#### AGENDA REGULAR MEETING OF THE AMES CITY COUNCIL COUNCIL CHAMBERS - CITY HALL JUNE 11, 2013

**NOTICE TO THE PUBLIC:** The Mayor and City Council welcome comments from the public during discussion. If you wish to speak, please complete an orange card and hand it to the City Clerk. When your name is called, please step to the microphone, state your name for the record, and 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: 7:00 p.m.

**<u>CONSENT AGENDA</u>**: 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 Regular Meeting of May 28, 2013
- 3. Motion approving Report of Contract Change Orders for May 16 31, 2013
- 4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
  - a. Class E Liquor, C Beer, & B Wine Kum & Go #200, 4510 Mortensen Road
  - b. Class E Liquor, C Beer, & B Wine Kum & Go #214, 111 Duff Avenue
  - c. Class E Liquor, C Beer, & B Wine Kum & Go #215, 4506 Lincoln Way
  - d. Class E Liquor, C Beer, & B Wine Kum & Go #216, 203 Welch Avenue
  - e. Class E Liquor, C Beer, and B Wine AJ's Liquor, 4518 Mortensen #109
  - f. Class E Liquor MMDG Spirits, 126A Welch Avenue
  - g. Special Class C Liquor Hickory Park, 1404 South Duff Avenue
  - h. Class C Liquor Texas Roadhouse, 519 South Duff Avenue
- 5. Motion setting date of public hearing for June 25, 2013, for vacation of utility easements for Mary Greeley Subdivision
- 6. Resolution accepting dedication of Carroll Avenue right-of-way
- 7. Resolution approving 2013/14 Contract for Human Services with University Community Childcare
- 8. Resolution approving Engineering Services Agreement with Veenstra & Kimm of West Des Moines, Iowa, in an amount not to exceed \$66,750 for 2013/14 Concrete Street Pavement Improvements (Lynn Avenue/Knapp Street)
- 9. Resolution approving Engineering Services Agreement with Stanley Consultants of Des Moines, Iowa, in an amount not to exceed \$76,400 for 2013/14 Collector Street Pavement Improvements (Sheldon Avenue)
- Resolution approving Engineering Services Agreement with Synder & Associates of Ankeny, Iowa, in an amount not to exceed \$65,900 for 2013/14 Downtown Street Pavement Improvements (5<sup>th</sup> Street)
- Resolution approving renewal of Professional Services Agreement with Burns & McDonnell of Chesterfield, Missouri, for Fire Risk Mitigation in an amount not to exceed \$50,000 for FY 2013/14

- 12. Resolution approving preliminary plans and specifications for 2012/13 Water System Improvements Water Main Replacement #3 (Center Avenue); setting July 17, 2013, as bid due date and July 23, 2013, as date of public hearing
- 13. Resolution approving preliminary plans and specifications for furnishing SF6 Circuit Breakers; setting June 26, 2013, as bid due date and July 9, 2013, as date of public hearing
- 14. Resolution approving preliminary plans and specifications for furnishing Substation Electrical Materials; setting June 26, 2013, as bid due date and July 9, 2013, as date of public hearing
- 15. Resolution approving date changes for 2013 Softball Field Fencing & Lighting South River Valley Park; setting July 16, 2013, as new bid due date and July 23, 2013, as new date of hearing and award of contract
- 16. Resolution awarding contract to Asplundh Tree Expert Company of Fairfax, Iowa, in an amount not to exceed \$171,000 for 2013/14 Line Clearance Program
- 17. Resolution awarding contract to Klean Rite of Ames, Iowa, for Custodial Services for Ames City Hall in the amount of \$56,940 per year, plus \$20 per hour for emergency callback and additional work, as authorized
- 18. Resolution approving contract with Houck Transit Advertising of St. Paul, MN, for interior and exterior bus advertising
- 19. Resolution approving contract and bond for 2012/13 Downtown Street Pavement Improvements (Clark Avenue and Gilchrist Street)
- 20. Resolution approving Change Order No. 5 in the amount of \$24,340 with NAES Corporation for Power Plant Steam Turbine No. 8 Overhaul
- 21. Resolution approving revised Preliminary Plat for South Fork Subdivision
- 22. Resolution accepting completion of Intermodal Facility and authorizing release of retainage
- 23. Resolution accepting final completion of 2010/11 Water System Improvements Water Main Replacement (South Duff Avenue)
- 24. Resolution accepting final completion of Emergency Relief Projects (S. Dayton Avenue, 6<sup>th</sup> Street Bridge, and Lincoln Way Bridge at Squaw Creek)

