIATED TAX LEVY FOR DEBT SERVICE

BACKGROUND:

The FY 2013/14 budget includes a number of General Obligation (GO) Bond funded capital improvements. A public hearing is required to authorize issuance of bonds and the levy of property taxes for debt to be issued. The dollar amounts and corresponding property tax levy for the planned GO bond issue are included as part of the FY 2013/14 budget.

The GO Bonds and debt service levy for the FY 2013/14 budget were based on projects listed in the table below. A public hearing is not required for the \$13,500,000 Library portion of the planned issue, since this amount was already approved by referendum. Authorization is required for an additional \$2,250,000 to refund the Series 2005 and 2005A Bonds with an estimated net present value savings of \$86,000. Bonds will not be issued in an amount where debt service will exceed the approved debt service levy. **Council authorization will be required at a later date to authorize the sale of the FY 2013/14 General Obligation Bonds. Bonds are expected to be issued in May to meet Library project funding requirements and facilitate the refunding on the bond call date.**

The Capital Improvements Plan's 2013/14 GO Bond Issue and planned refunding will include the following:

Resource Recovery Improvements	\$ 1,355,370	
Debt abated by utility revenues		\$ 1,355,370
Collector Street Pavement Improvements	420,000	
CyRide Route Pavement Improvements	2,000,000	
Downtown Street Improvements	1,000,000	
Concrete pavement Improvements	1,185,000	
Asphalt/Seal Coat Street Rehabilitation	470,000	
Arterial Street Pavement Improvements	825,000	
Grand Avenue Extension	300,000	
FY 13/14 CIP Tax Supported GO Debt		6,200,000
Refunding Bonds		2,250,000
Issuance Costs & Allowance for Premium		194,630
Total GO Debt Subject to Public Hearing		\$ 10,000,000
Library Expansion/Renovation & Issuance Costs		13,500,000
Grand Total – 2013/14 GO Issue		\$23,500,000

ALTERNATIVES:

1. Adopt a pre-levy resolution authorizing the issuance of Essential Corporate Purpose General Obligation and General Obligation Refunding Bonds in an amount not to exceed \$10,000,000 and the debt service property tax levy to pay principal and interest on the bonds and set the date of public hearing for February 26, 2013.
2. Reject the pre-levy resolution authorizing the issuance of Essential Corporate Purpose General Obligation Bonds, reduce the 2013/14 property tax levy, and delay the capital projects. Rejection of the Essential Corporate Purpose Bonds will prevent the City from completing the bond funded projects reflected in the 2013/14 CIP.

MANAGER'S RECOMMENDED ACTION:

Prior to the issuance of this debt, state law requires that this pre-levy resolution be adopted. This is a required step in order to accomplish the Council's approved capital improvements for the upcoming fiscal year.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby adopting a pre-levy resolution authorizing the issuance of Essential Corporate Purpose General Obligation and General Obligation Refunding Bonds in an amount not to exceed \$10,000,000 and the debt service property tax levy to pay principal and interest on the bonds and set the date of public hearing for February 26, 2013.

COUNCIL ACTION FORM

SUBJECT: ASBESTOS MAINTENANCE SERVICES CONTRACT FOR POWER PLANT

BACKGROUND:

This contract involves the removal and proper disposal of asbestos insulation at the City's Power Plant. The Power Plant consists of Units 5 and 6 (both retired) and operating units 7 and 8. The two retired units 5 and 6, operating unit 7, and combustion turbine GT1 are primarily insulated with asbestos type insulation. Unit 8 is considered "asbestos free" excluding some gasket material and steam pipe insulation around the turbine. In addition there is other equipment and piping located in the Power Plant that has been insulated with asbestos type insulation.

The Power Plant needs to establish a services contract with a firm that is able to provide routine and emergency asbestos remediation services. These services include but not limited to removal and disposal of asbestos containing insulation or remediation/encapsulation of areas when identified or an encapsulated surface is damaged.

This process reduces the City's exposure to market forces regarding prices and availability for labor, travel, and supplies for these services. Also, by having a contract in place City staff will save considerable time obtaining quotes, evaluating proposals and preparing specifications and other procurement documentation.

Funding in the amount of \$25,000 will be made available from savings in FY 2012/2013 Electric Production operating budget for Gas Turbine repairs. These funds will be transferred to the Electric Production operating budget for Building Maintenance.

ALTERNATIVES:

1. Approve preliminary plans and specifications for asbestos maintenance services contract, and set March 13, 2013, as the proposals due date and March 26, 2013, as the date of public hearing and award of contract.
2. Purchase asbestos maintenance services on an as-needed basis.

MANAGER'S RECOMMENDED ACTION:

2. Asbestos must be removed and disposed of per State and Federal regulations before retired equipment can be physically removed. Asbestos removal will be an on-going cost since most of the old equipment at the Power Plant was

insulated with asbestos. This contract would establish rates for service and provide for guaranteed availability, thereby setting in place known rates for service, thereby controlling costs. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No.1, thereby approving preliminary plans and specifications for asbestos maintenance services contract, and set March 13, 2013, as the proposals due date and March 26, 2013, as the date of public hearing and award of contract.

COUNCIL ACTION FORM

SUBJECT: 2012/2013 LOW POINT DRAINAGE IMPROVEMENTS (OLIVER CIRCLE)

BACKGROUND:

This annual program is for drainage improvements to decrease flooding at low points. Low point drainage improvements are typically not focused on residential street locations, but rather on those locations most in need of the improvements as affected by standing water, flooding, and insufficient pipe capacity. The program identifies core locations for improvements each year. In addition, improvements are made at miscellaneous locations identified throughout the year. During heavy rain, some areas become flooded and damage to private property occasionally occurs.

The 2012/2013 project location identified in the Capital Improvements Plan is the drainage area to the northeast of Oliver Circle. The project consists of installation of new storm sewer, minor grading, and installation of an outflow dissipation device to slow the water velocity at the outlet.

A project informational meeting was held with the area residents in order to receive feedback on the design. Staff has also worked with the resident most affected by this work to minimize the direct impact to his property.

Staff completed plans and specifications with estimated construction costs of \$104,425. Engineering and construction administration is estimated to be \$15,500, bringing total estimated project costs to \$119,925. This project is financed in an amount of \$125,000 from Storm Sewer Utility Funds.

ALTERNATIVES:

1. Approve the 2012/2013 Low Point Drainage Improvements (Oliver Circle) by establishing March 20, 2013, as the date of letting and March 26, 2013, as the date for report of bids.
2. Do not proceed with this project.

MANAGER'S RECOMMENDED ACTION:

By approving plans and specifications and setting the letting date, it will be possible to move forward with the drainage improvements to this area with projected completion in 2013.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving 2012/2013 Low Point Drainage Improvements (Oliver Circle) by establishing March 20, 2013, as the date of letting and March 26, 2013, as the date for report of bids.

COUNCIL ACTION FORM

SUBJECT: **2012/13 ASPHALT STREET RECONSTRUCTION PROGRAM**

BACKGROUND:

This is an annual program for reconstruction of full-depth asphalt streets, typically located within residential neighborhoods. Streets within residential subdivisions have been installed using full-depth asphalt pavement since mid-1970. Full-depth replacement of these streets has become necessary due to structural pavement failure. This program was created in accordance with City Council's goal of strengthening our neighborhoods. The locations for this year are Pierce Court, Westbend Drive, and Southbend Drive.

Staff met with the neighborhood during their annual fall block party to inform them of the project and the potential impacts during construction. A second meeting was also held in January 2013 to provide information and received feedback regarding the construction staging and access for the residents on Westbend (west of Southbend) as this is the only access for area residents. Only two of the 34 residents invited attended the meeting. Additional outreach through a mailing and an online virtual project meeting will be done for coordination of the project staging during construction.

Staff has completed plans and specifications with estimated construction costs of \$766,395. Engineering and construction administration are estimated at \$115,000, bringing total estimated project costs to \$881,395. The project is financed in the amount of \$928,000 with General Obligation Bonds.

ALTERNATIVES:

1. Approve the 2012/13 Asphalt Street Reconstruction Program by establishing March 20, 2013, as the date of letting and March 26, 2013, as the date for report of bids.
2. Do not proceed with this project

MANAGER'S RECOMMENDED ACTION:

By approving plans and specifications and setting the letting date, it will be possible to move forward with the street reconstruction in these areas in the summer/fall of 2013.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the 2012/13 Asphalt Street Reconstruction Program by establishing March 20, 2013, as the date of letting and March 26, 2013, as the date for report of bids.

COUNCIL ACTION FORM

**SUBJECT: RESOURCE RECOVERY PRIMARY SHREDDER REPLACEMENT
DESIGN AND ENGINEERING SERVICES**

BACKGROUND:

Resource Recovery developed a two-phased approach for the replacement of the 38-year-old, original primary shredder. For the first phase scheduled for FY 2012/13, the City Council authorized the solicitation of proposals for engineering services on January 8, 2013, with funding in the amount of \$130,000. The selected firm is to provide complete demolition and construction bid documents. Work will involve removing the old equipment and installing a new, slow speed - high torque shredder along with work on associated conveyors and chutes. Replacement equipment will be evaluated to determine best value by throughput, component replacement, and electric demand with focus on safety and efficiency. An option was included for the firms, if interested, to provide Construction Management Services during Phase Two of the replacement.

Phase Two, actual replacement and construction, is proposed for FY 2013/14 and will be targeted to coincide with the Electric Utility's fall outage within a October/November 2013 timeline.

Proposals for this work were received from two engineering firms, and were evaluated according to the following criteria: responsiveness to proposal requirements, firm information, experience and qualifications, understanding of the project, and proposed professional fee.

Listed below is the rating information based on this evaluation:

Proposed Ratings / Rankings

	Overall Score	Design Eng. Fee	Construct Mgmt Fee	Proposed Not to Exceed
Renewable Resource Consultants	314.00	\$73,900	\$25,500	\$99,400
Brown Engineering Company	287.60	\$84,400	\$9,800	\$94,200

Staff is recommending proceeding with negotiating a contract with the highest rated firm, Renewable Resource Consultants from Maple Grove, Minnesota. This consultant has a robust history of successfully designing and engineering waste-to-energy plant renovation and modification projects. Their Project Manager is

the Senior Vice President and has a strong background in engineering management, project management, design, construction support, and start-up monitoring. Renewable Resource Consultants also has extensive direct experience in waste-to-energy plant design. Based on staff's evaluation using the above criteria, Renewable Resource Consultants from Maple Grove, Minnesota will provide the best value to the City in designing this project, as well as providing construction management services during Phase Two of the replacement.

ALTERNATIVES:

1. Approve the design, engineering, and construction management services agreement for the Resource Recovery Primary Shredder Replacement with Renewable Resource Consultants from Maple Grove, Minnesota, in an amount not to exceed \$99,400.
2. Direct staff to negotiate an engineering agreement with the other consulting firm.
3. Direct staff to make changes to the project.

MANAGER'S RECOMMENDED ACTION:

Waste-to-energy experience will be very important in both the design and construction management phases. Therefore, the staff believes that it is in the best interest of the City to approve Renewable Resource Consultants for the design, engineering, and construction management services agreement for the Resource Recovery Primary Shredder Replacement Project.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the design, engineering, and construction management services agreement for the Resource Recovery Primary Shredder Replacement with Renewable Resource Consultants from Maple Grove, Minnesota, in an amount not to exceed \$99,400.

COUNCIL ACTION FORM

SUBJECT: POWER PLANT STEAM TURBINE NO. 8 OVERHAUL

BACKGROUND:

Steam Turbine No. 8 is scheduled to be disassembled and inspected after over 27,000 hours of operation during the spring 2013 outage. This work is required to replace worn parts and inspect the turbine and generator for repairs that may be needed to avoid more serious damage. Repairs and replacement of worn parts will be completed as the inspection progresses. Experience has shown that certain parts require replacement every outage and some parts become unusable during the disassembly process. Also worn sections and cracks found during the inspection require various types of weld repairs.

On October 9, 2012, City Council awarded the contract for the procurement of the steam turbine parts required for this project. The parts have been, and continue to be, delivered to the Power Plant, at a cost of \$526,086.90 (inclusive of IA sales-tax) plus freight.

On January 22, 2013, City Council awarded the contract for the Steam Turbine No. 8 Overhaul in the amount of \$807,800.00 project. This amount consists of: 1) \$443,800.00 for the lump sum base bid contract portion; 2) \$91,500.00 for the Time & Materials based "not to exceed" contract portion; and 3) \$272,500.00 for the estimated Time & Materials based contract portion.

This portion of the project is for the procurement of professional technical service for this project. Professional technical service is utilized during major turbine generator work to provide instructions and advice on disassembly and reassembly, parts replacement and repair procedures. **With significant repairs anticipated, problems the City faced during the unit #7 overhaul, and value of parts procured, staff believes it will be very beneficial to procure the professional technical assistance from General Electric International, Inc. (GE) who is the Steam Turbine No. 8 manufacturer and parts supplier.**

A GE field engineer on-site will ensure that all OEM recommendations are known and followed, and bring OEM resolution of any turbine generator problems found. Issues with any of the parts installed (procured from GE/ARGO) can be resolved quickly with the GE engineer. Also the warranty on spare parts doubles when the spare parts are installed under the auspices of a GE field rep who witnesses the installation and can verify installation was done according to proper procedures.

For these reasons, staff is requesting that the City Council waive the City's purchasing policies requiring request for proposals and award a contract to

General Electric International, Inc., Omaha, NE for Time & Materials not to exceed \$256,870 for providing technical direction for the Steam Turbine No. 8 Overhaul.

The approved FY 2012/13 Budget and Capital Improvements Plan includes \$3,500,000 for the turbine generator overhaul including parts, professional technical assistance, and contractor services. As mentioned earlier: 1) the parts were awarded in the amount of \$526,086.90 (inclusive of IA sales-tax) plus freight; and 2) the overhaul portion was awarded in the amount of \$807,800.

To date, the project budget has the following items encumbered:

1.	\$526,086.90*	Actual cost for Unit #8 Steam Turbine Parts. *Council should note this total does not include freight. The City will reimburse the contractor for actual delivery costs.
2.	\$807,800.00**	Actual cost of Base Bid, plus cost-not-to-exceed Options for Steam Turbine No. 8 Overhaul. ** Council should note total consists of: 1) \$443,800.00 for the lump sum base bid contract portion; 2) \$91,500.00 for the T & M based “not to exceed” contract portion; and 3) \$272,500.00 for the estimated T & M based contract portion.
3.	\$256,870.00	A cost-not-to-exceed for GE representative to provide technical direction for this overhaul. (this item)
Total \$1,590,756.90		

Work on this project would begin during the 2013 spring outage which is scheduled to start April 1, 2013.

ALTERNATIVES:

1. Waive the purchasing policy requirement for request for proposals and award a contract in the T & M not to exceed amount of \$256,870.00 to General Electric International, Inc., Omaha, NE for technical direction for the Steam Turbine No.8 Overhaul.
2. Do not waive the purchasing policy requirement and advise staff to issue request for proposals for this service without the OEM knowledge base and warranty extension.

MANAGER'S RECOMMENDED ACTION:

The Unit 8 Turbine-Generator is scheduled for a major overhaul starting in the spring of 2013. Turbine-generator overhauls are typically performed in the industry about every five years to restore unit efficiency and to maintain good unit life and reliability. Without

this overhaul, the Power Plant's performance would degrade considerably over time and the risk of catastrophic failure will increase. Alternative No. 1 will help ensure that problems are resolved and repairs are completed in the best possible manner for the benefit of the City of Ames' Unit # 8. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

COUNCIL ACTION FORM

SUBJECT: ELECTRIC SERVICES INVENTORY CABLE PURCHASE

BACKGROUND:

This bid is for the purchase of 6,000 feet of 500 KCMIL compact copper wire and 3,000 feet of 4/0 copper wire to meet the annual construction needs of the Electric Services Department.

This cable and wire are standard Electric Services Department inventory items. Inventory items are purchased from an Electric Department inventory asset account and charged to the appropriate operations expense/project accounts as the materials are taken out of inventory and put into the various work orders.

Bids for these materials were received on January 23, 2013, as shown on the attached report. All bids for cable are subject to reel length variances, usually 5% - 10%, to allow for factory over/under runs during production. Three bids were received as shown on the attached spreadsheet.

The Electric Engineering Manager has reviewed the bids and determined that the low bid from Wesco Distribution, Des Moines, Iowa, meets the needs of the Electrical Services Department for the 500 KCMIL compact copper cable and the low bid from RESCO, Ankeny, Iowa, meets the needs for the 4/0 copper wire. The low bid submitted by Wesco is subject to a metals escalation/de-escalation that will be determined at the day of order placement.

ALTERNATIVES:

1. Award a contract for the purchase of 6,000 feet of 500 KCMIL compact copper cable to the low bidder, Wesco Distribution, Des Moines, Iowa, subject to reel length variances, at an estimated total cost of \$65,640 plus applicable sales taxes and 3,000 feet of 4/0 copper wire to the low bidder, RESCO Distribution, Ankeny, Iowa, subject to reel length variances, at an estimated total cost of \$11,000.10 plus applicable sales taxes.
2. Reject all bids and delay Electric Services work orders.

MANAGER'S RECOMMENDED ACTION:

This purchase will provide for the annual construction needs of the Electric Services Department for aluminum cable.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the award of contract to Wesco Distribution, Des Moines, Iowa, subject to reel length variances, at an estimated total cost of \$65,640 plus applicable sales taxes and 3,000 feet of 4/0 copper wire to the low bidder, RESCO Distribution, Ankeny, Iowa, subject to reel length variances, at an estimated total cost of \$11,000.10 plus applicable sales taxes.

INVITATION TO BID 2013-105

BIDDERS	500 KCMIL Compact Copper Unit Cost	Quantity 6,000 Feet Total	4/0 Copper Wire Unit Cost	Quantity 3,000 Feet Total	Notes
WESCO	\$10.9400	\$65,640.00	\$4.4200	\$13,260.00	Metal escalation/de-escalation at time of order placement, specification exception approved
WESCO	\$12.6400	\$75,840.00			Per specification
RESCO	\$12.6745	\$76,047.00	\$3.6667	\$11,000.10	Metal escalation/de-escalation at time of order placement
FLETCHER REINHARDT		No Bid	\$4.3960	\$13,188.00	Firm price

COUNCIL ACTION FORM

SUBJECT: 69kV BREAKER REPLACEMENT FOR ELECTRIC SERVICES

BACKGROUND:

This bid is for the purchase of one 69kV breaker for Electric Services. Electric Services staff will do the installation. This breaker will replace a 69kV line breaker at the Dayton Avenue substation that is fed from the Ames Plant Switchyard.

The 69kV transmission line between Ames Plant and the Dayton Avenue Substation is the heaviest loaded segment of our 69kV loop and serves important industrial loads such as Amcor, 3M, and Sauer-Danfoss, among many others. This breaker will replace an old three-tank oil breaker that was installed in 1971 and was not installed with an oil containment barrier in case of spills. The new breaker operates in SF₆ gas instead of oil eliminating the need for oil containment. Additionally, the new breaker has quicker response time to transmission line faults over the existing breaker. The old breaker has also had bushing problem which our maintenance crew has been unable to remedy due to the difficulty in obtaining obsolete parts.

On January 14, 2013, the Request for Quotation (RFQ) document was issued to five potential bidders. The RFQ was also advertised on the Current Bid Opportunities section of the Purchasing webpage. It was also sent to two plan rooms.

On January 28, 2013, one bid was received as shown below:

Bidder	Bid Amount
Mitsubishi Electric Warrendale, PA	\$52,873.00

Staff has concluded that the bid submitted by Mitsubishi Electric, Warrendale, PA, in the amount of \$52,873.00 (inclusive of Iowa sales tax) is acceptable. Mitsubishi Electric submitted a "Conditions of Sale" document with their bid. Staff reviewed them and determined that they are the exact same terms & conditions that Mitsubishi submitted the last time we awarded a similar project to them at the July 27, 2010 City Council meeting.

Prior to the July 27, 2010 Council meeting, staff consulted the City Attorney and communicated unacceptable exceptions to Mitsubishi Electric. In Mitsubishi Electric's response they agreed to change all but two of the disputed terms & conditions. The City Attorney was again consulted on Mitsubishi's response and he agreed to the changes Mitsubishi proposed. **Mitsubishi agrees that the same mutually agreed terms and conditions from 2010 will also apply to this procurement.**

At outlined in the July 27, 2010 Council Action Form, there were still two disputed items by Mitsubishi Electric that needed to be presented to City Council for consideration. **At that time Council approved the two items and awarded the contract to Mitsubishi.** Those same two items are again presented this time to City Council for consideration. The first one deals with changing the law applicable to interpretation of the contract from Iowa to Pennsylvania. The second one deals with conflict resolution. The "Conditions of Sale" document states that "Disputes are subject to mandatory arbitration". **The City Attorney's Office reviewed each of these items and found that, although it is preferable to have Iowa law apply and to avoid mandatory arbitration clauses, Mitsubishi Electric's alternative terms pose minimal risk to the City since this is for the purchase of equipment as opposed to contracting for a public improvement.**

Funding will come from the approved FY 2012/13 operating budget for 69kV Substation Maintenance equipment which contains a current balance of \$199,600.

ALTERNATIVES:

1. Award a contract to Mitsubishi Electric, Warrendale, PA, for the 69kV breaker replacement in the amount of \$52,873.01 (inclusive of Iowa sales tax) and accept the two exceptions to our purchasing requirements (which will accept mandatory arbitration and Pennsylvania vs. Iowa law).
2. Reject the bid and delay the purchase of the breaker.

MANAGER'S RECOMMENDED ACTION:

Purchase of this breaker will allow the utility to update critical equipment and maintain reliability of the electric system and our customers. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as stated above.



MEMO

To: Mayor and Members of the City Council

From: City Clerk's Office

Date: February 8, 2013

Subject: Contract and Bond Approval

There is no Council Action Form for Item No. 18. Council approval of the contract and bond for this project is simply fulfilling a *State Code* requirement.

/jr

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY – 2826, 2904, 2912 South Loop Drive &
2900 University Boulevard

BACKGROUND:

Application for a proposed plat of survey has been submitted for:

- ☐ Conveyance parcel (per Section 23.307)
- ☒ Boundary line adjustment (per Section 23.309)
- ☐ Re-plat to correct error (per Section 23.310)
- ☐ Auditor's plat (per Code of Iowa Section 354.15)

The subject site is located at:

Street Address: 2826, 2904, 2912 South Loop Drive &
2900 University Boulevard

Assessor's Parcel #: 0915340025, 0915340030, 0915340040, 0915325070

Legal Description: Parcel "A" and Lots 10, 11, and 12 of Iowa State
University Research Park 3rd Addition

Owner: Iowa State University Research Park

The plat consolidates three platted lots and one parcel into a single parcel, so the owner can expand the existing development for WebFilings. A copy of the proposed plat of survey is attached for Council consideration.

Pursuant to Section 23.308(4)(c), a preliminary decision of approval for the proposed plat or survey has been rendered by the Planning & Housing Department, without conditions.

The preliminary decision of approval requires all public improvements associated with and required for the proposed plat of survey be:

- ☐ Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- ☐ Delayed, subject to an improvement guarantee as described in Section 23.409.
- ☒ Not Applicable.

Under Section 23.308(5), the Council shall render by resolution a final decision of approval if the Council agrees with the Planning & Housing Director's preliminary decision.

ALTERNATIVES:

1. The City Council can adopt the resolution approving the proposed plat of survey if the Council agrees with the Planning & Housing Director's preliminary decision to approve the proposed plat of survey.
2. The City Council can deny the proposed plat of survey if the City Council finds that the requirements for plats of survey as described in Section 23.308 have not been satisfied.
3. The City Council can refer this back to staff and/or the owner for additional information.

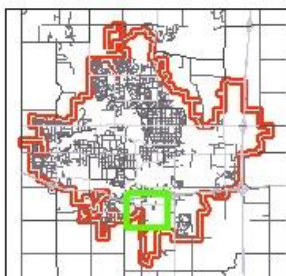
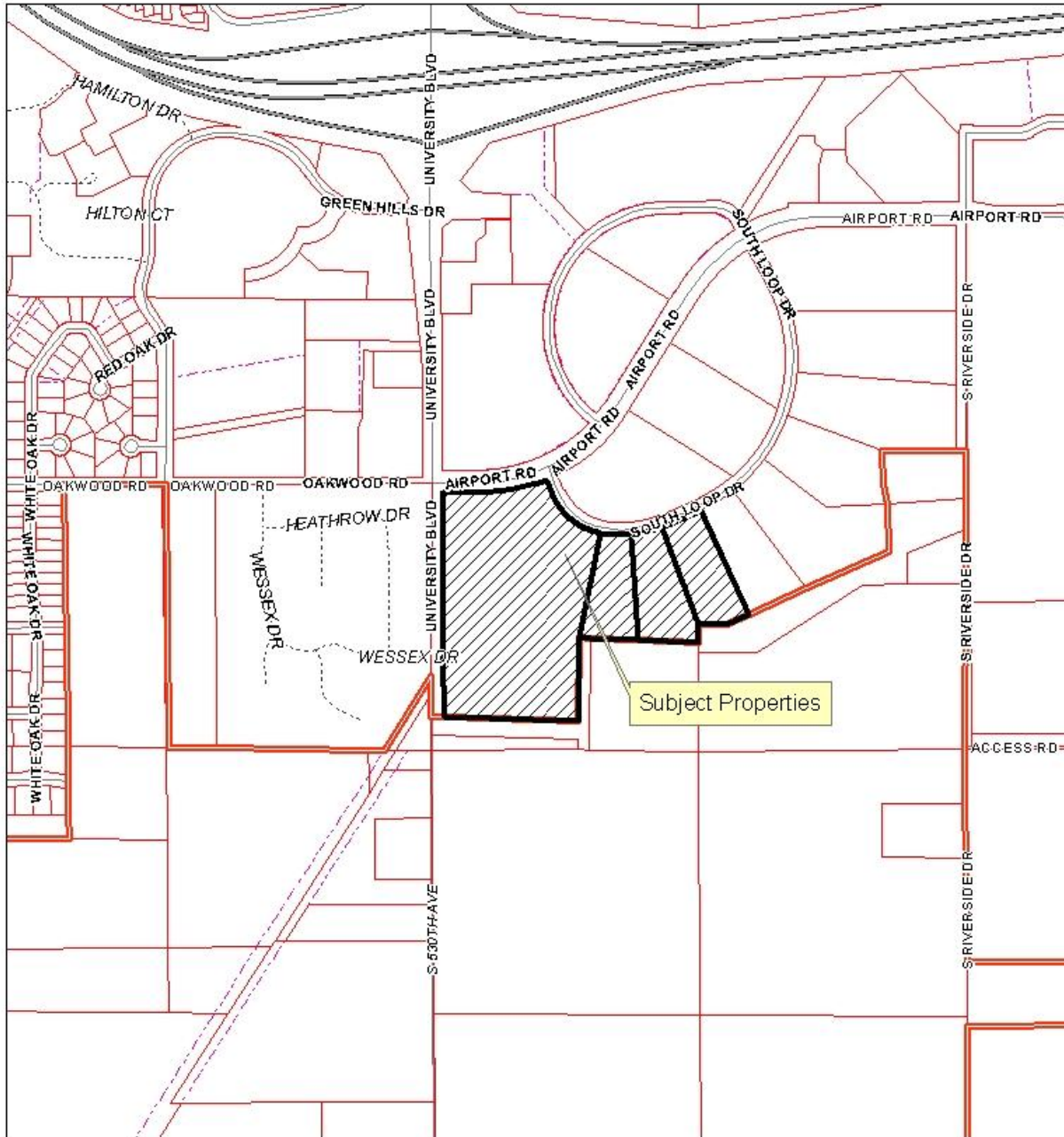
MANAGER'S RECOMMENDED ACTION:

The Planning & Housing Department has determined that the proposed plat of survey satisfies all code requirements and has rendered a preliminary decision to approve the proposed plat of survey.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolution approving the proposed plat of survey.

Approval of the resolution will allow the applicant to prepare the official plat of survey and the Planning & Housing Director to review and sign the plat of survey confirming that it fully conforms to all conditions of approval. Once signed by the Planning & Housing Director, the prepared plat of survey may then be signed by the surveyor, making it the official plat of survey, which may then be recorded in the office of the County Recorder.

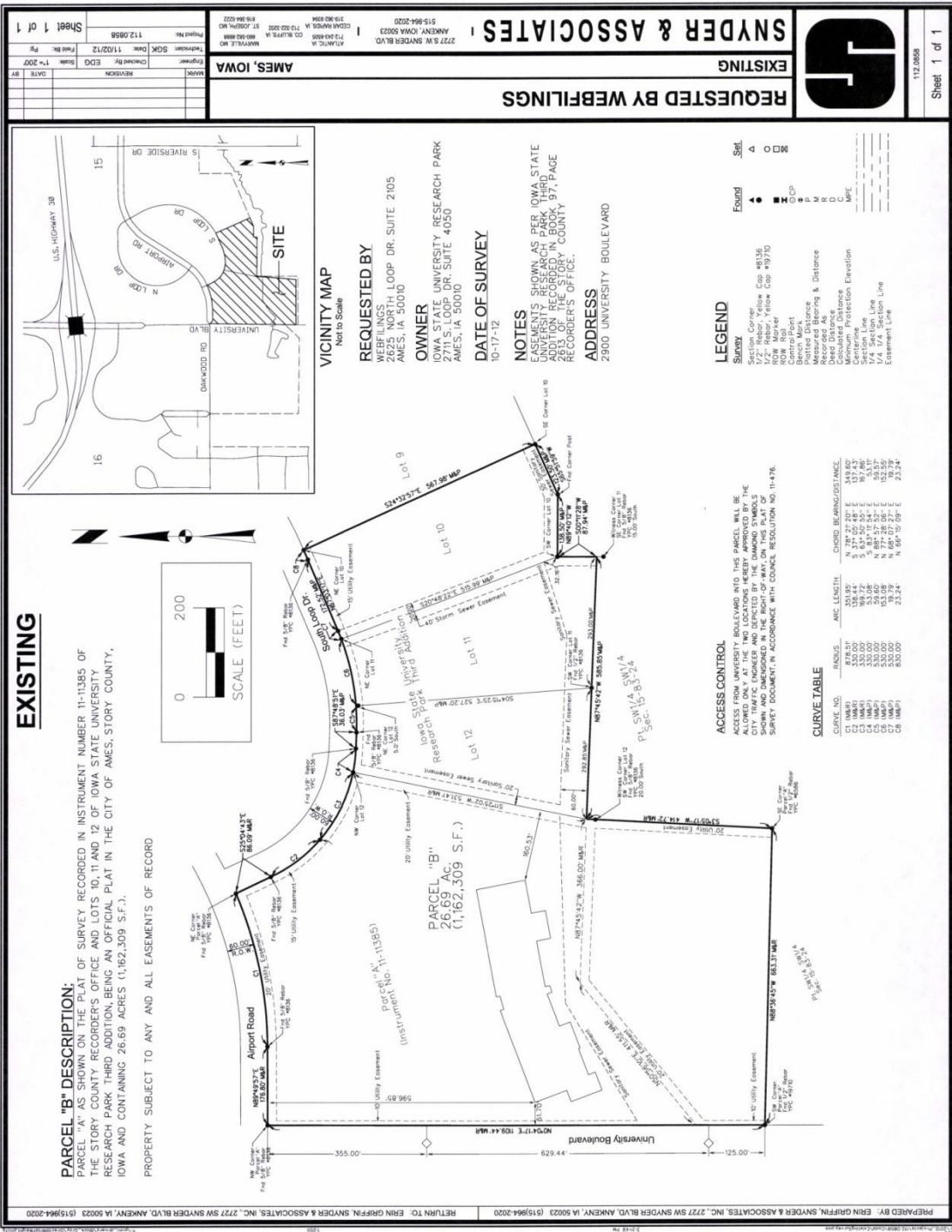
It should be noted that the official plat of survey will not be recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.



Location Map **2826, 2904, 2912 South Loop Drive** **& 2900 University Boulevard**

0 250 500 1,000 1,500
 Feet





COUNCIL ACTION FORM

SUBJECT: **AMES MIDDLE SCHOOL 2003 PLAT 2 MINOR SUBDIVISION FINAL PLAT**

BACKGROUND:

The Ames Community School District is requesting approval of a Final Plat for a minor subdivision for the property where the current Ames Middle School is located on Mortensen Road. This large parcel currently extends east to State Avenue and then north across College Creek to the parcel on which the old middle school stands.

This final plat divides Lot 1 of the Ames Middle School 2003 Subdivision into two lots. Attachment 1 shows the subject site with the division as requested by the owner. The total area of the Plat of 111.1 acres will be divided such that Lot 1 containing the existing Middle School will be 82.1 acres, while Lot 2 to the east will be 29 acres. A copy of the plat highlighting these two lots is attached.

The School Board has sold the eastern lot (Lot 2) to Breckenridge Land Acquisition LP, which currently intends to develop student housing on the property. All of the property is zoned Government/Airport (S-GA) and carries a Land Use Policy Plan designation of Village/Suburban Residential. Rezoning will be necessary for any development to take place. It is expected that the property would be further subdivided for the designated land use to occur.

Full utilities exist to serve this site, so no public improvements are needed at this time. An easement is being provided for the existing Shared Use Path that crosses the site from State Avenue on the east to the west plat boundary in the vicinity of College Creek.

The City Council is asked to determine compliance with the applicable law found in Attachment 2. Staff's analysis of the proposed subdivision plat demonstrates compliance with existing zoning and subdivision standards.

Based upon this analysis, the City Council may conclude that the Final Plat conforms to relevant and applicable design and improvement standards of the Ames *Municipal Code* Chapter 23 (Subdivisions), to other City ordinances and standards, to the City's Land Use Policy Plan, and to the City's other duly adopted plans.

ALTERNATIVES:

1. The City Council can approve the Final Plat for Ames Middle School 2003 Plat 2.
2. The City Council can deny the Final Plat for Ames Middle School 2003 Plat 2 if it

finds that it does not comply with the applicable ordinances, standards or plans.

3. The City Council can refer this request back to staff or the applicant for additional information to be returned not later than the City Council meeting of March 26, 2013.

MANAGER'S RECOMMENDED ACTION:

The proposed Final Plat for Ames Middle School 2003 Plat 2 subdivision is consistent with the City's existing subdivision and zoning regulations, to other City ordinances and standards, to the City's Land Use Policy Plan, and to the City's other duly adopted plans. An easement is being provided for the City's shared use path in the Plat area.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the Final Plat for Ames Middle School 2003 Plat 2 subdivision.

ATTACHMENT 1: GENERAL LOCATION



**Location Map
Ames Middle School Plat 2003 Plat 2**



ATTACHMENT 2: APPLICABLE LAW

The laws applicable to this case file are as follows:

Code of Iowa, Chapter 354.8 states in part:

A proposed subdivision plat lying within the jurisdiction of a governing body shall be submitted to that governing body for review and approval prior to recording. Governing bodies shall apply reasonable standards and conditions in accordance with applicable statutes and ordinances for the review and approval of subdivisions. The governing body, within sixty days of application for final approval of the subdivision plat, shall determine whether the subdivision conforms to its comprehensive plan and shall give consideration to the possible burden on public improvements and to a balance of interests between the proprietor, future purchasers, and the public interest in the subdivision when reviewing the proposed subdivision and when requiring the installation of public improvements in conjunction with approval of a subdivision. The governing body shall not issue final approval of a subdivision plat unless the subdivision plat conforms to sections 354.6, 354.11, and 355.8.

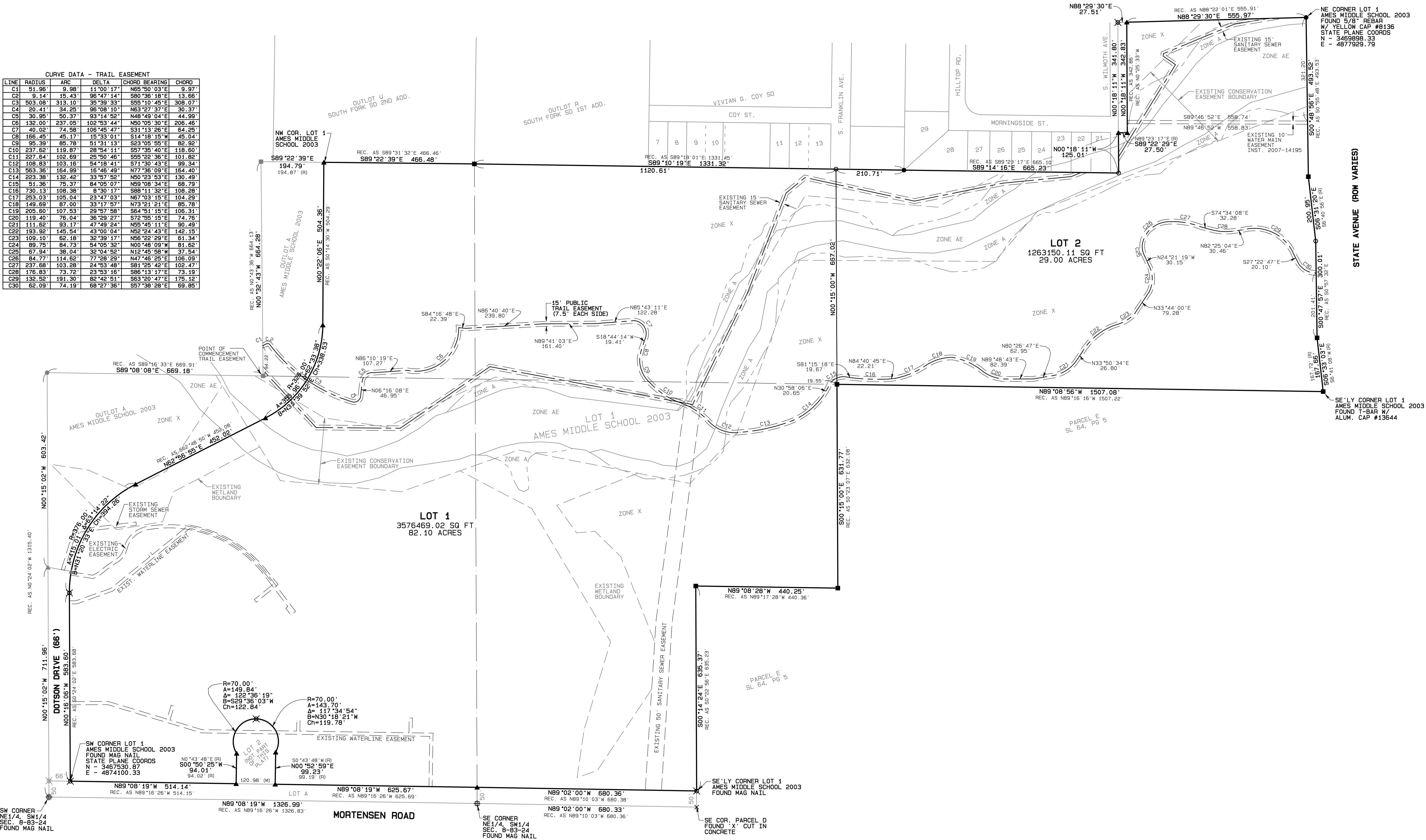
Ames Municipal Code Section 23.303(3) states as follows:

(3) City Council Action on Final Plat for Minor Subdivision:

(a) All proposed subdivision plats shall be submitted to the City Council for review and approval in accordance with Section 354.8 of the Iowa Code, as amended or superseded. Upon receipt of any Final Plat forwarded to it for review and approval, the City Council shall examine the Application Form, the Final Plat, any comments, recommendations or reports examined or made by the Department of Planning and Housing, and such other information as it deems necessary or reasonable to consider.

(b) Based upon such examination, the City Council shall ascertain whether the Final Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan and to the City's other duly adopted plans. If the City Council determines that the proposed subdivision will require the installation or upgrade of any public improvements to provide adequate facilities and services to any lot in the proposed subdivision or to maintain adequate facilities and services to any other lot, parcel or tract, the City Council shall deny the Application for Final Plat Approval of a Minor Subdivision and require the Applicant to file a Preliminary Plat for Major Subdivision.

LINE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
C1	51.96'	9.98'	11°00'17"	N85°50'03"E	9.97'
C2	9.14'	15.43'	96°47'14"	S80°36'18"E	13.66'
C3	503.08'	313.10'	35°39'33"	S55°10'45"E	308.07'
C4	20.41'	34.25'	96°08'10"	N63°27'37"E	30.37'
C5	30.95'	50.37'	93°14'52"	N48°49'04"E	44.99'
C6	132.00'	237.05'	102°53'44"	N50°05'30"E	206.46'
C7	40.02'	74.58'	106°45'47"	S31°13'26"E	64.25'
C8	166.45'	45.17'	15°33'01"	S14°18'15"W	45.04'
C9	95.39'	85.78'	51°31'13"	S23°05'55"E	82.92'
C10	237.62'	119.87'	28°54'11"	S57°35'40"E	118.60'
C11	227.64'	102.69'	25°06'46"	S55°22'36"E	101.62'
C12	108.83'	103.16'	54°18'41"	S71°30'43"E	99.34'
C13	563.36'	164.99'	16°46'49"	N77°36'09"E	164.40'
C14	223.38'	132.42'	33°57'52"	N50°23'53"E	130.49'
C15	51.36'	75.37'	84°05'07"	N59°08'34"E	68.79'
C16	730.13'	108.38'	8°30'17"	S88°11'32"E	108.28'
C17	253.03'	105.04'	23°47'03"	N67°03'15"E	104.29'
C18	149.69'	87.00'	33°17'57"	N73°21'21"E	85.18'
C19	205.60'	107.53'	29°57'58"	S64°51'15"E	106.31'
C20	119.40'	76.04'	36°29'27"	S72°55'15"E	74.76'
C21	111.62'	93.17'	47°49'24"	N55°45'11"E	90.49'
C22	193.92'	145.54'	43°00'04"	N52°24'43"E	142.15'
C23	109.10'	62.18'	32°39'17"	N56°22'29"E	61.34'
C24	89.75'	84.73'	54°05'32"	N00°48'09"W	81.62'
C25	67.94'	38.04'	32°04'52"	N12°45'58"W	37.54'
C26	84.77'	114.52'	77°28'29"	N47°46'26"E	106.09'
C27	237.68'	103.28'	24°53'48"	S81°25'42"E	102.47'
C28	176.83'	73.72'	23°53'16"	S86°13'17"E	73.19'
C29	132.52'	191.30'	82°42'51"	S63°20'47"E	175.12'
C30	62.09'	74.19'	68°27'36"	S57°38'28"E	69.85'

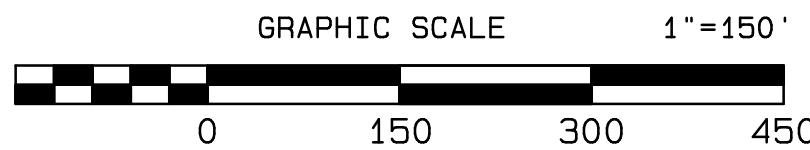


Owner/Developer:
Ames Community School District
415 Stanton Avenue
Ames, IA 50014

Survey Description-Ames Middle School 2003, Plat 2:
A subdivision of Lot 1, Ames Middle School 2003, City of Ames, Story County, Iowa, as recorded on April 7, 2004 at Instrument No. 04-04669.

- Notes:**
1. Soil borings are required in areas within this plat which have been identified by the City of Ames as having soils that make construction of buildings difficult.
 2. The 15' Trail Easement shown on the Final Plat of Ames Middle School 2003 will be vacated in its current location and a new one established to represent the actual location of the trail.
 3. All easements shown on this plat as "Existing" are described in detail on the Final Plat of Ames Middle School 2003.
 4. Bearings on this plat are based on the State Plane Coordinate System (Iowa North Zone NAD 83).

LEGEND	
PROPERTY BOUNDARY	—
SECTION LINE	- - - - -
STREET CENTERLINE	- - - - -
RIGHT OF WAY LINE	- - - - -
EASEMENT LINE	- - - - -
BUILDING SETBACK LINE	- - - - -
SECTION CORNER FOUND OR SET AS NOTED	●
FOUND 5/8" REBAR W/ YELLOW CAP #8136	○
FOUND 1/2" REBAR W/ ALUMINUM CAP #13644	×
FOUND 1/2" REBAR W/ ORANGE CAP #11579	+
SET 1/2" REBAR W/ YELLOW CAP #17161	×
PK. OR MAG NAIL FOUND OR SET AS NOTED	×
"X" IN CONCRETE FOUND OR SET AS NOTED	×

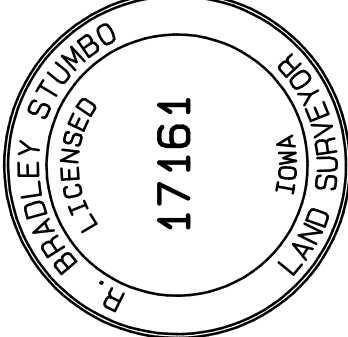


STUMBO & ASSOCIATES
LAND SURVEYING, INC.