<u>PUBLIC FORUM</u>: 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, AND COMMUNICATIONS:

- 25. Motion approving sign encroachment permit for Bella Hair Salon at 2526 Lincoln Way
- 26. Motion approving Class B Beer Permit for King Buffet of Ames, 1311 Buckeye Avenue, Ste. B
- 27. Resolution approving/motion denying waiver of subdivision regulations for 2825 East 13<sup>th</sup> Street
- 28. Urban revitalization criteria for Roosevelt School Adaptive Reuse:
  - a. Resolution establishing qualifying criteria

# **<u>HEARINGS</u>**:

29. Hearing on revision to *Ames Municipal Code* Section 13.402(3)(f) to clarify the time period for non-compliant rental housing conditions:

- a. First passage of ordinance
- 30. Hearing on zoning text amendment pertaining to shared common lot line garages:
  - a. First passage of ordinance

- 31. Hearing on revised Master Plan for Lot 79 of Ringgenberg Park Subdivision:
  - a. Resolution approving revised Master Plan
- 32. Hearing on 2012/13 CyRide Route Paving Improvements No. 2 (Todd Drive):
  - a. Resolution approving final plans and specifications and awarding contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$201,992.08
- 33. Hearing on Resource Recovery Plant Primary Shredder Replacement (Phase II):
  - a. Resolution approving reallocation of programmed funding
  - b. Resolution approving final plans and specifications and awarding contract to A-Lert Construction Services of Fredonia, Kansas, in the amount of \$1,310,100.00

# PLANNING & HOUSING:

34. Update on annexation of 2212 Oakwood Road (Christofferson)

# PUBLIC WORKS:

- 35. Resolution approving proposed revisions to the Municipal Airport's Fixed Base Operator Contract
- 36. Motion delegating to staff the ability to administratively approve the closure of Hyland Avenue to facilitate the safe installation of new sanitary sewer service
- 37. Woodview Utilities Assessment Project:
  - a. Motion adopting Preliminary Resolution
  - b. Motion adopting Resolution of Necessity and setting date of public hearing for July 9, 2013
  - c. Resolution approving preliminary plans and specifications for Woodview Drive Water and Sewer Project; setting July 17, 2013, as bid due date and July 23, 2013, as date of public hearing
- 38. Pedestrian Crossing at 12<sup>th</sup> Street and Duff Avenue:
  - a. Motion directing City Attorney to draft Memorandum of Understanding (MOU)
  - Motion approving design and installation of the Rectangular Rapid Flashing Beacon treatment at the north side east/west pedestrian crossing of Duff Avenue at 12<sup>th</sup> Street, subject to approval of MOU

# **ELECTRIC**:

39. Resolution awarding contract to ProEnergy Services, LLC, of Sedalia, Missouri, in an amount not to exceed \$550,000 for Power Plant Maintenance Services

# **ORDINANCES**:

- 40. First passage of ordinance setting speed limit on State Avenue
- 41. Second passage of ordinance rezoning property at 920 Carroll Avenue (former Willson-Beardshear School) from "S-GA" (Government/Airport) to "UCRM" (Urban Core Residential Medium Density)
- 42. Second passage of revised Water Rationing Ordinance
- 43. Second passage of ordinance revising Appendix N
- 44. Second passage of Street and Security Lighting Rate Ordinance

# **COUNCIL COMMENTS**:

# 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 MEETING OF THE AMES AREA METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE AND REGULAR MEETING OF THE AMES CITY COUNCIL COUNCIL CHAMBERS - CITY HALL