510 S. 17TH STREET, SUITE 102 AMES, IOWA 50010
PHONE 515-233-3689 FAX 515-233-4403

FINAL PLAT
AMES MIDDLE SCHOOL 2003, PLAT 2
A SUBDIVISION OF LOT 1, AMES MIDDLE SCHOOL 2003,
SECTION 8-83-24, AMES, STORY COUNTY, IOWA.
SURVEY PREPARED FOR: AMES COMMUNITY SCHOOL DISTRICT

JOB #16452 DATE: 2/08/13 PAGE: 1 of 1



Certification: I hereby certify that this land surveying framed document was prepared by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Stumbo & Associates, License #17161 Date: _____
My license renewal date is December 31, 2013

Applicant

Name of Applicant: City of Ames

Name of Business (DBA): Homewood Golf Course

Address of Premises: 401 E. 20th Street

City: Ames County: Story Zip: 50010

Business Phone: (515) 239-5363

Mailing Address: 1500 Gateway Hills Parks Drive

City: Ames State: IA Zip: 50014

Contact Person

Name: Joshua Thompson

Phone: (515) 239-5363 Email Address: jthompson@city.ames.ia.us

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

Term: 8 months

Effective Date: 03/18/2013

Expiration Date: 11/17/2013

Privileges:

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

Status of Business

BusinessType: Municipality

Corporate ID Number: Federal Employer ID # 10-426004218

Ownership**Joshua Thompson**

First Name: Joshua Last Name: Thompson

City: Ames State: Iowa Zip: 50010

Position Parks Maintenance Super

% of Ownership 0.00 % U.S. Citizen

Steve Schainker

First Name: Steve Last Name: Schainker

City: Ames State: Iowa Zip: 50010

Position City Manager

% of Ownership 0.00 % U.S. Citizen

Insurance Company Information

Insurance Company: Iowa Communities Assurance Pool

Policy Effective Date: 03/18/2013

Policy Expiration Date: 11/17/2013

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>Rodriguez Velarde Guerra Corporation</u>		
Name of Business (DBA):	<u>Cazador</u>		
Address of Premises:	<u>3605 Lincoln Way</u>		
City: <u>Ames</u>	County: <u>Story</u>	Zip: <u>50014</u>	
Business Phone:	<u>(515) 321-3883</u>		
Mailing Address:	<u>3605 Lincoln Way</u>		
City: <u>Ames</u>	State: <u>IA</u>	Zip: <u>50014</u>	

Contact Person

Name:	<u>Jose / Jesus</u>		
Phone:	<u>(515) 321-3883</u>	Email Address:	<u>jarpolin@gmail.com</u>

Classification: Class C Liquor License (LC) (Commercial)Term: 12 monthsEffective Date: 02/13/2013Expiration Date: 02/12/2013

Privileges:

Class C Liquor License (LC) (Commercial)Outdoor ServiceSunday Sales**Status of Business**

BusinessType:	<u>Privately Held Corporation</u>		
Corporate ID Number:	<u>342422</u>	Federal Employer ID #	<u>01-0888030</u>

Ownership**Jesus Rodriguez**First Name: JesusLast Name: RodriguezCity: AnkenyState: IowaZip: 50021Position President% of Ownership 60.00 %

U.S. Citizen

Jose I VelardeFirst Name: JoseLast Name: I VelardeCity: AnkenyState: IowaZip: 50021Position Vice President% of Ownership 40.00 %

U.S. Citizen

Insurance Company Information

Insurance Company: Travelers Casualty Insurance Company of America

Policy Effective Date: 01/14/2013

Policy Expiration Date: 01/14/2014

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

*Caring People
Quality Programs
Exceptional Service*

23

TO: Mayor Ann Campbell and Ames City Council Members

FROM: Lieutenant Jeff Brinkley – Ames Police Department

DATE: February 4, 2013

SUBJECT: Cy's Roost Class C Liquor and Outdoor Service Renewal – City Council Agenda February 12, 2013

The Council agenda for February 12, 2013, includes a renewal application for a 12-month license for a Class C Liquor and Outdoor Service for Cy's Roost, 121 Welch Avenue. Cy's had received a 6-month renewal last time they were before you. Your approval for a 6-month license followed a report from our department outlining ongoing problems related to overcrowding in violation of the fire code and a large fight that occurred on Welch Avenue that involved several employees from the bar.

Since that time our department has cited four minors for on premises and one citation for serving alcohol to an intoxicated person was issued to an employee related to a compliance check. We are satisfied that Cy's is operating as we expect them to at this time. At the point that we have problems prior to the license expiring, we will bring the matter to your attention. At this time, the police department would recommend renewal of a 12-month license.

COUNCIL ACTION FORM

SUBJECT: REQUEST FOR WAIVER OF SUBDIVISION REGULATIONS,
CAMERON SCHOOL ROAD, STORY COUNTY

BACKGROUND:

At the February 1, 2013 City Council meeting, Council referred to staff a letter from Bob Gibson of Civil Design Advantage representing Bella Holdings, LLC, seeking a waiver of infrastructure requirements and subdivision regulations (see Attachment 1). Bella Holdings is proposing a 19-lot residential development at 3491 Cameron School Road (see Attachment 2). A location map is included as Attachment 3.

This property is located in the area of the Ames Urban Fringe Plan identified as Rural Transitional Residential. The Plan describes Rural Transitional Residential as follows:

Areas designated Rural Transitional Residential are located in areas where urban infrastructure may not be in place for a time period beyond the Ames Urban Fringe Plan planning horizon. Rural Transitional Residential development is designed to transition seamlessly into adjacent rural residential and agricultural land use, providing buffers where necessary to separate residences from particularly intense or noxious agricultural activities. Residential densities with this designation are between rural densities and urban densities.

Policy 5, below, specifically addresses infrastructure standards. A full list of policies are included as Attachment 4.

RTR Policy 5: Any decentralized wastewater treatment facilities, wells and supporting infrastructure shall meet IDNR, county, and city standards. Other rural development standards may be acceptable on a case-by-case basis. Require agreements that if and when the property is annexed to a city, the land developer and/or landowner shall be responsible for the full cost of abandoning the rural systems and connecting to urban infrastructure. (Relates to RUTA Goal 3.2, 3.3) [Emphasis added.]

The City's subdivision ordinance describes the minimum standards for streets and rights-of-way, public utilities (water, sanitary sewer, and storm water management), residential landscaping, street lighting, and all other public improvements necessary for an urban development.

Since the proposed subdivision lacks the public improvements described in Division IV of the Subdivision Regulations, this proposed development would be classified as a

major subdivision, which requires a preliminary plat to be submitted that identifies how the infrastructure requirements will be met.

The City Council has routinely granted waivers to Division IV of Chapter 23 for residential development in those areas of the Urban Fringe where annexation by the City is not anticipated in the foreseeable future. These waivers have been recommended on those occasions when the proposed development is consistent with the use and density standards of the Plan.

Should the City Council waive all or a portion of the infrastructure requirements, the applicant could then proceed with the preparation of a preliminary plat for consideration by the City and County. City and County staff have met with the developer and, after reviewing the proposed development, can recommend that the City Council waive some of the Division IV Design and Improvement Standards of the Subdivision Regulations.

These include the following:

- Section 23.402 Residential Subdivision Landscaping Standards.
- Section 23.403 Streets, but retain compliance with requirements for street width, street right-of-way, through streets, and cul-de-sac lengths.
- Section 23.404 Water Supply.
- Section 23.405 Sanitary Sewer, but retain a requirement that a sanitary sewer easement is identified and noted for a possible future line to connect the homes to Cameron School Road.
- Section 23.406 Electric Distribution and Street Lighting Standards, but retain a requirement that any street lights that are installed shall be an approved International Dark-Sky Association fixture or equivalent.
- Section 23.407 Storm Water Management.
- Section 23.408 Soil Erosion and Sedimentation Control.
- Section 23.409 Improvement Guarantees.

For any standard waived by the City Council, the applicant will be required to meet any corresponding Story County standard.

In accordance with the City's policy regarding action on subdivision plats in the fringe area, the owner has submitted the three standard covenants with original signatures suitable for recording in the Story County Recorder's office. These covenants bind the owners and successors to (1) agree to annexation at the time the City requests, (2) waive objections to assessments that may be imposed in the future if public improvements are brought to the site as an assessment project, and (3) pay any fees associated with the buy-out of rural water.

The applicant will need approval of the preliminary plat and final plat by both the City Council and the Story County Board of Supervisors. After obtaining resolutions from both the City and County approving the final plat, the subdivision can then be recorded.

ALTERNATIVES:

1. The City Council can grant a waiver for those portions of Division IV Design and Improvement Standards of the Ames Subdivision Regulations for the subdivision proposed by the Bella Holdings, LLC as noted here:
 - Section 23.402 Residential Subdivision Landscaping Standards.
 - Section 23.403 Streets, but retain compliance with requirements for street width, street right-of-way, through streets, and cul-de-sac lengths.
 - Section 23.404 Water Supply.
 - Section 23.405 Sanitary Sewer, but retain a requirement that a sanitary sewer easement is identified and noted for a possible future line to connect the homes to Cameron School Road.
 - Section 23.406 Electric Distribution and Street Lighting Standards, but retain a requirement that any street lights that are installed shall be an approved International Dark-Sky Association fixture or equivalent.
 - Section 23.407 Storm Water Management.
 - Section 23.408 Soil Erosion and Sedimentation Control.
 - Section 23.409 Improvement Guarantees.

This alternative will allow the owner to prepare a preliminary plat for submittal and review by the City. The Ames City Council would need to approve the preliminary plat prior to the applicant submitting a final plat. This alternative would also be accompanied by a six-month time limit, by which time the application for the preliminary plat must be submitted to the City.

2. The City Council can deny the request for a waiver of its subdivision regulations or Division IV Design and Improvement Standards for the subdivision proposed by Bella Holdings, LLC. This alternative would require the owner to submit an application for a major subdivision plat and prepare a preliminary plat indicating how the proposal would meet the infrastructure standards of the City.
3. The City Council can refer this request back to staff and/or the applicant for additional information.

MANAGER'S RECOMMENDED ACTION:

The waiver of a portion of the Design and Improvements Standards is consistent with the policies of the Urban Fringe Plan. For those specific requirements of the City that are waived, the applicable County standards will be followed, thus allowing on-site septic systems, drinking water wells, and storm water management. By retaining some of the standards and requiring other features, such as a sanitary sewer easement, the City can ensure that if this development is annexed into the City, it can be well integrated into the development patterns of a typical residential subdivision. The covenants will ensure that the property owners at the time of future annexation will pay those costs associated with annexation, such as rural water buyout and assessments for public infrastructure.

Therefore, it is the recommendation of the City Manager at this time that the City Council approve Alternative #1. This alternative will waive those portions of Division IV Design and Improvement Standards of the Ames Subdivision Regulations for the subdivision proposed by the Bella Holdings, LLC as noted above.

ATTACHMENT 1

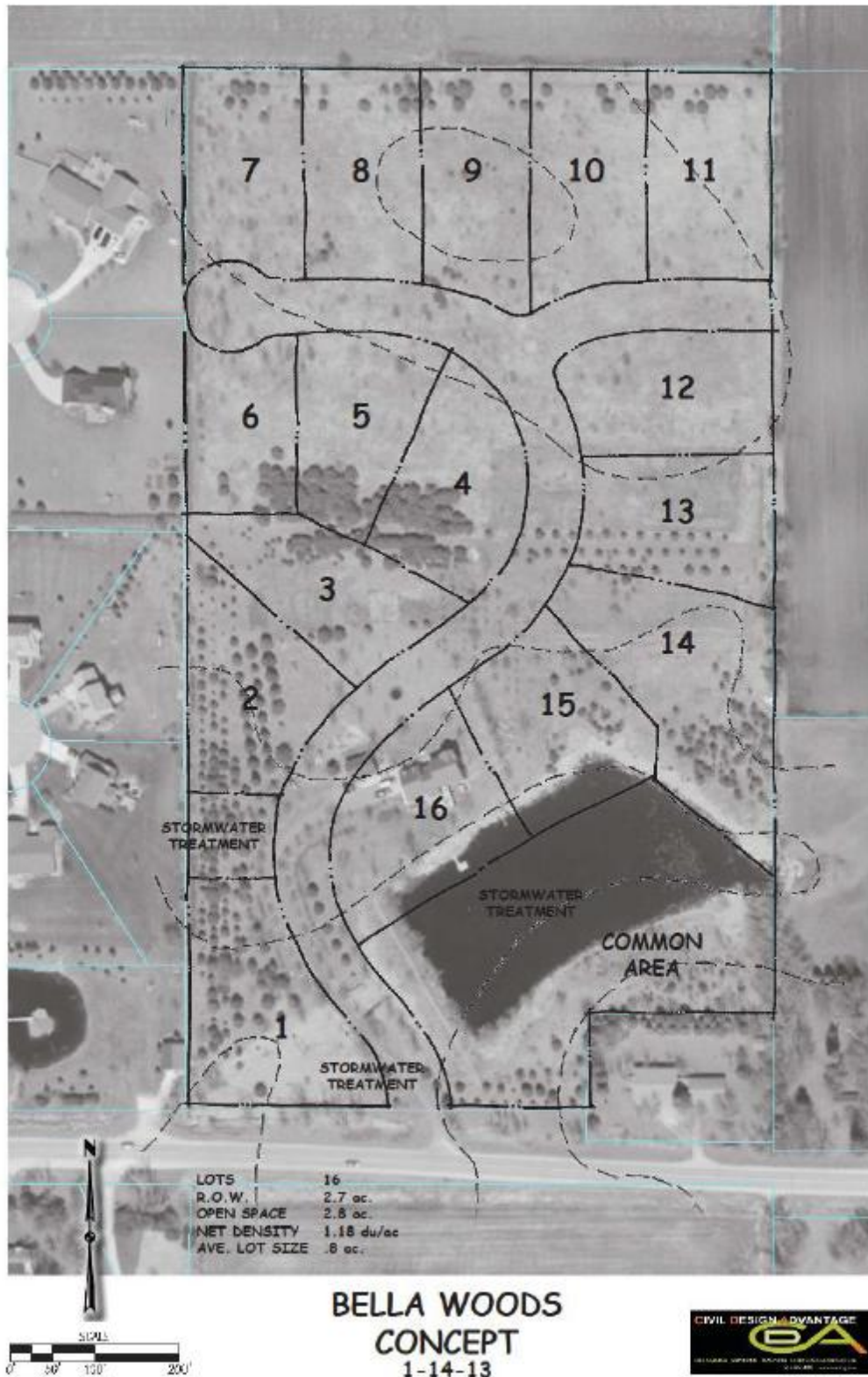
Dear Ms. Voss:

Bella Homes is planning a 16 lot single-family subdivision on 19 acres at 3491 Cameron School Road. The site is outside the Ames corporate limits and is within the Rural Transition Residential designation of the Ames Urban Fringe Plan. A very preliminary concept is attached. It is not possible to get City sewer and water to the site, so Bella Homes is requesting that the Ames City Council grant a waiver of the Design and Improvement Standards. We ask that this request be referred to staff at the January 22, 2013 Council meeting.

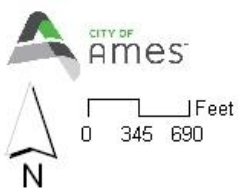
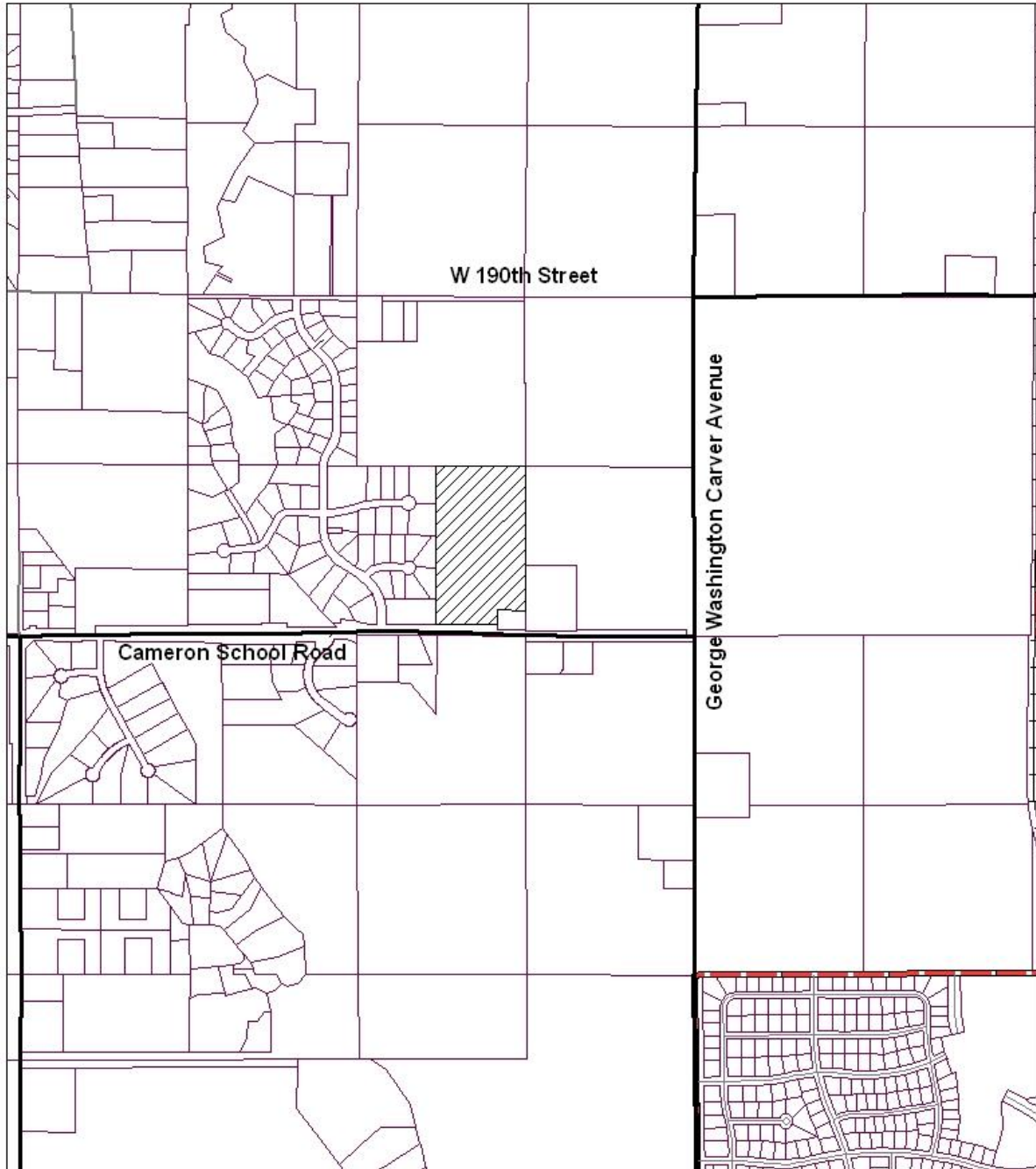
Thank you.

Bob Gibson, ASLA | *project manager*
CIVIL DESIGN ADVANTAGE LLC
3405 SE Crossroads Drive, Suite G Grimes, IA 50111
o 515.369.4400 f 515.369.4410 c 515.480.6656
BobG@CDA-eng.com www.CDA-eng.com



ATTACHMENT 2

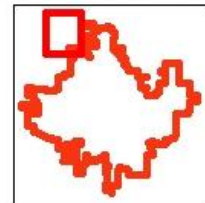


ATTACHMENT 3



Legend

-  Subject Parcel
-  Ames City Boundary



ATTACHMENT 4

Rural Transitional Residential Policies

RTR Policy 1: This land use designation includes all single-family and two-family residential land uses/developments that involve average net densities between one unit per acre and 3.75 units per acre. (Relates to RUTA Goal 3.2)

RTR Policy 2: Strategically locate Rural Transitional Residential land uses in areas where they can provide for an orderly and efficient future transition between land uses within the likely future extent of municipal limits and the unincorporated area. (Relates to RUTA Goal 3.2)

RTR Policy 3: Encourage clustering of residential sites within these land areas to limit the short-term and long-term costs associated with infrastructure improvements and the distribution of public services. (Relates to RUTA Goal 3.2, 3.4)

RTR Policy 4: Depending on location, density of units, size of lots, timing of development, development design, clustering of proposed sites, or other considerations, require full urban infrastructure standards. If the City does not require these improvements to be installed at the time of subdivision, require infrastructure assessment agreements.
(Relates to RUTA Goal 3.2, 3.3, 3.5)

RTR Policy 5: Any decentralized wastewater treatment facilities, wells and supporting infrastructure shall meet IDNR, county, and city standards. Other rural development standards may be acceptable on a case-by-case basis. Require agreements that if and when the property is annexed to a city, the land developer and/or landowner shall be responsible for the full cost of abandoning the rural systems and connecting to urban infrastructure. (Relates to RUTA Goal 3.2, 3.3)

RTR Policy 6: Make provisions to protect environmental resources, environmentally sensitive areas and adjacent Natural Areas. (Relates to RUTA Goal 3.4)

RTR Policy 8: Mitigate and manage stormwater run-off, soil erosion, and wastewater discharge according to IDNR and city standards. (Relates to RUTA Goal 3.4)

RTR Policy 7: Require annexation agreements and developer agreements in instances of new development that is particularly intense, or that occurs in certain critical locations. (Relates to RUTA Goal 3.2)

COUNCIL ACTION FORM

SUBJECT: 2013 URBAN REVITALIZATION TAX EXEMPTION REQUEST FOR PROPERTY LOCATED AT 127 STANTON (THE RESORT)

BACKGROUND:

In accordance with Chapter 404 of the *Code of Iowa*, the City Council has established Urban Revitalization Areas (URAs) with Plans specifying standards for types and elements of physical improvements that provide public benefits. Every year, property owners who have improved property within the City's URAs in the previous year may apply for tax exemption on the incremental added value of their properties. The City must determine if the completed improvements meet the standards in the Urban Revitalization Plan for the URA in which the property is located. If the City Council finds the standard is met, this approval is forwarded to the City Assessor who must review the request and determine the value of the abatement.

The property at 127 Stanton (The Resort, south of Legacy Tower in Campustown) is within the already-established Campustown Urban Revitalization Area. (See Attachment A Location Map). On May 22, 2012, the City Council approved Resolution No. 12-272 approving eligibility for tax abatement for proposed improvements at that location. Campus Investors IS, LLC, the property owner, has stated that the improvements are complete and is requesting that the City Council forward its approval of tax exemption to the City Assessor.

To be eligible for Tax Abatement the project must comply with the criteria established by the approved Campustown Urban Revitalization Plan (See Attachment B). Some of the detailed criteria of the Campustown Urban Revitalization Plan were developed with much larger residential uses in mind and are not applicable to this project. Other measures needed for the safety of the proposed project are not included in the listed criteria for Tax Abatement. The Campustown Urban Revitalization Plan includes a provision for City Council approval of criteria *equivalent to* the specific criteria listed. The applicant proposed and the City Council approved equivalent criteria for this project (see Attachment C).

Staff has examined the project as of January 31, 2013, and finds that the completed improvements meet the criteria of the Campustown Urban Revitalization Plan, except for equivalent criteria 11/12c: "Screens will be installed on all of the balconies on the south façade of Legacy Tower designed to prevent throwing any object more than four inches in diameter down to the pool area." In the attached letter dated February 7, 2013 (Attachment D), the attorney representing Campus Investors states that Campus Investors has ordered the materials and arranged for the installations of the screens and that installation should be complete by March 31, 2013.

Because many of the features included in the equivalent criteria for safety and security require consistent maintenance and operational control to be effective, another condition of approval was that an agreement be approved that commits this and any future property owners of both this facility and Legacy Tower to control and maintain these security systems. The City Attorney prepared that agreement, and Campus Investors has signed it and it is presented here for City Council approval.

In the attached letter, the attorney representing Campus Investors, Victoria Feilmeyer, states that it is not necessary for the balcony screens to be completed before the tax exemption is approved, and therefore requests that City Council forward the tax exemption for 127 Stanton Avenue to the assessor. Ms. Feilmeyer states that the Department of Planning and Housing has improperly maintained that the screens must be completed by January 31, 2013, but that no such deadline has been established by the City Council, either in Resolution 12-272 or in the attached Agreement. The City Council is also asked to take action to extend this deadline. Further, Ms. Feilmeyer states that City Council has already approved the tax exemption in Resolution 12-272 and that no further approval is required by City Council. Therefore, Ms. Feilmeyer maintains that the City Council is obligated to forward the tax exemption for 127 Stanton to the City Assessor by March 1, 2013 regardless of the status of the balcony screens.

Section 404.4 of the *Code of Iowa* states:

The first application for an exemption shall be filed by the owner of the property with the governing body of the city or county in which the property is located by February 1 of the assessment year for which the exemption is first claimed, but not later than the year in which all improvements included in the project are first assessed for taxation, or the following two assessment years, in which case the exemption is allowed for the total number of years in the exemption schedule. However, upon the request of the owner at any time, the governing body of the city or county provides by resolution that the owner may file an application by February 1 of any other assessment year selected by the governing body in which case the exemption is allowed for the number of years remaining in the exemption schedule selected.

ALTERNATIVES:

1. The City Council can
 - a. deny the request for approval of tax exemption for 127 Stanton Avenue and not forward it to the City Assessor, and
 - b. approve the Agreement for Maintenance and Management.
2. The City Council can
 - a. deny the request for approval of tax exemption for 127 Stanton Avenue and not forward it to the City Assessor, and
 - b. not take action on the Agreement for Maintenance and Management.
3. The City Council can

- a. approve the request for approval of tax exemption for 127 Stanton Avenue and forward it to the City Assessor, and
 - b. approve the Agreement for Maintenance and Management.
4. The City Council can defer action on these requests until its meeting of February 26, 2013.

MANAGER'S RECOMMENDED ACTION:

City Council gave prior approval to tax exemption for 127 Stanton in order that features would be included such that the facility meets the challenges of its location and does not increase the demand for City services. These features were approved as being equivalent to the mandatory criteria that the Campustown Urban Revitalization Plan establishes for eligibility tax exemption. Installing screens on the balconies at 119 Stanton that overlook the swimming pool and outdoor patio at 127 Stanton were part of those features necessary to conform to the Plan, not conditions of approval as the attorney for Campus Investors asserts.

Under state law, to qualify for tax exemption, any project must conform to an Urban Revitalization Plan. At this time, the project at 127 Stanton does not conform to the Plan because the balcony screens have not been installed. Section 404.4 also requires that application for tax exemption be made to the City before February 1. That is not a deadline established by the City itself. Application was made before February 1, but the project does not qualify for tax exemption. After the balcony screens are installed, the City Council can approve tax exemption for 127 Stanton and the City Assessor can apply the tax exemption.

Campus Investors have signed and returned the Agreement for Maintenance and Management, as required by the City Council. When signed by the Mayor and recorded, the Agreement will help ensure ongoing effectiveness of the safety and security features that have been included in the project.

Therefore it is the recommendation of the City Manager that the City Council accept Alternative #1. This action will


- a. deny the request for approval of tax exemption for 127 Stanton Avenue and not forward it to the City Assessor, and**
- b. approve the Agreement for Maintenance and Management.**

When Campus Investors completes the balcony screens, the property will then be eligible for tax exemption for the full period of the selected exemption schedule, although the start of the tax exemption may be delayed for one year.

LOCATION MAP



**Location Map
127 Stanton Ave.**

 Subject Property



80 40 0 80
Feet

Prepared by Planning & Housing Department
Map Prepared: 5/17/12



Effective Date: October 1, 2011

CAMPUSTOWN URBAN REVITALIZATION PLAN

Criteria for Renovation or New Construction				
PROJECT MUST MEET CRITERIA OF ONE OF THESE COLUMNS		AND	PROJECT MUST MEET CRITERIA OF ONE OF THESE COLUMNS	
Slum and Blighted Properties where a majority of the assessed valuation of the properties has been determined to be substantially unsafe or to have an unsafe use by the City Council.	Parking A minimum of 70% of the total required parking is provided in a structure. If utilizing a parking deck, the restrictions in Chapter 29.406 12 of the Municipal Code must be adhered to. AND Mixed Use The first floor must be used for permitted commercial and retail uses as shown in Table 29.803(2) of the Municipal Code. The second floor must be used for either commercial or retail uses as shown in the Table 29.803(2) or for household living. All floors above the second floor must be used for household living.	Adaptive Reuse The building on the site was originally built before 1941. AND 70% of the area of existing exterior walls of the structure will remain AND Historic materials and designs are preserved and/or restored.	Underrepresented Properties that are to include a business use where that actual sales of the business use is below the expected sales for the business use as determined by the City Council to be of benefit to the City (should be supported by a retail leakage study).	Design Standards Retail and office uses on the first floor adjacent to a public sidewalk must have direct access to the public sidewalk. AND Signage The signage design, scale, materials, and colors shall be in proportion to and consistent with the architecture of the building and support the business identity. AND
<div>OR</div>				
		Brick Material 100% of the front and 80% of the three remaining sides of the structure shall be faced with clay brick for the first four stories. On stories five through seven any other building materials except vinyl will be allowed.	Alternative Siding Material If historically significant - use and repair of historically appropriate siding material is permitted and must be maintained for the term of the selected tax abatement schedule.	
ALL RESIDENTIAL USES SHALL ALSO MEET THE FOLLOWING CRITERIA OR EQUIVALENT AS APPROVED BY THE CITY COUNCIL				
1. Limit commercial space in the same building to the ground floor 2. Provide separate entrances for commercial and residential uses 3. Locate all residential entrances to be visible from the street and provide secure access control at each 4. Prevent access from the exterior to the interior through doors that serve only as fire exits 5. Prohibit public access to structured parking, using overhead door and secure access control 6. Provide transparent glass windows into all stairwells 7. Provide camera monitoring of all pedestrian and vehicle entrances and areas		8. Minimum widths of all exit routes: 48" for halls, 42" for doors, 60" between rails for stairs 9. No balconies are permitted 10. Provide for natural daylight requirements of applicable codes with exterior windows 11. On facades facing any street use only fixed windows 12. Design of all other windows to prevent passing of sphere larger than 4" diameter 13. Prevent by physical means access to all roofs 14. Where access is not required, provide security fencing controlling access to all areas between new or existing buildings 15. Provide a minimum of four 100 w. metal halide light fixtures on each building façade: two at elevation between first and second floors and two at elevation between third and fourth floor		

EQUIVALENT CRITERIA APPROVED BY CITY COUNCIL MAY 22, 2012

1. Listed criterion: *Limit commercial space in the same building to the ground floor.*
Although two floors contain commercial uses, due to site topography both are ground floors. Also, it is not necessary to go through the residential area to access the commercial uses, which is an improvement to the arrangement of uses in the Legacy Tower that has led to difficulties in controlling access to the residential areas.
2. Listed criterion: *Provide separate entrances for commercial and residential uses.*
The access to the amenity facilities will be completely separate from access to the residential units by design.
3. Listed criterion: *Locate all residential entrances to be visible from the street and provide secure access control at each.*
These entrances will be visible from Stanton and an electronic locking system will be installed.
4. Listed criterion: *Prevent access from the exterior to the interior through doors that serve only as fire exits.*
The hardware for all fire exits allow exiting but prevent access, with a monitoring system to indicate when doors are left open.
5. Listed criterion: *Prohibit public access to structured parking, using overhead door and secure access control.* (No additional structured parking will be built.)
6. Listed criterion: *Provide transparent glass windows into all stairwells.*
All stairwells include transparent glass windows and/or a camera monitoring system.
7. Listed criterion: *Provide camera monitoring of all pedestrian and vehicle entrances and areas.*
Cameral monitoring is provided to all entrances. The only access to the amenity facilities is through the amenity building and a staffed monitoring station. In addition, an infrared monitoring system will be installed to monitor the exterior area when it is closed.
8. Listed criterion: *Minimum widths of all exit routes: 48" for halls, 42" for doors, 60" between rails for stairs.*
Equivalent criterion: Due to the small number of residential units, providing wide exit routes from the residential floor is not a high priority. The interior and exterior amenity areas will be provided with exits to meet the occupant loads.
9. Listed criterion: *No balconies are permitted.* No balconies will be included.
10. Listed criterion: *Provide for natural daylight requirements of applicable codes with exterior windows.* Natural daylight is provided.
11. & 12. Listed criteria: *On facades facing any street use only fixed windows. & Design of all other windows to prevent passing of sphere larger than 4" diameter.*
Equivalent criteria: Due to the small number of residential units, preventing objects from being thrown from the street facade windows is not as important as controlling access to the outdoor pool area and preventing objects from being thrown from the balconies on the south façade of Legacy Tower. Therefore, the following equivalent elements will be included in the project

- a. Access from the west is prevented by an 8-foot tall green fence, a sturdy metal mesh structure with vines planted on it.
- b. Access from the bar to the south is prevented by a 12-foot tall, roofed, green building, which has been specifically designed to deter patrons who are using the raised deck of the bar next door from throwing things into the pool area of the subject site.
- c. Screens will be installed on all of the balconies on the south façade of Legacy Tower designed to prevent throwing any object more than four inches in diameter down to the pool area.

13. Listed criterion: *Prevent by physical means access to all roofs.*

Access to roofs is prevented by separation from any surrounding means of access.

14. Listed criterion: *Where access is not required, provide security fencing controlling access to all areas between new or existing buildings*

The measures described above under 11 & 12 meet these criteria for access control.

15. Listed criterion: *Provide a minimum of four 100-watt metal halide light fixtures on each building façade: two at elevation between first and second floors and two at elevation between third and fourth floor.*

Security lighting and a camera monitoring system will be installed.

NYEMASTER

NYEMASTER | GOODE PC

VICTORIA A. FEILMEYER

Direct Number: (515) 956-3915 | Facsimile: (515) 956-3990 | E-Mail: vaf@nyemaster.com
1416 Buckeye Avenue, Suite 200 | Ames, IA 50010-8070 | (515) 956-3900

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www.nyemaster.com

February 7, 2013

Hon. Mayor & Council
City of Ames, Iowa
515 Clark Ave.
Ames, IA 50010

Re: 127 and 119 Stanton Ave.

Dear: Mayor Campbell and Members of the City Council:

We represent Campus Investors, IS LLC. Our client and Campus Acquisitions, as the then-owner that improved the property at 127 Stanton Avenue, are seeking a tax abatement for the property at 127 Stanton Avenue. The Planning and Housing Department has informed our client that one of the conditions for abatement, namely the installation of certain screens on the neighboring property at 119 Stanton Avenue was required to be completed by January 31, 2013. We hereby request that the City Council take action to extend the deadline imposed by the Planning and Housing Department and, further, take action to forward the tax abatement for 127 Stanton Avenue to the assessor.

Our client has spent considerable amounts of money designing the appropriate screening for the 119 Stanton Avenue—even though that property is not the subject of the tax abatement request. Our client has ordered the materials and arranged for the installation of the screens. Our client can demonstrate its good faith compliance with the condition. Our client simply could take receipt of the materials and have the installation completed by January 31. Our client advises, however, that subject to weather and other unforeseen circumstances beyond their control, the installation of the screens should be fully complete by March 31, 2013. The materials for the screens have been fabricated and are being scheduled for installation.

We ask that the City Council recognize that our client has acted in good faith and in reliance upon the City Council's action under Resolution 12-272. We also ask that the City Council recognize that our client has ordered the materials and installation and intends to complete the installation of the screens at 119 Stanton Avenue. We further ask that the City Council recognize that there has never been an expressed written deadline for the installation of the screens in any of the documentation presented to our client and that the imposition of this January 31 deadline will be grossly unfair and detrimental.

February 7, 2013

Page 2


The City Council approved Resolution 12-272 on May 22, 2012, titled "Resolution approving eligibility for tax abatement in Campustown Urban Revitalization Area for 127 Stanton Avenue, subject to execution of restrictive covenants for the City of Ames, Iowa." Resolution 12-272 states:

the City Council can give prior approval to tax abatement for the improvements at 127 Stanton Avenue, subject to the following conditions: 1) the project is constructed in compliance with the approved Minor Site Development Plan; and, 2) an agreement regarding the operational and maintenance issues listed in Attachment E (as attached) is executed and presented to the City Council prior to applying for tax abatement.

Our client has fulfilled the requirements of Resolution 12-272. Our client has completed the construction of the project in accordance with the minor site development plan. Our client has delivered to the City an executed agreement for the issues in "Attachment E." These were in the form and in the manner directed by the City. There is nothing in the Council Action form, its attachments, Resolution 12-272, or the City's covenant providing for a January 31, 2013 installation deadline.

We ask the City to recognize its obligation under section 404.4 of the Iowa Code to forward the approved applications to the assessor by March 1 regardless of the status of the screens on 119 Stanton Avenue.

Sincerely,


Victoria A. Feilmeyer

Copy to:

Bob Kindred – Acting Director, Planning and Housing Department
Judy Parks – Office of the City Attorney

Excerpt from May 22, 2012:

“MIXED-USE BUILDING AT 127 STANTON AVENUE: City Planner Jeff Benson advised that the property owner of 127 Stanton was proposing to replace the existing wood frame residence with a three-story “amenity building” that would provide recreational and leisure facilities for the residents of all the properties that Campus Acquisitions owns in Campustown. The building would include facilities for an outdoor pool area, yoga, weight, circuit, and cardio training as well as tanning and sauna. The third story of the building would contain four residential units with a total of nine bedrooms. Parking would be provided in the existing parking structure in the Legacy Tower if the City Council approves the Remote Parking Agreement.

According to Mr. Benson, the property owner has requested prior approval of a ten-year tax exemption on increased value by the proposed improvements for this project. The area in question is located within the Campustown Urban Revitalization Area. Mr. Benson explained the requirements needed to be met to be eligible for tax abatement. He noted that some of the detailed criteria of the Campustown Urban Revitalization Plan were developed with much larger residential uses in mind and would not be applicable to this project. Other measures needed for the safety of the proposed project were not included in the listed criteria; however, the Campustown Urban Revitalization Plan includes a provision for City Council approval of equivalent criteria. The criteria were reviewed by Planner Benson. He also described the maintenance and operational requirements that would be included in agreements to be signed by the owners.

It was noted that there is currently a bar to the south of the proposed project. There is a 12-foot-tall roofed green building, which would deter patrons who are using the raised deck of the bar from throwing things into the pool area of the subject site.

Police Chief Chuck Cychosz said that he had met with the developers of this project, and with the perimeter controls, the screening of the balconies, and commitment to ongoing maintenance, it should have a good positive effect on the facility.

It was pointed out by Council Member Davis that there would be screens on the south side balconies only.

Moved by Szopinski, seconded by Larson, to adopt RESOLUTION NO. 12-271 approving the Remote Parking Agreement.

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

Moved by Goodman, seconded by Larson, to adopt RESOLUTION NO. 12-272 approving eligibility for tax abatement in Campustown Urban Revitalization Area, subject to execution of Restrictive Covenants.

Council Member Davis noted that the facility will be used by only the residents and asked if it met the criteria for commercial space. Steve Osguthorpe, Director of the Planning and

Housing Department, said that it did meet the definition in the *Municipal Code*.

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

ITEM # 28b
DATE 05-22-12

COUNCIL ACTION FORM

**SUBJECT: URBAN REVITALIZATION TAX EXEMPTION FOR PROPERTY
LOCATED AT 127 STANTON (THE RESORT)**

BACKGROUND:

Each year, property owners who have developed, redeveloped, rehabilitated, or remodeled property within the Urban Revitalization Areas of the city claim tax exemption for work that has been done, as provided for in Chapter 404 of the *Code of Iowa*. Campus Acquisitions, the property owner of 127 Stanton (The Resort, south of Legacy Tower in Campustown) is requesting prior approval for a 10-year tax exemption on increased value by the proposed improvements. The property is within the already-established Campustown Urban Revitalization Area. (See Attachment A Location Map and Attachment B Request for Prior Approval)

The proposed improvements replace the existing wood frame residence with a three-story "amenity building" that provides recreational and leisure facilities for the residents of all of the properties that Campus Acquisitions owns in Campustown. The building will include facilities for yoga, weight, circuit, and cardio training, as well as tanning and sauna. The third story of the building contains four residential units with a total of nine bedrooms. Parking will be provided in the existing parking structure in Legacy Tower, if City Council approves the Remote Parking Agreement, a separate item on this City Council agenda. In the back of the building there are exterior decks and patios that contain a swimming pool, hot tub, and seating areas.

To be eligible for Tax Abatement the project must comply with the criteria established by the approved Campustown Urban Revitalization Plan. (See Attachment C) Before the pre-existing building was demolished, the Building Inspections Division staff examined the building and determined that the building was a blight upon the neighborhood and a public nuisance, and therefore complies with the City of Ames Urban Revitalization Program definition of slum and blight. (See Attachment D Building Official Determination) City staff have reviewed the building and site plans and determined that the design meets the Urban Revitalization "Design Standards" criteria. In particular, 100% of the visible area of facades will be faced with clay brick. Note that this exceeds the zoning requirements for the Campustown Service Center Zoning District. The project also meets the zoning requirement that more than 50% of the ground floor portion of the façade that faces the street be transparent glass.

To be eligible for Tax Abatement, a third set of criteria must be met for any residential uses. Due to the specific facilities provided and the relationship of this site between the Legacy Tower to the north and the bar to the south, the property owner has been working for several months with the Police Department to make the proposed facility safe and secure. Some of the detailed criteria of the Campustown Urban Revitalization Plan were developed with much larger residential uses in mind and are not applicable to this project. Other measures needed for the safety of the proposed project are not

included in the listed criteria for Tax Abatement. **The Campustown Urban Revitalization Plan includes a provision for City Council approval of criteria equivalent to the specific criteria listed.** The applicant seeks approval of the equivalent criteria as described below.

1. Listed criterion: *Limit commercial space in the same building to the ground floor.*
Although two floors contain commercial uses, due to site topography both are ground floors. Also, it is not necessary to go through the residential area to access the commercial uses, which is an improvement to the arrangement of uses in the Legacy Tower that has led to difficulties in controlling access to the residential areas.
2. Listed criterion: *Provide separate entrances for commercial and residential uses.*
The access to the amenity facilities will be completely separate from access to the residential units by design.
3. Listed criterion: *Locate all residential entrances to be visible from the street and provide secure access control at each.*
These entrances will be visible from Stanton and an electronic locking system will be installed.
4. Listed criterion: *Prevent access from the exterior to the interior through doors that serve only as fire exits.*
The hardware for all fire exits allow exiting but prevent access, with a monitoring system to indicate when doors are left open.
5. Listed criterion: *Prohibit public access to structured parking, using overhead door and secure access control.* (No additional structured parking will be built.)
6. Listed criterion: *Provide transparent glass windows into all stairwells.*
All stairwells include transparent glass windows and/or a camera monitoring system.
7. Listed criterion: *Provide camera monitoring of all pedestrian and vehicle entrances and areas.*
Cameral monitoring is provided to all entrances. The only access to the amenity facilities is through the amenity building and a staffed monitoring station. In addition, an infrared monitoring system will be installed to monitor the exterior area when it is closed.
8. Listed criterion: *Minimum widths of all exit routes: 48" for halls, 42" for doors, 60" between rails for stairs.*
Equivalent criterion: Due to the small number of residential units, providing wide exit routes from the residential floor is not a high priority. The interior and exterior amenity areas will be provided with exits to meet the occupant loads.
9. Listed criterion: *No balconies are permitted.* No balconies will be included.
10. Listed criterion: *Provide for natural daylight requirements of applicable codes with exterior windows.* Natural daylight is provided.

11. & 12. Listed criteria: *On facades facing any street use only fixed windows. & Design of all other windows to prevent passing of sphere larger than 4" diameter.*

Equivalent criteria: Due to the small number of residential units, preventing objects from being thrown from the street facade windows is not as important as controlling access to the outdoor pool area and preventing objects from being thrown from the balconies on the south façade of Legacy Tower. Therefore, the following equivalent elements will be included in the project

- a. Access from the west is prevented by an 8-foot tall green fence, a sturdy metal mesh structure with vines planted on it.
- b. Access from the bar to the south is prevented by a 12-foot tall, roofed, green building, which has been specifically designed to deter patrons who are using the raised deck of the bar next door from throwing things into the pool area of the subject site.
- c. Screens will be installed on all of the balconies on the south façade of Legacy Tower designed to prevent throwing any object more than four inches in diameter down to the pool area.

13. Listed criterion: *Prevent by physical means access to all roofs.*

Access to roofs is prevented by separation from any surrounding means of access.

14. Listed criterion: *Where access is not required, provide security fencing controlling access to all areas between new or existing buildings*

The measures described above under 11 & 12 meet these criteria for access control.

15. Listed criterion: *Provide a minimum of four 100-watt metal halide light fixtures on each building façade: two at elevation between first and second floors and two at elevation between third and fourth floor.*

Security lighting and a camera monitoring system will be installed.

The attached Minor Site Development Plan includes all of these features. However, for many of these features to be effective requires consistent maintenance and operational control. Attachment E describes these maintenance and operational requirements. Agreements are being prepared that commit this and any future property owners of both this facility and Legacy Tower to control and maintain these systems. It should be noted, however, that once the project is completed and the tax abatement has been approved and established, the tax abatement cannot be rescinded if the property owners fail to perform as agreed.

The Police Department has carefully considered the security and safety issues of this project and finds that with an operations and maintenance agreement in place, the proposed features described above are equivalent to the criteria listed for residential uses in Campustown Urban Revitalization Plan.

ALTERNATIVES:

1. The City Council can give prior approval to tax abatement for the improvements at 127 Stanton under the following conditions:

- a. The project is constructed in compliance with the approved Minor Site Development Plan (Case #SDP-12-07)

- b. An agreement regarding the operational and maintenance issues listed in Attachment E is executed and presented to City Council before Tax Abatement is applied for.