#### AMES, IOWA

MAY 28, 2013

#### MEETING OF THE AMES AREA METROPOLITAN PLANNING ORGANIZATION TRANSPORTATION POLICY COMMITTEE

The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee met at 7:00 p.m. on the 28th day of May, 2013, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with the following voting members present: Wayne Clinton, Jeremy Davis Matthew Goodman, Jami Larson, Peter Orazem, Jonathan Popp, Victoria Szopinski, and Tom Wacha. Voting Member Dan Rediske joined the meeting telephonically. AAMPO Administrator John Joiner, and City of Ames Transportation Planner Rudy Koester were also in attendance. Voting Members Ames Mayor Ann Campbell and Boone County Supervisor Chet Hollingshead were absent.

PUBLIC HEARING ON PROPOSED FY 2014 TRANSPORTATION PLANNING WORK

**PROGRAM (TPWP):** Ames Public Works Director John Joiner explained that the TPWP includes several elements to ensure an integrated transportation system. One of several elements is the review of development plans to determine impact on the transportation system. This includes reviewing potential changes to the Land Use Policy Plan or Urban Fringe Plan, which are closely linked to the transportation system. According to Mr. Joiner, the Long-Range Transportation Plan update will commence this year with an expected completion date of October 2015. A public input session was held on May 2, 2013, on the draft TPWP. No revisions were requested by the public. The final TPWP must be submitted to the Iowa Department of Transportation (DOT) by June 1, 2013.

Moved by Davis, seconded by Clinton, to approve the Final FY 2014 Transportation Planning Work Program for submission to the Iowa Department of Transportation. Vote on Motion: 9-0. Motion declared carried unanimously.

DRAFT FY 2014-17 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) AND SETTING DATE OF PUBLIC HEARING: Moved by Davis, seconded by Szopinski, to approve the Draft FY 2014-17 Transportation Improvement Program and set July 9, 2013, as the date of public hearing.

Vote on Motion: 9-0. Motion declared carried unanimously.

**ADJOURNMENT:** Moved by Davis, seconded by Clinton, to adjourn the AAMPO Transportation Policy Committee meeting at 7:08 p.m.

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

Mayor Pro-Tem Jami Larson called the Regular Meeting of the Ames City Council to order at 7:10 p.m. with Jeremy Davis, Matthew Goodman, Peter Orazem, Victoria Szopinski, and Tom Wacha present. *Ex officio* Member Alexandria Harvey was also present. Mayor Ann Campbell was absent.

It was announced by Mayor Pro-Tem Larson that the City Council would be working from an Amended Agenda. At staff's request, Item No. 1, the recognition of South Duff businesses and other donors to the U. S. Highway 30 Entryway Project, had been moved to the June 11, 2013.

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

- 1. Motion approving payment of claims
- 2. Motion approving Minutes of Regular Meeting of May 14, 2013
- 3. Motion approving Report of Contract Change Orders for May 1 15, 2013
- 4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
  - a. Class C Liquor Old Chicago, 1610 S. Kellogg Avenue
  - b. Class B Liquor w/Outdoor Service Gateway Hotel & Conference, 2100 Green Hills Drive
  - c. Class A Liquor w/Outdoor Service Green Hills Residents' Association, 2200 Hamilton Drive, #100
  - d. Class C Liquor Della Viti, 323 Main Street, #102
- 5. Motion directing City Attorney to develop an ordinance to establish a speed limit of 35 mph along State Avenue from a point 250 feet north of Meadow Glen Road to a point 250 feet south of Oakwood Road
- 6. RESOLUTION NO. 13-224 approving appointment of Kyle Briese to fill vacancy on Library Board of Trustees
- 7. RESOLUTION NO. 13-225 adopting new and revised fees to be effective July 1, 2013
- 8. RESOLUTION NO. 13-226 approving updates to Personnel Policies and Procedures
- 9. RESOLUTION NO. 13-227 approving 2013/14 Human Services Contract with HIRTA
- 10. RESOLUTION NO. 13-228 approving professional services contract with Iowa Association of Municipal Utilities to continue the City's safety and training program
- 11. RESOLUTION NO. 13-229 approving Memorandum of Agreement with Mary Greeley Medical Center for implementation of data interface pertaining to emergency medical response services
- 12. RESOLUTION NO. 13-230 approving preliminary plans and specifications for Ames Municipal Cemetery Improvements Program; setting June 19, 2013, as bid due date and June 25, 2013, as date of public hearing
- 13. RESOLUTION NO. 13-231 approving preliminary plans and specifications for 2012/13 Arterial Street Pavement Improvements (State Avenue); setting June 18, 2013, as bid due date and June 25, 2013, as date of public hearing
- 14. RESOLUTION NO. 13-232 awarding contract to Wulfekuhle Injection and Pumping, Inc., of New Vienna, Iowa, in the amount of \$1,882,220 for Year One Lime Sludge Disposal
- 15. RESOLUTION NO. 13-233 awarding contract to Northway Well and Pump Company of Waukee, Iowa, in the amount of \$58,833 for Year Two of Water Plant Well Rehabilitation
- 16. RESOLUTION NO. 13-234 awarding contract to Independent Salt Company of Kanopolis, Kansas, in the amount of \$62.74/ton for purchase of Rock Salt for 2013/14 Ice Control Program Roll Call Vote: 6-0. Resolutions/Motions declared adopted/carried unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**PUBLIC FORUM:** No one requested to speak.