2. The City Council can deny the request for prior approval of the proposed project.

MANAGER'S RECOMMENDED ACTION:

As new apartment projects have been developed in Ames, the inclusion of amenities for residents has increased, which is a plus for renters. Providing safe leisure activities to more than 1200 residents in 15 buildings in Campustown is a plus for the community, as well. However, it is important that the facility meets the challenges of its location and that it does not increase the demand for City services. Outdoor swimming pools anywhere in the community require some Police services, but there is substantial potential for increased Police calls due to an outdoor pool in Campustown. Campus Acquisitions and its architect, GE Wattier, have made a sincere and concerted effort to work cooperatively with City staff to incorporate workable responses to these challenges of this project. All of these features are beyond what the zoning ordinance requires, but staff believes they do meet the criteria for Tax Abatement in the Campustown Urban Revitalization Area.


Therefore, it is the recommendation of the City Manager that the City Council adopt **Alternative #1**, giving prior approval to tax abatement for the improvements at 127 Stanton under the following conditions:

- a. The project is constructed in compliance with the approved Minor Site Development Plan (Case #SDP-12-07) and other Plan documents.
- b. An agreement regarding the operational and maintenance issues listed in Attachment E is executed and presented to City Council before Tax Abatement is applied for.

LOCATION MAP



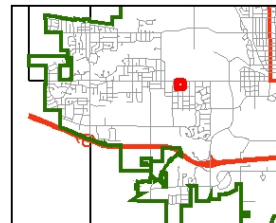
**Location Map
127 Stanton Ave.**

 Subject Property



80 40 0 80
Feet

Prepared by Planning & Housing Department
Map Prepared: 5/17/12



Attachment B

LETTER REQUESTING PRIOR APPROVAL OF TAX ABATEMENT



Campus Acquisitions
161 N. Clark, Suite 4900
Chicago, Illinois 60601
(312) 994-1880 Phone
Campusacquisitions.com

May 18, 2012

TO: City of Ames Planning Department
Attn: Jeffrey D. Benson
515 Clark Avenue
Ames, IA 50010

FROM: Michael Yeagle
Campus Acquisitions
161 N. Clark Street, Suite 4900
Chicago, IL 60601

Dear Jeff,

The purpose of my correspondence is to request prior approval of tax abatement eligibility for the proposed improvements to 127 Stanton Avenue located in the Campustown Urban Revitalization Area. The improvements will include a new 3 story structure containing a fitness a recreational facility to serve the residents of the apartment building owned and operated by Campus Investors IS, LLC, Campus Investors 217 Welch, LLC, 309 Lynn, LLC, and Ames Housing, LLC. Additional the building will contain 4 apartments consisting of 9 bedrooms. The outdoor recreational facility will include a swimming pool, hot tub, BBQ grills, and a sundeck.

We anticipate the total costs for the project to be \$1,000,000 and the estimated completion date is October 1, 2012. We are requesting the 10 year exemption plan following the schedule below.

For the first year,	80%
second	70%
third	60%
fourth	50%
fifth	40%
sixth	40%
seventh	30%
eighth	30%
ninth	20%
tenth	20%

The following page includes an image of the proposed development. If you have any further questions please do not hesitate to contact me.

Best regards,

Michael T. Yeagle
Campus Acquisitions



CAMPUSTOWN URBAN REVITALIZATION PLAN

Criteria for Renovation or New Construction				
PROJECT MUST MEET CRITERIA OF ONE OF THESE COLUMNS		AND	PROJECT MUST MEET CRITERIA OF ONE OF THESE COLUMNS	
Slum and Blighted Properties where a majority of the assessed valuation of the properties has been determined to be substantially unsafe or to have an unsafe use by the City Council.	Parking A minimum of 70% of the total required parking is provided in a structure. If utilizing a parking deck, the restrictions in Chapter 29.406 of the Municipal Code must be adhered to. AND Mixed Use The first floor must be used for permitted commercial and retail uses as shown in Table 29.803(2) of the Municipal Code. The second floor must be used for either commercial or retail uses as shown in the Table 29.803(2) or for household living. All floors above the second floor must be used for household living.	Adaptive Reuse The building on the site was originally built before 1941. AND 70% of the area of existing exterior walls of the structure will remain AND Historic materials and designs are preserved and/or restored.	Underrepresented Properties that are to include a business use where that actual sales of the business use is below the expected sales for the business use as determined by the City Council to be of benefit to the City (should be supported by a retail leakage study).	Design Standards Retail and office uses on the first floor adjacent to a public sidewalk must have direct access to the public sidewalk. AND Signage The signage design, scale, materials, and colors shall be in proportion to and consistent with the architecture of the building and support the business identity. AND
<div>OR</div>				
		Brick Material 100% of the front and 80% of the three remaining sides of the structure shall be faced with clay brick for the first four stories. On stories five through seven any other building materials except vinyl will be allowed.	Alternative Siding Material If historically significant - use and repair of historically appropriate siding material is permitted and must be maintained for the term of the selected tax abatement schedule.	
ALL RESIDENTIAL USES SHALL ALSO MEET THE FOLLOWING CRITERIA OR EQUIVALENT AS APPROVED BY THE CITY COUNCIL				
<div><div>1. Limit commercial space in the same building to the ground floor</div><div>2. Provide separate entrances for commercial and residential uses</div><div>3. Locate all residential entrances to be visible from the street and provide secure access control at each</div><div>4. Prevent access from the exterior to the interior through doors that serve only as fire exits</div><div>5. Prohibit public access to structured parking, using overhead door and secure access control</div><div>6. Provide transparent glass windows into all stairwells</div><div>7. Provide camera monitoring of all pedestrian and vehicle entrances and areas</div></div> <div><div>8. Minimum widths of all exit routes: 48" for halls, 42" for doors, 60" between rails for stairs</div><div>9. No balconies are permitted</div><div>10. Provide for natural daylight requirements of applicable codes with exterior windows</div><div>11. On facades facing any street use only fixed windows</div><div>12. Design of all other windows to prevent passing of sphere larger than 4" diameter</div><div>13. Prevent by physical means access to all roofs</div><div>14. Where access is not required, provide security fencing controlling access to all areas between new or existing buildings</div><div>15. Provide a minimum of four 100 w. metal halide light fixtures on each building façade: two at elevation between first and second floors and two at elevation between third and fourth floor</div></div>				

BUILDING OFFICIAL'S DETERMINATION



Fire Department - Inspections Division

515 Clark Avenue
P.O. Box 811
Ames, IA 50010
Phone: 515-239-5153
Fax: 515-239-5261

February 14, 2012

Jeff Benson
City of Ames Planning and Housing Department
515 Clark Avenue
Ames, IA, 50010

Re: Vacant multi family dwelling at 127 Stanton, Ames, Iowa

Mr. Benson:

An inspection of this property was recently made by this office at the request of the owner, to determine whether the multifamily dwelling located thereon may be considered a slum and blighted structure.

The inspection was conducted on Friday February 3, 2012. Natalie Herrington and I made the inspection, accompanied by two of your employees.

The vacant structure is in a general state of disrepair, and appears to have been so vacant for several months. Much of the interior has been vandalized and damaged by either prior tenants or subsequent trespassers. Mechanical, electrical, plumbing systems and fixtures are in a hazardous state of disrepair. Several windows have been broken and subsequently boarded up. There is visible deterioration of the roof covering and all exterior siding, soffits, gutters, downspouts, stairways, doors. The general appearance and interior condition presents a blight upon the neighborhood and constitutes a public nuisance to the extent that it meets the City of Ames Urban Revitalization Program definition of slum and blight:

Properties with a principal building that has been determined by the Building Official as meeting the definition of "Public Nuisance" in the Ames Municipal Code, Chapter 5, "Building, Electrical, Mechanical and Plumbing Code" (Currently Section 5.401(7)).

Respectfully,

David Brown
Building Official

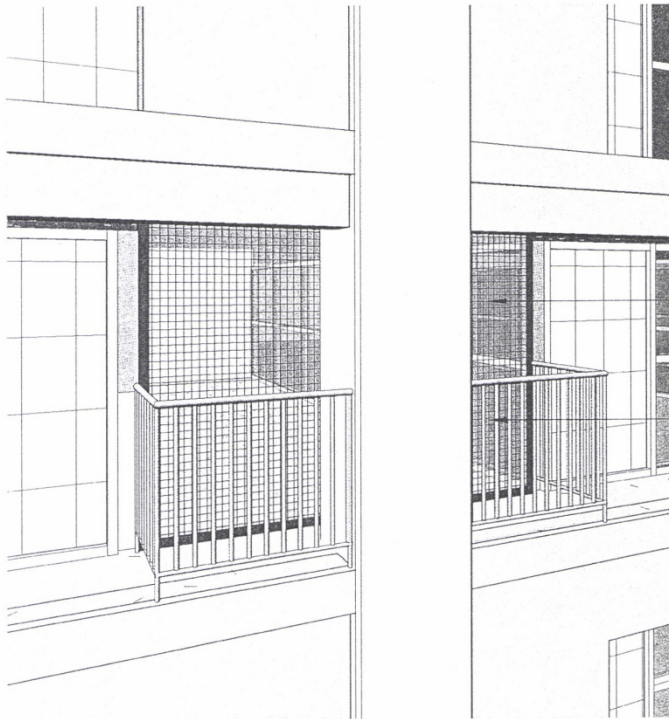
Cc: **Michael T. Yeagle**, michael@campusacquisitions.com
Campus Acquisitions | **Regional Vice President**
161 N. Clark Suite 4900
Chicago, Illinois 60601

Operations and Maintenance for Safety and Security Systems

The Resort, 127 Stanton, Ames, Iowa

May 10, 2012

1. Supervise, operate and maintain key fob access control system allowing for specific access rights to individual interior and exterior doors of the facility and the elevator. Among the purposes of this activity is to allow access to the amenity areas only to renters in properties owned by Campus Investors and to limit access to the entire facility after open hours only by renters in 127 Stanton.
2. Maintain in proper working order and provide monitoring and supervision of an infrared detection system for the exterior amenity area that detects intruders to any part of the secure exterior area after hours. Take appropriate action in reference to the intruders.
3. Maintain security lighting and maintain and monitor a camera system to detect activities that endanger residents, damage property and violate lease conditions and take appropriate action in response.
4. Maintain structures intended to prevent entry from neighboring properties and to prevent objects being thrown into the property from neighboring areas.
5. Maintain screens to be installed on all balconies on the south-facing façade of the adjacent building to the north sufficient to prevent people jumping or falling from the balconies and to prevent objects larger than 4 inches in diameter from being thrown from balconies. Materials and connections will comply with specifications to be approved by City staff. (This will need to be agreed to by the owner of the property to the north and will need to be binding on future owners of that property.)



NEW TUBE STEEL & WIRE
MESH FRAME SET BACK
FRONT EDGE

EXISTING GUARDRAIL TO
REMAIN (OPTIONAL)

ENLARGED BALCONY CONCEPT VIEW



EXISTING TUBE STEEL
RAILING

C:\Revit\Kirsten\3 Story Design_Kirsten.rvt
5/3/2012 4:48:14 PM



SC



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SCAI

RESOLUTION NO. 12-272

**RESOLUTION APPROVING ELIGIBILITY FOR TAX ABATEMENT
IN CAMPUSTOWN URBAN REVITALIZATION AREA FOR 127 STANTON AVENUE,
SUBJECT TO EXECUTION OF RESTRICTIVE COVENANTS
FOR THE CITY OF AMES, IOWA**

WHEREAS, each year, property owners who have developed, redeveloped, rehabilitated, or remodeled property within the Urban Revitalization Areas of the city claim tax exemption for work that has been done, as provided for in the *Code of Iowa*; and,

WHEREAS, Campus Acquisitions, the property owner of 127 Stanton Avenue, is requesting prior approval for a 10-year tax exemption on increased value by the proposed improvements; and,

WHEREAS, the property is within the already-established Campustown Urban Revitalization Area; and,

WHEREAS, to be eligible for tax abatement, the project must comply with the criteria established by the approved Campustown Urban Revitalization Plan; and,

WHEREAS, before the pre-existing building was demolished, the Building Inspections Division staff examined the building and determined that the building was a blight upon the neighborhood and a public nuisance, and, therefore, complies with the City of Ames Urban Revitalization Program definition of slum and blight; and,

WHEREAS, City staff has reviewed the building and site plans and determined that the design meets the Urban Revitalization "design standards" criteria; and,

WHEREAS, to be eligible for tax abatement, a third set of criteria must be met for any residential uses, and due to the specific facilities provided and the relationship of this site between the Legacy Tower to the north and the bar to the south, the property owner has been working for several months with the Police Department to make the proposed facility safe and secure; and,

WHEREAS, the City Council can give prior approval to tax abatement for the improvements at 127 Stanton Avenue, subject to the following conditions: 1) the project is constructed in compliance with the approved Minor Site Development Plan; and, 2) an agreement regarding the operational and maintenance issues listed in Attachment E (as attached) is executed and presented to the City Council prior to applying for tax abatement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ames, Iowa, that the proposed eligibility for tax abatement for the improvements at 127 Stanton Avenue is hereby approved, subject to two aforementioned conditions.

ADOPTED THIS 22nd day of May, 2012.



Diane R. Voss, City Clerk



Ann H. Campbell, Mayor

Introduced by:	Goodman
Seconded by:	Larson
Voting aye:	Davis, Goodman, Larson, Orazem, Szopinski, Wacha
Voting nay:	None
Absent:	None

Resolution declared adopted and signed by the Mayor this 22nd day of May, 2012.

Operations and Maintenance for Safety and Security Systems

The Resort, 127 Stanton, Ames, Iowa

May 10, 2012

1. Supervise, operate and maintain key fob access control system allowing for specific access rights to individual interior and exterior doors of the facility and the elevator. Among the purposes of this activity is to allow access to the amenity areas only to renters in properties owned by Campus Investors and to limit access to the entire facility after open hours only by renters in 127 Stanton.
2. Maintain in proper working order and provide monitoring and supervision of an infrared detection system for the exterior amenity area that detects intruders to any part of the secure exterior area after hours. Take appropriate action in reference to the intruders.
3. Maintain security lighting and maintain and monitor a camera system to detect activities that endanger residents, damage property and violate lease conditions and take appropriate action in response.
4. Maintain structures intended to prevent entry from neighboring properties and to prevent objects being thrown into the property from neighboring areas.
5. Maintain screens to be installed on all balconies on the south-facing façade of the adjacent building to the north sufficient to prevent people jumping or falling from the balconies and to prevent objects larger than 4 inches in diameter from being thrown from balconies. Materials and connections will comply with specifications to be approved by City staff. (This will need to be agreed to by the owner of the property to the north and will need to be binding on future owners of that property.)

DO NOT WRITE IN THE SPACE ABOVE THIS LINE; RESERVED FOR RECORDER
Prepared by: Douglas R. Marck, City of Ames Legal Department, 515 Clark Ave., Ames, IA 50010; Phone: 515-239-5146
Return recorded document to: Ames City Clerk, 515 Clark Ave., Ames, IA 50010

**COVENANT FOR MAINTENANCE AND MANAGEMENT
OF SAFETY AND SECURITY IMPROVEMENTS AT
119 AND 127 STANTON AVENUE, AMES, IOWA**

THIS COVENANT AND AGREEMENT is made effective the ____ day of _____, 2012, by and between Campus Investors, IS LLC (hereinafter called "Owner"), their successors and assigns, and THE CITY OF AMES, IOWA (hereinafter called "City").

WITNESSETH THAT:

The parties hereto have agreed and do agree as follows:

1. This Agreement is made for the purpose of demonstrating that certain real property located at 127 Stanton Avenue, Ames, Iowa, satisfies the qualifying criteria of the Campustown Urban Revitalization Area.
2. The covenants, agreements, promises and representations herein by Owner are made in connection with an application to the City for approval of eligibility for Urban Revitalization Tax Exemption for improvements (hereinafter "facility") to be constructed at 127 Stanton Avenue, Ames, Iowa.
3. Owner covenants, agrees, promises and represents to do as follows:
 - a. Install, supervise, operate and maintain a key fob access control system that limits access to interior and exterior doors of the amenity areas of the facility and the elevator at the facility to renters in properties owned by Owner, and further to limit access to the entire facility, after regular operating hours, to residents of 127 Stanton.

- b. Maintain in proper working order and provide monitoring and supervision of an infrared detection system for the exterior amenity area of the facility at 127 Stanton Avenue, so that Owners detect and take action to remove unauthorized persons from the secure exterior area after hours.
- c. Install and maintain security lighting and install, maintain and monitor a camera system at the facility located at 127 Stanton to detect activities that endanger residents, damage property and violate lease conditions, and take appropriate action in response to any such activities detected.
- d. Install and maintain in good condition at the facility structures designed to prevent entry from neighboring properties and to prevent objects being thrown into the property from neighboring areas.
- e. Install and maintain in good condition screens on all balconies on the south-facing façade of the building at 119 Stanton Avenue, said screens being sufficient to prevent people jumping or falling from the balconies and to prevent objects larger than 4 inches in diameter from falling or being thrown, dropped, or ejected from balconies.

4. The foregoing provisions encumber the real property located at 127 and 119 Stanton Avenue, described more particularly as follows and referred to collectively herein as "the Real Estate":

Parcel W of the south 60 feet of the north 407 feet of Lot 1, Parker's Addition to Ames, Iowa, as shown on the Plat of Survey filed on November 1, 2002, as Instrument No. 02-17298; and

Parcel X, the South 60 feet of the North 347 feet and the South 66 feet of the North 287 feet, all in Lot One (1), Parker's Addition; and the East 12 feet of the South 40 feet, of Lot Three (3), Block One (1), Beardshear's Addition; all in the City of Ames, Story County, Iowa; more particularly described as follows:

Commencing at the Northeast (NE) corner of Lot One (1), Parker's Addition, in the City of Ames, Story County, Iowa; thence S 00°02'59" W, 221.00 feet along the east line of said Lot 1 and the west line of Stanton Avenue, to the Point of Beginning; thence continuing S 00°02'59" W, 126.00 feet along said line; thence N 89°49'49" W, 189.88 feet along the south line of the North 347 feet of Lot 1; thence N 00°01'03" E, 45.85 feet along the west line of Lot 1, to the Southeast (SE) corner of Lot Three (3), Block One (1), Beardshear's Addition; thence N 89°27'27" W, 12.00 feet along the south line of said Lot 3; thence N 00°01'03" E, 40.00 feet along the west line of the East 12 feet of Lot 3; thence S 89°27'27" E, 12.00 feet along the north line of the South 40 feet of Lot 3; thence N 00°01'03" E, 41.40 feet along the west line of Lot 1; thence S 89°27'14" E, 189.96 feet along the north line of the South 66 feet of the North 287 feet of Lot 1, to the Point of Beginning.

5. This covenant and agreement shall be filed for record in the office of the Story County Recorder and all covenants, agreements, promises and representations hereby stated shall be deemed to be covenants running with the Real Estate and shall endure and be binding on the parties hereto, their mortgagees, lienholders, successors and assigns, for a period of twenty-one (21) years from the date of the recording of these documents, unless claims to continue any interest in the covenants are filed as provide by law. The City shall have the right to file a claim to continue its interest in these covenants.

6. Invalidation of any of these covenants by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

Executed by the respective signatories effective the date first above written.

CAMPUS INVESTORS IS, LLC

By: [Signature]
VICE PRESIDENT

By: _____

CITY OF AMES, IOWA

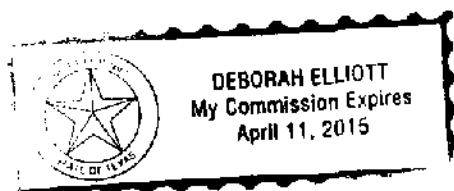
By: _____
Ann H. Campbell, Mayor

Attest by: _____
Diane R. Voss, City Clerk

STATE OF TEXAS, TRAVIS COUNTY ss:

This instrument was acknowledged before me on this 15th day of January, 2013, by Jonathan Graf, as VICE PRESIDENT of said corporation.

[Signature]
Notary Public in and for State of TEXAS



STATE OF IOWA, COUNTY OF STORY ss:

On this _____ day of _____, 20____, before me, a Notary Public in and for the State of Iowa, personally appeared Ann H. Campbell and Diane R. Voss, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Ames, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation by authority of its City Council, as contained in Resolution No. _____ adopted by the City Council on the _____ day of _____, 20____, and that Ann H. Campbell and Diane R. Voss acknowledged the execution of the instrument to be their voluntary act and deed of said corporation by it voluntarily executed.

Notary Public in and for State of Iowa

MORTGAGEE'S SUBORDINATION

KNOW ALL PERSONS BY THIS INSTRUMENT THAT:

WELLS FARGO BANK, N.A., AS TRUSTEE FOR THE REGISTERED HOLDERS OF CREDIT SUISSE FIRST BOSTON MORTGAGE SECURITIES CORP., COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-C4 ("Mortgagee"), is the present owner of that certain Mortgage and Security Agreement given by **CAMPUS INVESTORS IS, LLC**, an Illinois limited liability company, to **COLUMN FINANCIAL, INC.**, a Delaware corporation, filed in the office of the Recorder of Story County, Iowa on the 29th day of August, 2006, and recorded as Instrument No. 06-10827.

NOW, THEREFORE, the Mortgagee, for good and valuable consideration, agrees that the aforesaid real estate mortgage shall be subordinate to the rights of the City of Ames, Iowa under this instrument.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK; SIGNATURES TO FOLLOW]

LENDER:

WELLS FARGO BANK, N.A., AS TRUSTEE FOR
THE REGISTERED HOLDERS OF CREDIT
SUISSE FIRST BOSTON MORTGAGE
SECURITIES CORP., COMMERCIAL
MORTGAGE PASS-THROUGH CERTIFICATES,
SERIES 2006-C4

By: KeyCorp Real Estate Capital Markets, Inc., as
Authorized Agent

By: Sherri Watson
Name: SHERRI WATSON
Title: VICE PRESIDENT

STATE OF KANSAS

)

)ss.

COUNTY OF JOHNSON

)

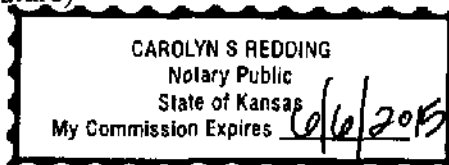
In the State of Kansas, County of Johnson, on this 18th day of
January, 2013, before me, the undersigned, a notary public in and for said
County and State, personally appeared Sherri Watson (individual's
name) to me known to be the person described in and who executed the foregoing instrument, and
acknowledged that Sherri Watson (individual's name) executed the same
as free act and deed as Vice President, (title) of KeyCorp Real Estate
Capital Markets, Inc., an Ohio corporation, as the authorized agent for Wells Fargo Bank, N.A.,
as trustee for the registered holders of Credit Suisse First Boston Mortgage Securities Corp.,
Commercial Mortgage Pass-Through Certificates, Series 2006-C4, on behalf of the corporation
in its capacity as authorized agent.

Witness my hand and Notarial Seal subscribed and affixed in said County and State the
day and year in this certificate above written.

[Signature]
Notary Public in and for said County and State

(Type, print or stamp the Notary's name below his or her
signature)

My Commission Expires:



[SEAL]

COUNCIL ACTION FORM

SUBJECT: NORTHERN GROWTH ANNEXATION AGREEMENTS

BACKGROUND:

At the time the Rose Prairie development was annexed into the City, an annexation agreement was signed to confirm the parties' respective rights and responsibilities. Over the past year annexation petitions have also received from the owners of Quarry Estates and the Athen property (see attached map). The City Council has indicated that annexation agreements should again be reached with the owners of these properties prior to Council's initiating the formal annexation process. **In addition, Council directed that annexation agreements for the two Hunziker properties on Grant Avenue also should be negotiated before the Athen annexation should proceed. This approach will assure there is a funding strategy in place to finance needed public infrastructure in areas that the Council had previously committed to annex before adding additional annexed areas.**

Staff has worked with the respective developers and land owners to negotiate agreements for the following properties:

- Phyllis Athen Trust; James Athen Trust; and Ricky Madson for two parcels on George Washington Carver,
- Quarry Estates for a single parcel on 190th Street,
- Erben and Margaret Hunziker Apartments on Grant Avenue ("Hunziker South")
- Hunziker Land Development on Grant Avenue ("Hunziker North")

In compliance with previous Council decisions, the **Athen agreement** will commit the land owners to take the following steps:

1. Pay their share of the undersized sanitary sewer connection through Northridge (\$197,600).
2. Agree to seek FS-RM zoning with use a limitation to allow only a senior living facility.
3. Agree to seek FS-RL zoning of the area not designated as FS-RM.
4. Limit development in the environmentally sensitive areas to paths, gazebos, and other low impact uses.
5. Agree that no occupancy permits will be issued for single family homes until a building permit has been issued for the senior living center.

To facilitate the annexation of the other three properties, the three **Grant Avenue agreements** contain the following common elements:

- The City will construct Grant Avenue from the City's existing city limits north to 190th Street within two and one half years of any of the developer's request, with the costs to be special assessed against the properties over ten years. Rose Prairie previously agreed to pay 37% of these costs. Quarry Estates has agreed to pay 17%, Hunziker North will pay 3%, Hunziker South will pay 20%, and – as the owners of the abutting Ada Hayden heritage Park – the City itself will pay 23% of the associated costs to finance this street improvement.
- The City will extend water and sewer trunk mains through this area to serve the proposed developments, and will create utility connection districts to recover the costs of that infrastructure over time as the subdivisions develop. The developers will repay those costs through connection fees payable as each final plat is filed, with the balance of the City's investment to be reimbursed when the next final plat is filed ten years after these agreements are approved.
- Since the traffic generated by these developments will contribute to the future need for intersection improvements at Bloomington and Hyde and at Bloomington and Grand, the developers agree to pay prorated shares of those future costs at the time they seek approval of their first final plats.
- In accordance with recent Council direction, the requirement for sprinklering of residential properties which was included in previous iterations of these draft agreements has now been removed.
- The developers assume responsibility for any needed buy-out of service territory from Xenia Rural Water District.
- Homeowners associations will assume responsibility to maintain the stormwater management areas established under the City's new conservation subdivision ordinance.
- These homeowners associations will agree to prohibit the use of fertilizers containing phosphorous, thus improving the quality of stormwater run-off into Ada Hayden Lake.
- Since specific site plans have not yet been developed or reviewed for each site, it is confirmed that the developers will be responsible to fulfill all other obligations required by the City's subdivision ordinance and other applicable laws and policies.

Most of the provisions noted above were also included in the earlier Rose Prairie agreement.

Beyond those common provisions, unique elements include the following:

Quarry Estates –

- Since this developer is anxious for the City to extend water and sewer infrastructure to the area, it is provided that the developer may initiate severance of the property from the City if the City fails to extend water and sewer mains to the property.

Hunziker South –

- In accordance with recent Council direction, the City will bear the cost to extend Electric distribution infrastructure to the south edge of this property.
- The developer will seek annexation by means of two processes by February 19th. The first process would allow annexation of the entire 69 acres, which can occur if owners of enough other adjacent property also petition for voluntary annexation. In the event that voluntary annexation is not possible due to the 80/20 rule, however, the second process will initiate creation of a “flag lot” by means of subdivision. This alternative would allow for the majority of the Hunziker property to be voluntarily annexed without requiring annexation of abutting properties to the east.

It should be noted by the City Council that, while the creation of a “flag lot” is an innovative method to allow the Hunziker South property to move ahead with annexation, it will pose a challenge when the owner of the property to the west of this site seeks annexation into the City. Unless the “flag lot” is extended further, this flag lot cannot be annexed since that would again create an island for those properties to the east and north of the Hunziker South lot. That situation could only be solved if those other properties are then annexed into the City.

- The developer will not be obligated to make payments for the street assessment until after annexation is completed.
- The developer will not be obligated to make the final payment on the water and sewer connection district fees until ten years after annexation occurs.

Staff and the respective developers continue to work on final contract language as of Friday afternoon, and hope to have the agreements completed and signed on Monday. Upon Council approval of these signed annexation agreements, Council will have secured commitments from all four developers to help finance the street, water and sanitary sewer improvements needed to serve the northern growth area.

ALTERNATIVES:

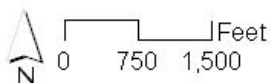
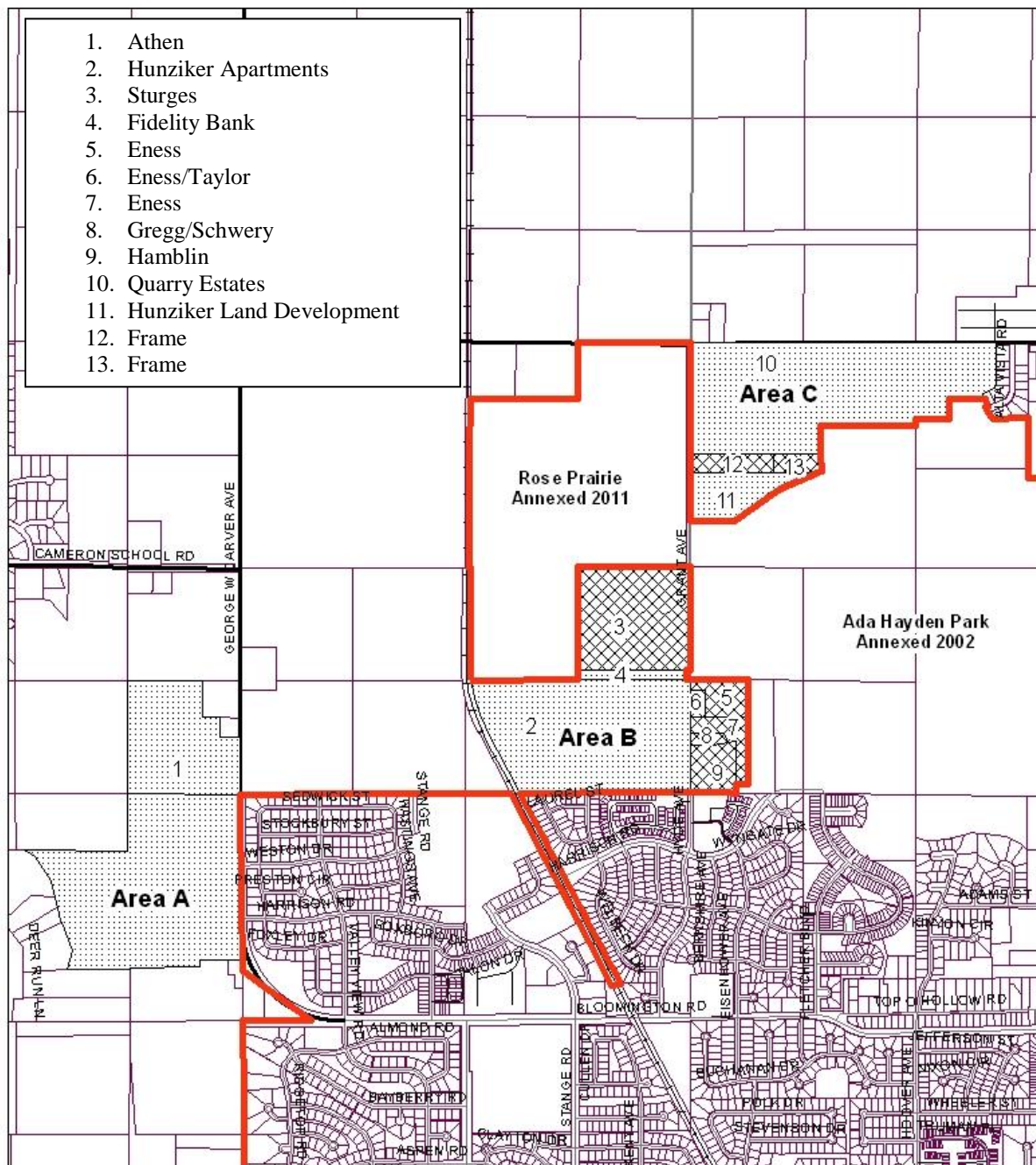
1. Approve the annexation agreements with owners of the Athen, Hunziker South, Quarry Estates and Hunziker North properties.
2. Direct staff to work with the respective developers to modify the agreements.
3. Do not approve the annexation agreements.

MANAGER'S RECOMMENDED ACTION:

The City Council established the northern growth area as an allowable growth area under the City's Land Use Policy Plan. Annexation agreements are being negotiated with owners of the four major developable parcels in this area. Approval of these agreements will allow Council to move forward with annexation, confident that the developers will each bear their respective cost shares for the City's future street, water and sewer infrastructure.

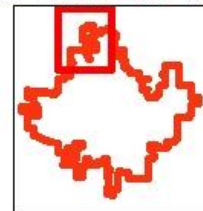
Therefore, it is the recommendation of the City Manager that the Council accept Alternative #1, thereby approving annexation agreements with the owners of the Athen, Quarry Estates, Hunziker South and Hunziker North properties.

As was noted above, given the complexities and interrelatedness of these four agreements, staff and the respective developers have not yet finalized language in these agreements. Staff hopes to have the final contracts completed and distributed for Council's review by Monday evening.



Legend

- Ames City Boundary
- Non-consenting
- Consenting



COUNCIL ACTION FORM

SUBJECT: REFERRAL OF ANNEXATION PETITIONS FOR ATHEN PROPERTIES, QUARRY ESTATES, AND HUNZIKER PROPERTIES

BACKGROUND:

By Monday, February 11th, the City will have received annexation petitions from several property owners in the North Growth Area. These property owners are:

- Phyllis Athen Trust; James Athen Trust; and Ricky Madson for two parcels on George Washington Carver
- Quarry Estates for a single parcel on 190th Street
- Erben and Margaret Hunziker Apartments on Grant Avenue ("Hunziker North")
- Hunziker Land Development on Grant Avenue ("Hunziker South")

A map of this area is included as Attachment 1, and a list of property owners is included as Attachment 2.

These properties are all contiguous to the City but are not contiguous to each other. Therefore, they must be treated as three distinct territories for the purpose of annexation. Accordingly, the Athen property is a single annexation comprising 100 percent of consenting ownership. The Quarry Estates and Hunziker North areas make up another annexation comprising 92.70 percent of consenting ownership (including properties owned by B. Frame and H. Frame in order to avoid creating an island). The Hunziker South area comprises an area of 54.01 percent of consenting owners (including land owned by Sturges, Eness, Eness, Eness/Taylor, Gregg/Scwhery, Hamblin, and Fidelity Bank).

The Code of Iowa allows voluntary annexation to contain up to 20 percent of land of non-consenting owners to be included. Therefore, the Athen property and the Quarry Estates/Hunziker North requests meet the threshold of voluntary annexation. The Hunziker South request does not meet the statutory requirements for a lawful annexation.

At the December 11, 2012 City Council meeting, during the public hearing for the request by Athen to designate his property as Urban Residential, the City Council directed staff to secure annexation agreements from the Grant Avenue properties proposed for development (Quarry Estates and the two Hunziker properties) prior to proceeding with annexation of the Athen property. Those agreements provide the mechanism by which the costs of sanitary sewer, water and street construction will be recovered.

Following submittal of the Athen annexation request in December, 2012, Council considered the Athen and Quarry Estates annexation petitions at its January 8, 2013 meeting. At that time, Council agreed to defer action at that time, and directed staff to accomplish the following:

1. Meet with the City Development Board to determine whether the option of considering all three properties as a single territory for annexation (and thus meeting the 80/20 requirement) is an acceptable alternative.
2. Meet with the other property owners along Grant Avenue to discuss their interest in annexation at this point in time.
3. Work with Hunziker and request that they apply for annexation of both properties.

In response to those directives, the following actions occurred:

1. Staff met with the City Development Board and staff of the Economic Development Authority on January 9. The position of the Board was that the three annexation areas as proposed by the City must be treated as three separate territories when determining the 80/20 ratio.
2. Staff met with the owners of land along Grant Avenue on January 21. To date, none of those owners have expressed a desire to seek annexation into the City. Attachment 3 contains comments developed by this group following that meeting.
3. By February 11th, Hunziker Land Development and Hunziker Apartments will have submitted petitions for annexation as requested by the City Council.

In addition, annexation agreements are being completed with representatives from the Athen properties, Quarry Estates and the two Hunziker properties as directed by the Council at the December 11th meeting.

Based on the annexation applications expected to be filed by Tuesday's meeting, only the Athen properties and the Quarry Estates/Hunziker North properties are eligible for annexation. Should the City Council chose to move forward with these two requests, the City would begin the State's mandated process by inviting the Franklin Township trustees and the Story County Supervisors to a consultation on the annexation at the February 26 City Council meeting. The following schedule of steps noted would be followed:

February 12..... City Council refers applications to Planning & Zoning Commission

February 26..... Consultation with County Supervisors and Township Trustees

March 6Planning & Zoning Commission considers applications

March 7Last Day for Supervisors and Trustees to make written recommendations for modification to the proposed annexation

April 9City Council Public Hearing and action on annexations

Following these steps, the State of Iowa's City Development Board would also need to review and approve the Quarry Estates/Hunziker annexation, since it is not 100 percent consenting and because it lies within two miles of the Gilbert city limits.

A way forward for annexation of the Hunziker South property has also been identified. The annexation agreement provides a deadline of February 19 for the developer and City staff to either have annexation requests that meet the requirements of the Code of Iowa (by finding other abutting owners who consent to annexation so as to fulfill the 80/20 requirements), or else initiate a two-lot subdivision in order to create a "flag lot" that will allow the non-consenting owners to remain in an unincorporated area and not be an island.

ALTERNATIVES:

In accordance with previous Council direction, the Council should consider these alternatives only if the City Council is satisfied with and has approved the respective development agreements.

1. The City Council can accept the petitions for annexation for the Athen properties as one territory, and the Quarry Estates and Hunziker North property as another territory, and begin the annexation process by referring these petitions to the Planning and Zoning Commission.

The City Council should not accept the petition for annexation from Hunziker Apartments at this time, since it does not constitute a legal request and approval would create an unacceptable island. The annexation agreement identifies two ways forward for this property to be annexed. The agreement provides until February 19 for one of these avenues to be pursued.

2. The City Council can refuse the petitions for annexation for any or all of these properties.
3. The City Council can refer this request back to staff and/or the applicants for additional information.

MANAGER'S RECOMMENDED ACTION:

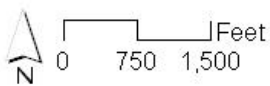
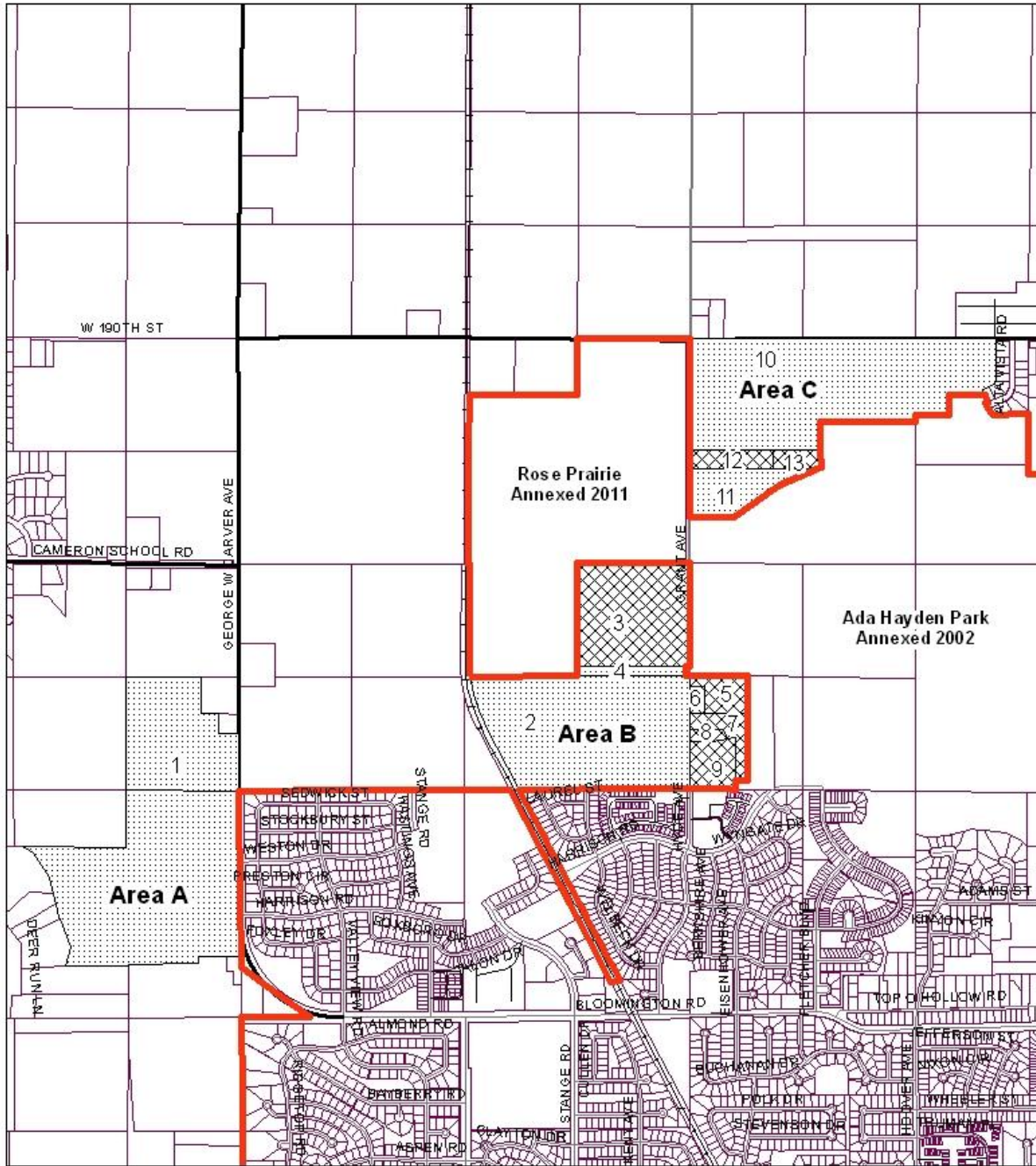
The proposed annexations are consistent with the Allowable Growth Areas of the Land Use Policy Plan and the Ames Urban Fringe Plan. The development agreements ensure that the costs that will be borne by the City for road improvements, sanitary sewer, and water will be shared by the developers as development occurs or in ten

years. This, too, is consistent with the Capital Investment Strategy of the Land Use Policy Plan. Furthermore, the annexation agreement with Athen meets the conditions imposed with the Land Use Policy Plan change that was approved by the Council.

City staff and the City Council have heard from developers, home builders, and realtors that the stock of buildable residential lots in the community is dwindling and that new lots need to be made available soon. The proposed annexation of 355 acres would likely satisfy normal housing demand in Ames for a number of years.

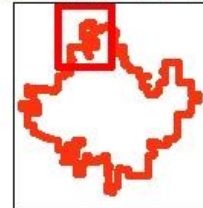
Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1. This alternative will accept the petitions for annexation for the Athen properties, the Quarry Estates property and the Hunziker North property and begin the annexation process by referring these requests to the Planning and Zoning Commission.

ATTACHMENT 1



Legend

- Ames City Boundary
- X X X X Non-consenting
- Consenting



ATTACHMENT 2

This table identifies the owners of land within the three areas proposed for annexation. Column 1 is the number corresponding to the map on the previous page. Columns 2 and 3 are the owners and total acres of their land. Column 4 is the total acres seeking annexation. Column 5 is the percent of consenting owners within each area and overall.

Map Index	Name	Gross Acres	Consent?	Percent Consent
Area A				
1	Athen	121.02	Y	
	Total	121.02	121.02	100.00
Area B				
2	Hunziker Apartments	69.80	Y	
3	Sturges	36.12		
4	Fidelity Bank	3.42		
5	Eness	5.43		
6	Eness/Taylor	1.24		
7	Eness	5.10		
8	Gregg/Schwery	1.17		
9	Hamblin	6.99		
	Total	129.27	69.80	53.01
Area C				
10	Quarry Estates	85.45	Y	
11	Hunziker Land Development	12.00	Y	
12	Frame	4.84		
13	Frame	2.83		
	Total	105.12	97.45	92.70

Area A and Area C, each, have a high enough percentage of consenting owners of land to proceed with annexation. Area B does not.

ATTACHMENT 3

Comments from the Grant Avenue owners

The residents of Grant Avenue, who will be affected by the city of Ames annexation, would like to voice our cumulative concerns regarding the plans that have been presented to us.

We are grateful to Bob Kindred, Charles Kuester and others on the city management team who have conscientiously kept us abreast of the annexation plans.

We understand that plans to pave our road and begin sewage and water hook-ups are underway. The city has been clear that we most likely have no financial obligation for assessment fees for the road development. We have been presented with the pros and cons of annexation. Our concerns, nevertheless, are plentiful. We must make it clear to you that we have chosen a rural life. We have little to no desire to be city dwellers. We want solitude, free of light pollution and city taxes. We are comfortable with county law and fire protection (two of the "pros" presented to us were that we would have benefits of city police and fire). We are satisfied with our present sewage, gas and water services. Some of us are happily still using well water.