**SPECIAL CLASS C LIQUOR LICENSE FOR CHICHA SHACK:** Moved by Davis, seconded by Szopinski, to approve a Special Class C Liquor License for Chicha Shack, 131 Welch Avenue. Vote on Motion: 6-0. Motion declared carried unanimously.

CLASS C LIQUOR LICENSE FOR LUCULLAN'S ITALIAN GRILL: Moved by Davis,	se
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Vote on Motion: 6-0. Motion declared carried unanimously.

#### 5-DAY LICENSES FOR OLDE MAIN BREWING COMPANY AT ISU ALUMNI CENTER,

**420 BEACH AVENUE:** Moved by Goodman, seconded by Davis, to approve the following 5-day licenses:

a. Class C Liquor (June 1 - 5)
b. Class C Liquor (June 6 - 10)
Vote on Motion: 6-0. Motion declared carried unanimously.

**IOWA BETA CHAPTER OF SIGMA PHI EPSILON, 228 GRAY AVENUE:** Moved by Davis, seconded by Goodman, to convey that the City Council finds that the nomination of the Iowa Beta Chapter of Sigma Phi Epsilon fraternity house at 228 Gray Avenue to the National Register of Historic Places meets National Register Significance "Criterion C" and recommends National Register eligibility to the State Nominations Review Committee. Vote on Motion: 6-0. Motion declared carried unanimously.

**FRANCHISE UPDATE FROM ALLIANT ENERGY:** Annette Renaud, Key Account Manager with Alliant Energy, presented a summary of the Community Annual Partnership Assessment as a utility in Ames. Ms. Renaud advised that, in 2012, Alliant Energy had supported economic development in Ames in the amount of \$9,100; provided community support in the amount of \$10,812; and participated in environmental partnerships by donating 400 trees to Story County through Operation Releaf. Alliant provided 4,287 rebates totaling \$709,794.23 to promote energy efficiency. According to Ms. Renaud, Alliant invested \$223,572 in electrical infrastructure and \$656,420 in natural gas infrastructure. Over \$189,000 of the total \$635,599 in property taxes paid by Alliant went to Ames. Alliant's operating facility in West Ames employs 83 people.

Council Member Szopinski asked Ms. Renaud to follow-up with the City Council as to how much of the \$709,704.23 in rebates were residential and how many went to commercial entities. Ms. Renaud indicated that she would provide that information to the City Council..

**REQUEST FROM CHILDSERVE FOR REALLOCATION OF 2012/13 FUNDING:** Assistant City Manager Melissa Mundt explained that ChildServe had submitted a request to the City to modify its 2012/13 ASSET allocations by moving \$5,380 in unspent funds from the Day Care - Infant to Day Care - Children service area due to the demand for services for children age two to five years. Ms. Mundt stated that it is difficult to determine at the beginning of the year how many children in what age groups will need the services.