Although we have been told that we are not required to immediately hook up to city sewage and water we would be encouraged to do so. The cost to connect to city water and sewage ranges from \$5,000 to \$130,000 for individual residents. Charging us by acreage when we have no plans or means to develop is unfair. We can't afford to be charged by acreage that would force many of us to sell and relocate. Maybe that is what the city wants.

Connection fees for individual landowners should not exceed a standard municipal connection fee.

We feel that 1) We are being asked to pay for something which will be used to profit others and 2) We are being pressured to relocate. Some of us have lived here for 4 generations.

We do not want to voluntarily request annexation. If this is destined to happen then we would like to request that it is at NO expense to us. We strongly feel that the City of Ames and the developers that want annexation should find a way to cover costs for these individual residents to not only prevent them from paying for road construction but also prevent them from paying anything for sewage and water hook ups.

If that can be offered to us we would be less likely to refuse voluntary annexation. If this cannot be offered to us we must choose to fight annexation if we are at risk of losing our homes otherwise.

We understand that the developers of Ames are powerful machines but there is a human aspect to this issue that should be regarded.

Here are two examples of potential costs to landowners:

Roger and Lori Hamblin's potential initial expenses

1. Water main	\$11,611.00
2. Water connect to house	\$3,500.00
3. Sewer main	\$13,896.00
4. Sewer connect to house	\$2,500.00

5. Remove septic tank	\$1,000.00
6. Buy out Xenia contract	\$200.00
7. Easement costs	\$????

TOTAL	\$32,707.00
-------	-------------

Hamblin's long term costs

1. Increase in property and city taxes of 25% (MINIMUM)= \$2500-\$4000 annual increase.

Julie Schwery and Clayton Gregg's potential expenses

1. Water main	\$2,200.00
2. Water connect to house	\$3,500.00
3. Sewer main	\$2,326.00
4. Sewer to house	\$2,500.00
5. Remove septic tank	\$1,000.00
6. Natural gas	\$1,050.00
7. Convert water heater to gas	\$100.00
8. Buy out Xenia contract	\$200.00

TOTAL	\$12,876.00
-------	-------------

Schwery/Gregg long term costs

Increase in property and city taxes of 25% (compared to present tax fees)=\$700.00 - \$1000.00 annual increase

Sincerely,

Roger and Lori Hamblin
 Clayton Gregg and Julie Schwery
 Mark Taylor and Allison Eness
 Paul and Margot Eness
 Leroy and Sue Sturges
 Harold and Betty Frame
 Brian and Jamie Frame

COUNCIL ACTION FORM

**SUBJECT: AMES PUBLIC LIBRARY RENOVATION AND EXPANSION
CONSTRUCTION STAGING**

BACKGROUND:

The downtown area that includes public parking Lot S has gone through significant change over the past couple of years. This lot is between 5th Street and 6th Street and between Kellogg Avenue and Douglas Avenue. As you may recall, the City used to have two public parking lots in that area (Lot R and Lot S). As part of the Development Agreement with First United Methodist Church (recorded May 31, 2011), the church purchased the real estate that contained Lot R in an amount of \$70,345.80. In addition, the church had sole financial responsibility for expanding Lot S with public parking spaces on the north side of the lot in order to lessen the impact to the City for the loss of public parking spaces in Lot R. This construction was completed late in the 2012 calendar year.

In January 2013, the Ames Public Library Renovation and Expansion project began occupying space in public parking Lot S located at the corner of Kellogg Avenue and 5th Street to accommodate staging of construction materials and equipment. This lot is anticipated to be closed for approximately 18 months to facilitate the construction of this project, which is dependent upon construction progress of the Library expansion.

Due to the construction activities such as façade work, additional areas will needed to be closed periodically in order to provide a safe work zone. These areas will likely include the parking spaces and sidewalk on the north side of 5th Street directly adjacent to the Library. Another area may be the public parking spaces on the west side of Douglas Avenue directly adjacent to the Library. The sidewalk on the west side of Douglas Avenue has remained closed following the roadway reconstruction in order to not immediately tear out replaced sidewalk with the Library project.

Another part of the Library project will include reconstruction of the alley between the Library and First United Methodist Church. During that closure, the church will be accommodated with six parking spaces in public parking Lot Q which is situated north of the Library. Parking Lot Q currently has 58 metered spaces, 22 reservable spaces, and 4 handicap spaces. Seventeen of the 22 reservable spaces are currently occupied. An additional 14 spaces will be used in Lot Q by residents of 608 Douglas Avenue during the estimated 6 week reconstruction of Douglas Avenue between 6th and 7th Streets.

While determining if an alternate location for staging could be utilized, per a request by First United Methodist Church that has now been withdrawn (see attached email), staff contacted properties owners in between 5th and 6th Streets on Douglas to determine if

there were potential issues with a closure as it related to their properties. Two out of the three property owners indicated that it would have a significant impact on their operations and were not in favor of any type of road closure for the project. Additionally, staff contacted CyRide as it also uses Douglas Avenue for its Red Route between City Hall and North Grand Mall. At this time, CyRide is detouring this route until all of the Douglas Avenue reconstruction is completed in 2013 to avoid confusion to its ridership.

If Council determines that Lot S is the best location for staging, staff would suggest adding a screening material to the fence to help with the appearance of the operations. It would also be appropriate to offer the First United Methodist Church free temporary hooded meter parking spaces in Lot Q when the alleyway is closed due to utility work for the project.

ALTERNATIVES:

1. The City Council can: (1) authorize the closing of Lot S to serve as a staging area for construction materials and equipment related to the Library expansion project; (2) direct the contractor provide screening material to the fenced area in the City of Ames, Lot S and (3) offer free temporary hooded parking spaces in Lot Q during alleyway closures.

Base on current projects, this lot could be closed to the public for up to 18 months and the alleyway intermittently for utility work.

2. The City Council can authorize the closing of Douglas Avenue between 5th and 6th Streets to serve as a staging area for construction materials and equipment related to the Library expansion project.

As noted, not all of the abutting business owners along this section of Douglas Avenue are in support of this closing.

3. The City Council can decide not to approve the closing of Lot S or Douglas Avenue for a staging area for construction materials and equipment related to the Library expansion project.

Under this option, the contractor on the Library expansion project would be allowed to charge to the Library project for the extra costs involved in locating another staging area and it could potentially slow the project completion.

MANAGER'S RECOMMENDED ACTION:

Now that the First United Methodist Church is about to complete its beautiful renovation and expansion project, they have concerned about the unsightliness of this staging area as well as the inability to utilize the public parking in Lot S for their mobility impaired parishioners. Some City Council members have received complaints about this situation. Therefore, City staff has explored options that will

satisfy the needs related to the Library expansion project, the abutting business owners, and the First United Methodist Church. Unfortunately, despite our best efforts we could not identify the “perfect” solution that will satisfy all parties.

Based on the length of time for the Library construction project and the need for a staging area in close proximity to the site, it is the recommendation of the City Manager that the City Council adopt Alternative #1.

From: "Fred Lewis" <fred@fumcames.org>
To: "Melissa Mundt" <mmundt@city.ames.ia.us>, "Diane R Voss" <DVoss@city.ames.ia.us>
Cc: "Dale VanderSchaaf" <dvschaaf@gmail.com>, "Rod and Sandee Bodholdt" <bodholdt@isunet.net>
Date: 02/08/2013 09:43 AM
Subject: Regarding the city parking lot at 5th and Kellogg Avenue

To: Melissa Mundt, Assistant City Manager

From: Rev. Fred Lewis, Senior Minister/Lead Pastor of Ames First United Methodist Church
February 8, 2013

I trust you will pass this note on to others in the City Manager's office, the Public Works department, the Interim Library Director and Library Board, Mayor Campbell, and to our elected City Council. The Ames First United Methodist Church Council (Board) confirmed by consensus last evening (February 7) my proposal that we now simply concede, with some concessions, to the City regarding our concerns, and the concerns of our parishioners, regarding the city parking lot at the corner of 5th and Douglas Avenue. This action on our part allows us to take "the higher road" and be as "good neighbors" to the businesses and organizations on Douglas Street. Plus, we want to maintain our good working relationship with the City of Ames. On behalf of the congregation, I will again share that we wished there would have been a chance for a small group meeting of the persons who have the most at stake in this decision weeks ago where together some options could have been developed. Earlier conversations would have most certainly helped in this situation. I hope the leadership of the City of Ames will take note of the way this was all managed.

The concessions that we hope to receive are quite minimal:

- First of all, we ask that the alley between our church property and the library stays open so persons are able to use it to access our new south entrance and parking area during the time of library construction, especially on the weekends and on days in the week when we may have a funeral.
- Secondly, we do understand that there most likely will be days during the week, due to utility work, when that alley is not going to be accessible to the church so we ask that (1) we be given two days notice whenever the alley might be closed, and (2) on the days the alley is closed that the city will give to the church 6 free parking spots on Kellogg Avenue or in the north city parking lot at the corner of 6th and Douglas.

- Thirdly, we do hope that as the construction proceeds and space becomes available in that city parking lot that there may be a way to regain some parking in it so that we will not have to wait for the full completion of the project.
- Fourthly, we want to revisit to clarify or change an agreement we had with Art Weeks regarding a parking space available to the library on the alley side of our church property, especially ensuring that the church has use of it on weekends and evenings.
- Lastly, we do hope that some kind of landscaping netting might be placed up and around that parking lot during the time of construction to somehow beautify the area, as stated in conversations with Melissa Mundt

Please let me know, by either email or a phone call, if I, and other church leaders, need to be present for the February 12th City Council meeting or any future City Council meetings where topics regarding this matter might be on the agenda.

Thank you, Melissa, for your assistance now with this communication and thank you for the fine way you have been of assistance to all involved in this issue in helping to clarify and guide.

COUNCIL ACTION FORM

SUBJECT: COMMUNITY AND FAMILY RESOURCES FUNDING FOR 2012/2013 DETERMINATION

BACKGROUND:

During the 2012/2013 ASSET allocations process, funds for substance abuse services were set aside until questions could be answered regarding the services of the provider, Community and Family Resources (CFR). Funds totaling \$106,125 were reserved for substance abuse group therapy by the City Council for 2012/2013.

Last fall, CFR requested a contract for 2012/2013 services after finally submitting its 2010/2011 audit. However, at that time, ASSET Administrative Team was still seeking information from CFR related to its financial situation and relationship with the Richmond Center that was being investigated by the State Auditor. Additionally, it was prudent to wait for CFR's volunteer report that was in process and receipt of its 2011/2012 audit before moving forward with a recommendation for or against a contract for 2012/2013. **During the ASSET allocation work sessions that were held from January 14-17, 2013, volunteers discussed the concerns about CFR in depth and determined that funding not be recommended to CFR due to the following reasons for 2013/2014:**

- The Iowa Department of Public Health (IDPH) block grant that is issued to CFR for this service area provides funding to meet the substance abuse service needs in Story County. Based on the information provided by CFR, 159 of its total clients are above 200% of poverty guidelines and therefore are ineligible for services under the IDPH contract. CFR was asked at the budget hearings in early January 2013 to provide information as to how many of these clients were insured, but no response was received. ASSET volunteers and staff extrapolated from CFR's service statistics that if these 159 clients are distributed evenly throughout CFR's service area, the number of clients who are ineligible for IDPH funding but who do not have insurance and who live in Story County is likely limited to no more than 2 or 3 dozen. Staff has also received information that Iowa State University is no longer referring students to CFR for services due to a variety of reasons, including a lack of responsiveness.
- Prior emergency allocations by the Funders did not resolve the problems related to billing.
- Lack of substantive financial contribution above and beyond the IDPH contract by the other counties in the catchment area, when compared against what the Story County Funders provide. In November, ASSET asked CFR to provide information on what other counties provide for assistance to CFR. Several counties pay CFR for Detox services (which is handled by Mary Greeley in Story County). Twenty-two cities and two United Ways provided supplemental funding totaling \$14,779 in 2011/2012. The City of Ames provided \$104,418.
- A lack of an effective response to the ongoing concerns raised by the Funders and the Volunteers over the past 5 years regarding the relationship between the Richmond Center and CFR has resulted in an overall distrust of both agencies by ASSET volunteers.

- CFR has provided voluntary updates to the ASSET Administrative Team from October 2012 through mid January 2013 about its work to address billing and other administrative issues within its organization. ASSET volunteers felt that these changes did not demonstrate significant progress to entrust CFR with continued financial support. As of the date of this report CFR has not yet submitted the required audit for 2011/2012 to ASSET.

Due to the aforementioned, the City Council has not yet been asked to make a final determination regarding a contract with CFR for the current year, until now. Should the City Council decide not to approve a contract with CFR for 2012/13, the money would be returned to the Local Option Sales Tax fund balance.

Story County and GSB have not executed contracts with CFR for 2012/2013. Story County staff will be asking the Board in February whether or not to approve a contract with CFR for 2012/2013. In November 2012, United Way sent CFR a letter indicating that it would not support CFR financially during the current fiscal year. During the ASSET budget hearings, CFR noted that it had still been treating clients in 2012/2013 in anticipation of receiving contracts from the remaining funders in the current year.

As further information, CFR coordinates for service with YSS for the portion of the IDPH grant to cover clients up to 18 years of age. Because the volunteers determined not to fund CFR, it has been recommended that ASSET Administrative Team review the additional funding that was set aside to YSS for those same services. The 2013/2014 recommendation includes funding to YSS in this area, should it be appropriate to be providing services above and beyond the IDPH requirements.

ALTERNATIVES:

1. The City Council can decide **not to award** a contract to Community and Family Resources (CFR) for FY 2012/13 due to the concerns raised by ASSET volunteers and noted in the denial of funding for FY 13/14.
2. The City Council can decide to **award** a contract to Community and Family Resources (CFR) for the remainder FY 2012/13 based on the ASSET Budget set in February 2012.
3. The City Council can decide take **no action** at this time regarding the FY 2012/13 contract with Community and Family Resources (CFR).

MANAGER'S RECOMMENDED ACTION:

Based on the funding provided by IDPH to CFR for substance abuse services being sufficient in other counties in the service area, the ongoing concerns of the Funders regarding CFR's relationship with the Richmond Center, and the inability to correct ongoing issues with billing; it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby denying a contract with CFR for FY 2012/2013.

COUNCIL ACTION FORM

SUBJECT: FLEET REPLACEMENT PROGRAM-POLICE PATROL CARS

BACKGROUND:

Several years ago the City was notified that Ford would discontinue production of the Crown Victoria, the vehicle that served as the standard for our patrol car fleet in recent years. The last of the Crown Victorias were produced by Ford in September of 2011. Although we were able to make a multiple vehicle purchase near the end of the production run, we have now reached the point where a new replacement vehicle must be selected and purchased.

Aware that the Crown Victoria would be discontinued, the Police Department joined with Fleet Services over a year ago to study the alternatives and identify a vehicle or vehicles that could be expected to perform well in the police patrol environment. The process was designed to methodically review replacement vehicles with a goal of choosing the vehicle that will provide exceptional service at the best possible price. There are several vehicles available that are marketed as police patrol vehicles. After reviewing the offering from Ford, Dodge, and Chevrolet the team selected the Ford and the Chevrolet for further analysis. The Dodge was excluded from further analysis by the team due to the fact that dealership support was not available within the city. Dealership repair would have meant shuttling cars to Boone or Nevada resulting in officers being out of the city for extended periods of time - an unacceptable cost to the city.

Fleet Services then specified, sought bids, and purchased a Ford and Chevrolet unit for evaluation. Police drove and reviewed a newly designed 2013 Ford Police Interceptor and the redesigned 2012 Chevy Caprice. The Caprice was in the department hands for a substantially longer period than the Ford, but the Ford was in service long enough for a reasonably thorough review.

The evaluation included a review of the literature available on the vehicles, testing done by outside agencies, a review of specifications and performance data from the manufacturers, performance data from our Fleet's experience with the cars we purchased and the personal experience of the officers who drove the two vehicles.

Configuration

The Ford that was tested was a 2013 model with a 3.5 liter engine in an all wheel drive (AWD) configuration. At the time of the purchase, the only other option from Ford was a 3.5 liter EcoBoost engine that generates significantly more horsepower. Since our test, Ford has announced that it will now make the 3.7 liter engine the standard in its Police Interceptor (and the only option in the all wheel drive model) in response to users' complaints that the Ford was underpowered. Our officers made the same observation. Power in the vehicle is important for response times, but more important to the safe and efficient operation of the patrol vehicle. Power demands for lights and other electrical equipment put extra stress on the vehicle and an underpowered vehicle will not provide appropriate performance in critical situations, sometimes due to the failure of other equipment in the car. The 3.7 liter engine is expected to eliminate the issues experienced by the users.

The Chevy that was purchased was a 2012 Caprice with a 6.0L V-8. The Caprice provided the power necessary for a police vehicle, but at the cost of fuel economy. The additional power did not seem to translate into improved all-around performance with this vehicle.

The Fords can be keyed alike – allowing an officer with a key to start any patrol vehicle in the fleet. Chevy has a key that is vehicle-specific and very expensive to replace. This is particularly problematic in the Ames Police environment where we share cars across shifts. Having a single key run the entire fleet (available from Ford) gives officers much greater safety and control over the vehicles - any officer can relocate or secure any vehicle without searching for the “right key.” Additional, Chevy keys are expensive and, during the period of our testing, replacement keys were unavailable.

A critical aspect of the configuration of the vehicles was the all wheel drive design. Ford is proposing this as the primary configuration due to the safety, traction, and overall performance of the unit. The Ford we tested was an all wheel drive configuration. The Chevy is a rear wheel drive vehicle (as are the Crown Victorias). The Ford is the only police patrol vehicle that is currently available as an all wheel drive vehicle although Dodge has recognized the need for this and will likely be marketing their patrol vehicles in this configuration.

The cost difference between the Ford two wheel drive and all wheel drive configuration is approximately \$1,000. The offsetting benefits are better control over the vehicle, better performance in hazardous weather, longer tire life, and anticipated improvements in winter gas mileage. Fleet Services analysis suggests that the savings in tire life and winter fuel mileage are anticipated to offset the higher purchase price of the all wheel drive. From a performance perspective, police officers report exceptional winter driving capabilities reducing the need for “borrowed and poorly equipped substitute vehicles” during snowstorms and icy conditions. Roadway-related emergency calls spike in bad weather. Having patrol units that can more safely reach motorists in these dangerous circumstances will be of value to citizens. In previous snowstorms, police utilized four

wheel drive units from other city departments for some tasks. Unfortunately, these units are not equipped with emergency lighting, police radios, or the computer equipment used to document and report accidents. Fully equipped patrol units can provide better service to citizens. Both through national testing and our own officers' experience, the all wheel drive provides superior handling, better traction in the ice and snow, while providing a safer driving unit for officers.

Finally, comments from Fleet's two experienced mechanics indicate that the Ford is better constructed. The Ford has higher quality of components (heavier front end push points, stronger interior dash and kick panels) and all engine and drive train components are shielded or set above shields. The Fords have better ground clearance than the Chevy. The Chevy's components have proven to be less durable and subject to breakage. Ford also has a history of superior suspensions, a critical element on the police vehicle.

Fuel Economy and Cost of Operation

Rated at a combined 21 mpg, the Ford with the 3.7 liter in the all wheel drive configuration exceeded the Chevy's 18 mpg combined rating. Incidentally, both are better than the ratings on the Crown Victoria. **Our experience also showed somewhat better fuel economy for the Ford demonstrating an overall cost per mile of 34 cents and the Chevy with overall costs per mile at 37 cents. In addition, the Ford is a flex-fuel vehicle and the Chevy is not.**

Fleet's experience is that the all wheel drive will provide a better platform for long term maintenance as the parts wear more evenly in this configuration. **Fleet reports that the Chevy is averaging 10,000 to 12,000 miles on a set of brakes and 12,000 to 14,000 on a set of tires. The Ford still had usable wear on the brakes and tires at its first 12,000 mile service.** For comparison the Crown Victoria's would average 16,000 on brakes and 20,000 to 25,000 on tires, extending the difference in operational cost in favor of the Ford as the car ages.

Additional Considerations

The all wheel drive configuration provides additional safety for officers operating in wet or icy conditions. The Ford demonstrated these capabilities during our driver training session where it outperformed all of our other vehicles in evasive maneuvers, gravel and wet-weather handling, and precision vehicle handling. The Ford also has better braking ability as reported on national tests. Our Ames Police driver instructors suggested that the Ford made all of our officers safer drivers.

Officers were surveyed as a part of this evaluation process. They overwhelmingly favored the Ford (91%) noting safety, fit, functionality, and the AWD performance as noteworthy differences. Both vehicles have less interior space than the Crown Victoria. We currently run one Crown Victoria with a half-cage to allow additional extension of the

seat and better fit for the larger officers. In general, the officers strongly favored the Ford.

The Ford is manufactured in the United States (Chicago) versus Australia for the Caprice. Fleet has noted this difference when ordering or requesting part information. The parts for the Ford seem to be much more accessible with shorter wait times. This remains a critical factor as down time affects our operational level on patrol. Another important factor is the timeframe from when we order a new vehicle to the time it is delivered. Although we attempt to order in advance, a shorter delivery time allows us more leverage should an incident take a patrol car out of service unexpectedly, e.g., accident. Delivery time for the Chevy was five to six months as compared to 10 to 12 weeks for the Ford.

Warranty for both the Ford and Chevy are relatively similar. Both offer a three year/36,000 bumper to bumper and 100,000 mile power train warranty. The Chevy has been in for more warranty items, but has also been in testing for a longer period of time. Both Chevy and Ford have stood behind their products and have fulfilled all warranty work as required.

The two initial “test” cars (one Ford and one Chevy) were purchased through the City’s formal bid process. The winning bid at the time for the Chevy Caprice was awarded to George White Chevrolet in the amount of \$26,200. The Ford Interceptor winning bid was awarded to Willey Inc. for the amount of \$24,867.88. Both prices, \$26,200 and \$24,867.88, closely reflect the state bid price. As stated earlier, Fleet was able to provide costs per mile for each vehicle tested. This cost includes fuel usage and associated maintenance costs. Currently, the Chevy costs 37 cents per mile to operate and the Ford costs 34 cents per mile.

It is important to note that the all wheel drive option adds about \$1,000 to the purchase price of the Ford. Fleet agrees that the efficiency of the all wheel drive will likely pay for the additional up front cost over the life of the vehicle.

It should also be noted that there are two other cars built for police patrol use. They are the Chevy Impala and the Dodge Charger. The Impala was not tested as it is a smaller unit with less space for officers, equipment, and prisoner transport. These elements made it less suitable than the Caprice for our needs and so the Caprice was selected for testing. Part of the rationale for limiting the variety of vehicles in police service comes from the changeout costs. Approximately two-thirds of the changeout costs can be recovered if equipment can be rotated into the same model of vehicle when a unit is being replaced. Although future testing of a Dodge alternative may be warranted, we have a current need for replacement vehicles.

In summary, we are requesting permission to proceed with the purchase of Ford Interceptors in the all wheel drive configuration for the replacement of police patrol vehicles coming out of service. These units have the lowest purchase

price, lowest cost of operation, greatest emphasis on safety, and highest degree of officer and fleet service satisfaction.

ALTERNATIVES:

1. Approve the request to purchase, through normal city purchasing policies, the Ford Interceptor all wheel drive police sedan.
2. Do not approve this request, direct staff to solicit bids on both Ford Interceptors and Chevrolet Caprice police cars.

MANAGER'S RECOMMENDED ACTION:

The Director of Fleet Services and the Police Department agree that purchasing Ford Interceptor all wheel drive sedans will provide the best, safest, and most economical level of law enforcement service for the City of Ames. Also, knowing that vehicle manufacturers modify their designs and features, staff will continue to monitor and evaluate other makes and models of law enforcement to determine if any of them will provide acceptable service in the future.

Therefore, it is the Manager's recommendation that Council adopt Alternative #1, to approve the request to purchase, through normal city purchasing policies, the Ford Interceptor all wheel drive police sedan.

The Council should understand that this alternative will allow the staff to seek bids only from dealers who can sell the Ford Interceptor, based on the information gathered from our recent test experience.

COUNCIL ACTION FORM

SUBJECT: APPROVAL OF CONTRACT FOR ECONOMIC DEVELOPMENT FINANCIAL ASSISTANCE WITH IOWA ECONOMIC DEVELOPMENT AUTHORITY AND SOLUM, INC AND AGREEMENT FOR LOCAL MATCH IN THE FORM OF A FORGIVABLE LOAN

BACKGROUND:

Solum is a Mountain View, California based agricultural technology company that has developed advanced measurement systems for soil sample analysis. Solum's first commercial application is a product that provides producers in the corn and soybean markets with high resolution soil nutrient information that can be integrated with agricultural GPS tools to customize soil treatment to maximize yields and control cost of soil treatments.

The company has chosen Ames as the center for agronomy and lab operations and will maintain the Mountain View location for hardware and software development. Solum has received approval for economic development assistance from the Iowa Economic Development Authority (IEDA) with a local match provided by the City of Ames and the Ames Economic Development Commission (AEDC). The project includes leasing space in a South Bell TIF District building and is expected to add 25 full-time jobs in Ames. The company started operations in Ames in 2012. Total investment expected for the project is \$14.14 million, including a \$100,000 forgivable loan from IEDA as well as other state tax credits and incentives projected to total \$158,000. The local match for the project is a \$40,000 forgivable loan to be funded with \$20,000 from the City of Ames (from available balance in the Economic Development Fund) and \$20,000 from the Ames Economic Development Commission (AEDC). The AEDC Board has already authorized their commitment to the local match

At the June 12, 2012 meeting, the City Council adopted a resolution supporting the Solum application for economic development assistance including the local match consisting of a \$40,000 forgivable loan. The final step in this process is to finalize the economic development financial assistance agreement between Solum, IEDA, and the City of Ames and the local match agreement between Solum, AEDC and the City of Ames.

ALTERNATIVES:

1. Adopt a resolution approving a contract for economic development financial assistance with the Iowa Economic Development Authority and Solum, Inc. and a contract providing local match in the form of a forgivable loan the amount of \$40,000

(\$20,000 from the City of Ames from available balance in the Economic Development Fund and \$20,000 from the Ames Economic Development Commission).

2. Do not adopt a resolution of approving the contracts.

MANAGER'S RECOMMENDED ACTION:

Solum is an agricultural technology company that provides a good fit with other businesses and institutions in Ames and will provide high paying jobs without the cost of additional City infrastructure. In keeping with the Council's goal to promote economic development, this project will expand the number of quality jobs within our city.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, adopting a resolution approving a contract for economic development financial assistance with the Iowa Economic Development Authority and Solum, Inc. and a contract providing local match in the form of a forgivable loan the amount of \$40,000 (\$20,000 from the City of Ames from available balance in the Economic Development Fund and \$20,000 from the Ames Economic Development Commission).

COUNCIL ACTION FORM

SUBJECT: Report of Bid and Award of Contract for Bus Facility Expansion

BACKGROUND:

Plans and specifications were developed by the architect and engineering firm of URS for the CyRide Bus Facility Expansion Project. The project provides for the expansion of bus storage on the north side of the existing facility along with significant flood mitigation measures. Other elements of the project include raising existing HVAC ductwork, and repairs to the bus wash area.

To accomplish the construction project, CyRide has received Federal and State grants. CyRide has accumulated the required local match funds and has the following dollars available as of January 31, 2013:

Funds Available	Dollars
Federal Funds (#IA-04-0111)	\$2,746,779
Federal Funds (administered through the IDOT)	\$358,800
State Funds (PTIG Expansion)	\$800,000
State Funds (PTIG Ceiling)	\$600,000
Local	\$1,127,645
Total Available	\$5,633,224

A construction budget of \$5,022,720 was established after subtracting fees for architect and engineering services, surveys, construction testing, and other project related fees.

Bids for the project were received February 6, 2013. Five general contractors submitted bids for the project as follows.

Bidders	Base Bid	Deduct Bid Alternate #1
Henkel Construction Company, Mason City, IA	\$4,489,000	\$70,000
Koester Construction Co., Inc., Grimes, IA	\$4,650,000	\$53,250
Larson & Larson Construction Management Services, LLC, Des Moines, IA	\$4,717,000	\$75,000
HPC, L.L.C., Ames, IA	\$4,850,000	\$75,000
Seneca Companies, Inc., Des Moines, IA	\$4,938,000	\$86,000

Staff concluded that the apparent low bid submitted by Henkel Construction Company, Mason City, IA in the amount of \$4,489,000 is acceptable. They have provided all the required forms and certifications. The deduct bid alternate #1 will not be accepted as it was a "budget saving" alternate that specified a less energy efficient exterior building

treatment on the bus storage expansion portion of the project. With the positive bid results, staff recommends not considering this alternate allowing for increased energy efficiency of the building, which will reduce operating costs on an annual basis and reflects the City's sustainability priorities.

The Ames Transit Agency Board of Trustees will review the bids at the scheduled February 14th meeting. Award of contract is subject to Board of Trustee approval and concurrence of the Iowa Department of Transportation Office of Public Transit.

ALTERNATIVES:

1. Award a construction contract to Henkel Construction Company, Mason City, IA, for the CyRide Bus Facility Expansion Project in the amount of \$4,489,000. Award of contract is subject to approval by the Ames Transit Agency Board of Trustees and concurrence from the Iowa Department of Transportation Office of Public Transit.
2. Reject all bids and direct staff to modify the project to reflect City Council priorities.

MANAGER'S RECOMMENDED ACTION:

Alternative No. 1 will allow CyRide to move forward with an expansion project that will house buses currently stored outside. The project will also provide for critical flood mitigation measures and improve facility deficiencies.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby award a construction contractor to Henkel Construction Company, Mason City, IA, for the CyRide Facility Expansion Project in the amount of \$4,489,000. Contract award is subject to approval by the Ames Transit Agency Board of Trustees and concurrence from the Iowa Department of Transportation Office of Public Transit.

COUNCIL ACTION FORM

SUBJECT: **2009/2010 LOW POINT DRAINAGE IMPROVEMENTS (CRYSTAL STREET)**

BACKGROUND:

This annual program is for drainage improvements to decrease flooding at low points. Low point drainage improvements are typically not focused on residential street locations, but rather on those locations most in need of the improvements as affected by standing water, flooding, and insufficient pipe capacity. The program identifies core locations for improvements each year. In addition, improvements are made at miscellaneous locations identified throughout the year. During heavy rain, some areas become flooded and damage to private property occasionally occurs.

The 2009/2010 project location identified in the Capital Improvements Plan is the drainage area to the east of Crystal Street. The project consists of clearing overgrown vegetation, installation of subsurface drain tile, removal of excess silt from the drainage channel, and improvements to planting new woodland plants. This project also has alternate bid items for installation of subdrain along the rear property lines of Crystal Street in the project area.

Project informational meetings were held with the area residents in order to receive feedback on potential design options. One meeting was held at City Hall and two follow-up meetings were held on-site with no significant concerns received.

On February 6, 2013, bids were received as follows:

Contractor	Base Bid	Alternate (Optional)	Total with Alternate
Engineer's Estimate	\$77,750.00	\$32,490.00	\$110,240.00
Con-Struct, Inc.	\$32,585.00	\$28,750.00	\$ 61,335.00
Ames Trenching	\$48,450.00	\$53,150.00	\$101,600.00
J&K Contracting LLC	\$59,215.35	\$37,022.40	\$ 96,237.75
Keller Excavating, Inc.	\$68,060.00	\$32,200.00	\$100,260.00
MPS Engineers	\$69,185.00	\$34,165.00	\$103,350.00
McAninch Corporation	\$82,555.15	\$33,122.75	\$115,677.90

Engineering and construction administration is estimated at \$32,000, bringing total estimated project costs to \$93,335. The project is financed in an amount of \$125,000 from Storm Sewer Utility Funds.

The bids, as received, are such that the bid alternate proposed will be able to be constructed as a part of this project.

ALTERNATIVES:

- 1a. Accept the report of bids for the 2009/10 Low Point Drainage Improvements (Crystal Street).
 - b. Approve the final plans and specifications for the 2009/10 Low Point Drainage Improvements (Crystal Street).
 - c. Award the 2009/10 Low Point Drainage Improvements (Crystal Street) including the bid alternate to Con-Struct, Inc., of Ames, Iowa, in the amount of \$61,335.00.
2. Reject the project.

MANAGER'S RECOMMENDED ACTION:

By accepting the report of bids, approving final plans and specifications and awarding the project, construction will begin in summer/fall 2013, and will improve the drainage to adjacent properties.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the report of bids, approving final plans and specifications, and awarding the 2009/2010 Low Point Drainage Improvements (Crystal Street) including the bid alternate to Con-Struct, Inc., of Ames, Iowa, in the amount of \$61,335.00.

COUNCIL ACTION FORM

**SUBJECT: 2012/13 WEST LINCOLN WAY INTERSECTION IMPROVEMENTS
(LINCOLN WAY AND DOTSON DRIVE)**

BACKGROUND:

This project is for constructing turn lanes and installing traffic signals at the Dotson Drive/Lincoln Way intersection. A traffic impact report for South Fork Subdivision justified these improvements. Increased traffic flow from South Fork Subdivision necessitates left-turn lanes at the Lincoln Way approaches to the Dotson Drive intersection to accommodate heavy-turning movements. Turn lanes on Lincoln Way will mitigate left-turning, rear-end, and right-angle traffic accidents at this intersection. An existing agreement requires the Developer and the City to share equally in the construction cost of these improvements.

On Wednesday, February 6, 2013, bids were received as follows:

Engineer's Estimate	\$649,040.00
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<u>Bidder:</u>	<u>Amount:</u>
Manatt's, Inc.	\$549,699.00
Con-Struct, Inc.	\$564,000.00
MPS Engineers	\$740,797.00

A Traffic Safety Improvement Grant of \$500,000 has been awarded by the Iowa Department of Transportation to be used toward construction of this project. With the low bid of \$549,699, this leaves approximately \$49,700 to be split equally between the City (\$24,850) and the developer (\$24,850), in accordance with the agreement approved by Council on December 18, 2012. The developer's share has been secured with a Letter of Credit in the amount of \$125,000 from Pinnacle Properties Ames, LLC. The City's construction share of \$24,850, along with engineering and construction administration costs estimated at \$82,000; bring the total City estimated costs to \$106,850. As shown in the 2012/13 Capital Improvements Plan, funding for this City share is programmed in the amount of \$242,500 from Road Use Tax funds.

	<u>Construction</u> <u>(\$549,699 total)</u>	<u>Eng/Admin</u>	<u>Total Cost</u>	<u>Funding</u>
IDOT Grant	\$500,000		\$500,000	\$500,000
Developer	\$ 24,850		\$ 24,850	\$125,000
City	\$ 24,850	\$ 82,000	<u>\$106,850</u>	<u>\$242,500</u>
Total			\$631,700	\$867,500

ALTERNATIVES:

- 1a. Accept the report of bids for the 2012/13 West Lincoln Way Intersection Improvements (Lincoln Way and Dotson Drive).
 - b. Approve the final plans and specifications for the 2012/13 West Lincoln Way Intersection Improvements (Lincoln Way and Dotson Drive).
 - c. Award the 2012/13 West Lincoln Way Intersection Improvements (Lincoln Way and Dotson Drive) to Manatt's, Inc., of Ames, Iowa, in the amount of \$549,699.
2. Reject the project.

MANAGER'S RECOMMENDED ACTION:

This project will provide needed transportation improvements not only for growth of the South Fork Subdivision area, but will also serve as a needed safety improvement facilitating school day traffic. This intersection will serve as the northern access to the Ames Middle School once Dotson Drive is fully extended to Mortensen Road.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the report of bids, approving the final plans and specifications, and awarding the 2012/13 West Lincoln Way Intersection Improvements (Lincoln Way and Dotson Drive) to Manatt's, Inc., of Ames, Iowa, in the amount of \$549,699.



Memo

Legal Department

TO: Mayor Campbell and City Council Members
FROM: Kristine Stone, Assistant City Attorney
RE: Closed Session to Discuss Confidential Contract with Peabody Coal
DATE: February 6, 2013

You will be asked to review and approve a contract at your next council meeting between the City of Ames and Peabody COALSALES, LLC for the supply of coal to the power plant. Our previous contract with this company expired in December of 2012. Peabody has asked that the new contract remain confidential as the pricing terms are “trade secret” and thus not subject to disclosure.

Iowa Code Section 22.7 provides that “[t]he following public records shall be kept confidential, unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information: ... (3) Trade secrets which are recognized and protected as such by law.”

“An agency in possession of an item makes the preliminary determination of whether it is a trade secret within the meaning of this section. If an agency has reasonable grounds for concluding the item is a trade secret, it need not make the item available for inspection and copying.”
Op.Atty.Gen. (Nelson), June 14, 1979.

“Some factors to be considered in determining whether given information is one’s trade secret are: (1) the extent to which the information is known outside of his business; (2) the extent to which it is known by employees and others involved in his business; (3) the extent of measures taken by him to guard the secrecy of the information; (4) the value of the information to him and to his competitors; (5) the amount of effort or money expended by him in developing the information; (6) the ease or difficulty with which the information could be properly acquired or duplicated by others.” *Id.*

Based upon discussions between electric and Peabody and considering the attached letter, it is my opinion that the pricing information contained in the contract does fall under the “trade secret” exception to the Iowa public records law and a closed session is permitted to discuss these contract terms.

Iowa Code Section 21.5(1) provides that “[a] governmental body may hold a closed session only by affirmative public vote of either two-thirds of the members of the body or all of the members present at the meeting. A governmental body may hold a closed session only to the extent a closed session is necessary for any of the following reasons: a. To review or discuss records which are required or authorized by state or federal law to be kept confidential.”

Att: Peabody Request for Confidentiality



PEABODY ENERGY
Peabody Plaza
701 Market Street
St. Louis, MO 63101-1826
314.588-2029

November 26, 2012

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

Dear City Council Members:

I write to you today on behalf of Peabody COALSLES, LLC, a subsidiary of Peabody Energy Corporation (collectively "Peabody").

Peabody hereby requests that the Council keep all pricing information received from Peabody confidential pursuant to Section 3 of Iowa Code Section 22.7. Peabody considers its pricing information to have competitive and economic value and Peabody takes significant measures to protect this trade secret.

As a result, Peabody hereby requests that any discussion of the pricing and quality information received from Peabody be discussed only in a closed session.

Thank you for your understanding and consideration of our request.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher W. Wittenauer".

Christopher W. Wittenauer, Esq.
Peabody Energy Corporation
Senior Counsel

COUNCIL ACTION FORM

SUBJECT: POWER PLANT COAL CONTRACT (COMMODITY ONLY)

BACKGROUND:

The Ames Municipal Electric System (AMES) operates two power generating facilities for the primary purpose of providing electric power to the City's electric customers. The two facilities are the Steam Electric Plant located at 200 East Fifth Street and the Combustion Turbine Peaking Units at 2200 Pullman Avenue. The Steam Electric Plant consists of two coal-fired generating units; Unit 7 rated at 33 megawatts, and Unit 8 rated at 65 megawatts. Both units burn ultra-low sulfur sub-bituminous coal as the primary fuel, additionally co-firing refuse derived fuel (RDF) and #2 fuel oil (as a start-up and boiler flame stabilization fuel).

For the past three years, the City has had a contract with the Peabody COALSALES, LLC for their North Antelope Rochelle Mine (NARM) coal from the Powder River Basin located in Campbell County, Wyoming. In fact, the power plant has used this coal as its primary fuel continuously for more than 20 years. The NARM coal is a premier ultra-low sulfur sub-bituminous coal that has proved to be a very compatible fuel for our pulverized coal-fired boilers. It has a nominal heating value of 8800 Btu/lb and a sulfur dioxide content of 0.48 lbs.SO₂/mmBtu.

Prior to the expiration of the most recent contract on December 31, 2012, Peabody COALSALES approached the City on August 14, 2012, expressing a strong desire to extend the coal agreement for three more years. After checking with the City's Purchasing Department to determine if a negotiated extension would be allowable under State of Iowa law and the City's Purchasing Policies, Electric Services engaged in a negotiating process with Peabody COALSALES to attempt to come to an agreement on a contract extension that would be a good value for the City.

Peabody COALSALES commenced the negotiation by proposing pricing for the next three years (2013 through 2015) in an email dated August 22, 2012. Additional terms along with pricing included reducing the minimum annual tonnages, and inserting a clause allowing the City to reduce or suspend delivery of coal with 120 days notice, without penalty. Over the next two and one-half months, the City and Peabody COALSALES exchanged three counteroffers, ultimately reaching a tentative agreement based upon the City's counteroffer in an email to Peabody COALSALES dated October 30, 2012.

Key features of the tentative agreement reached between Peabody COALSALES and the City are as follows:

I) Firm unit pricing for 2013 and 2014. Pricing for 2015 is to be negotiated and determined at a later date (after July 1, 2014).

II) Annual tonnages as follows:

2010 - 2012 Agreement	Minimum	Target	Maximum	<i>Actual</i>
2010	200,000	250,000	400,000	233,501
2011	200,000	250,000	400,000	213,827
2012	200,000	250,000	400,000	212,860
Proposed Agreement				
2013	150,000	200,000	300,000	
2014	125,000	200,000	300,000	
2015	125,000	200,000	300,000	

III) Allow the City to reduce or suspend deliveries of coal with 120 days notice, without penalty.

Compelling reasons to approve the tentative agreement include the following:

- 1) The unit prices for coal for 2013 and 2014 represent a good value for the City. **The unit price for 2013 is less than the unit prices the City paid for coal back in 2011 and 2012. Likewise, the unit price for 2014 is less than the unit price the City paid for coal during 2012.**
- 2) The North Antelope Rochelle Mine coal produces a premium sub-bituminous coal. Its combination of high heating value (8800 Btu/lb) and ultra-low sulfur content (0.21 percent sulfur) makes it a very desirable fuel, with a low emissions yield, especially for SO₂. The nominal SO₂ emissions value from this coal is 0.48 lbs SO₂/mmBtu, which allows our plant to comfortably meet its SO₂ compliance limit of 1.2 lbs SO₂/mmBtu. In contrast, many other low-sulfur sub-bituminous coals have a heating value of approximately 8400 Btu/lb, and a sulfur content of 0.40 or higher, which may comply with the SO₂ emissions limit of 1.2 lbs SO₂/mmBtu but with a very small compliance margin.
- 3) The City's Steam Electric Plant has used Peabody's NARM coal as its primary source of fuel for more than 20 years. This coal burns very well in our boilers with a low tendency to form deposits and foul (plug).

- 4) Peabody COALSALES understands the issues that our Steam Electric Plant currently faces. These include power market economics (versus our power plant's production costs); additional and more restrictive environmental regulations; and local, regional, and national political pressures, etc.

As a result:

- a. Peabody COALSALES agreed to a very simple exit clause that, given 120 days notice, the City can reduce or suspend the delivery of coal, without penalty.
 - b. Peabody COALSALES also agreed to reduce the minimum (tonnage) take from 200,000 tons per year in the previous agreement (2010 through 2012) down to 150,000 tons per year for 2013, and down to 125,000 tons per year for 2014 and 2015.
- 5) It is critically important for the City to be able to use NARM coal for a permit specific stack test that must be performed on Unit 8 after our spring overhaul in 2013. Back in July of 2011, after an arduous effort, we received a PSD Air Quality Construction Permit from the Iowa Department of Natural Resources for maintenance work on Unit 8 consisting of four projects. The projects were (1) repair/replacement of the boiler's lower waterwall tubes, (2) repair/replacement of the air heater baskets, (3) re-tubing/replacement of two high pressure feedwater heaters, and (4) repair/replacement of the boiler's pendant superheater sections. In this permit, Iowa DNR mandated an unusual requirement in that we had to perform stack tests before the work could commence; and after all work is completed, we must repeat the stack tests. Iowa DNR's purpose for requiring these "before" and "after" stack tests was to have the City prove that the maintenance work did not cause an increase in air emissions. **Given this stack testing requirement, it is very important to use the same coal in Unit 8 boiler for both stack tests.** If a different coal were be used for the "after" stack test, it would introduce new fuel-related variables into the test, possibly skewing the results, and could create a regulatory compliance issue with Iowa DNR.

ALTERNATIVES:

1. Waive the Purchasing Policy requirement to solicit bids for coal and approve an amendment to the original agreement with Peabody COALSALES, LLC to supply coal for the City of Ames Steam Electric Plant for the period January 1, 2013 through December 31, 2015, with coal to be supplied from Peabody's North Antelope Rochelle Mine located in Campbell County, Wyoming.
2. Reject the amended agreement with Peabody COALSALES, LLC, and direct staff to request proposals from suppliers of coal that would be compatible with

the City's power plant boilers and provide reliable compliance with the existing SO₂ air emissions limit.

MANAGER'S RECOMMENDED ACTION:

City staff and Peabody COALSALES, LLC were able to reach an amended agreement for supply of coal that is very favorable for the City because of (1) a significant reduction in unit pricing for at least the next two years (2013 and 2014), and (2) a reduction in the minimum tonnage obligation of the City for all three years of the contract extension, and (3) the ability for the City to reduce or suspend deliveries of coal, without penalty, if we provide Peabody COALSALES, LLC 120 days notice.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby waiving the Purchasing Policy requirement to solicit bids for coal as well as approving an amendment to the original agreement with Peabody COALSALES, LLC to supply coal for the City's Steam Electric Plant for the period January 1, 2013 through December 31, 2015, with coal from Peabody's North Antelope Rochelle Mine located in Campbell County, Wyoming.