Moved by Goodman, seconded by Wacha, to adopt RESOLUTION NO. 13-235 approving an amendment to the City's 2012/13 contract with ChildServe to reallocate \$5,380 in unspent Day Care - Infant funds to the Day Care - Children services account.

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

**RENTAL HOUSING PRE-EXISTING CONDITIONS:** Building Official Seana Perkins advised that, in the past, the City has provided property owners with the ability to continue to utilize their rental units without bringing the entire structure into compliance with current Codes. To accomplish that objective, the City of Ames has utilized Retroactive Conversion Permits, Board

Variances, and Administrative Approvals. According to Ms. Perkins, rental inspections provide the opportunity: 1) for the property owner to substantiate these previous approvals for the Inspections staff and 2) for the Inspections staff to document those approvals for future records. Per the <u>Municipal Code</u>, a deadline of June 30, 2013, was given for the Retroactive Conversion Approval process. However, due to several factors (e.g., staff turnover, two inspection moratoriums, more time needed to complete inspections for new Code, etc.), City staff has not completed an inspection cycle for all rental units by the established time frame.

Ms. Perkins advised that, at the May 2, 2013, Property Maintenance Appeals Board (PMAB) meeting, its Chair, Al Warren, expressed concern regarding the specific date identified in *Municipal Code* Section 13.402(3.f), which was four years after July 1, 2009, making the deadline June 30, 2013. In addition, Ms. Perkins recalled that that Section of the Ames *Municipal Code* was discussed during a City Council meeting on June 2, 2009. She read an excerpt from the June 2, 2009, City Council meeting minutes that documented the process to be followed to allow the holders of Retroactive Conversion Permits, Board Variances, and Administrative Approvals to continue non-compliant conditions. It was noted by Ms. Perkins that it appeared that the June 30, 2013, date was included in *Municipal Code* Section 13.402(3.f) to allow time for the City to provide a complete rental cycle on all of the rental units in Ames after the adoption of the updated Rental Housing Code on July 1, 2009.

Moved by Davis, seconded by Orazem, to direct staff to prepare an ordinance modifying *Ames Municipal Code* Section 13.402(3)(f) by removing the June 30, 3013, date and allowing Retroactive Conversion Permits, Board Variances, or Administrative Approvals to continue to be accepted through the first rental inspection cycle.

Discussion ensued as to the definition of "first rental inspection cycle." Council Member Goodman asked for clarification as to what was meant by the "first rental inspection cycle." City Attorney Judy Parks explained that the cycle would be determined per unit; in that way, every unit would have had the opportunity to submit the documentation.

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

**PROFESSIONAL SERVICES CONTRACT WITH INTEGRITY CONSTRUCTION:** Acting Library Director Lynne Carey recalled that the City of Ames had entered into a Professional Services Contract with Integrity Construction on April 24, 2012, to serve as a construction advisor to the Library Board of Trustees and provide assistance to Library staff for the renovation and expansion project. Ms. Carey explained that, since entering into that Contract with Integrity Construction, a variety of changes had occurred that required more assistance, including the retirement of the Library Director, complications with the lease for a temporary Library location, and identification of asbestos and lead-based paint in the older portions of the Library. In February, the Construction Advisor reported to the Building Project Committee the additional hours that he had provided to the project during its design phase. A Change Order was not initiated at that time as the Committee hoped that fewer hours of service might be required once construction began. However, Library staff and the Building Project Committee have utilized Integrity Construction's services more frequently since February for a variety of project items, including research on issues related to historic preservation. A summary of the services and an estimate of additional hours was detailed for the Council by Assistant City Manager Mundt.

Moved by Orazem, seconded by Wacha, to adopt RESOLUTION NO. 12-236 approving Change Order No. 1 with Integrity Construction in an amount not to exceed \$48,400 for construction management services in connection with the Library Construction project. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**SIXTH STREET BRIDGE DESIGN:** Public Works Director Joiner recalled that the multi-year process for replacement of the bridge has been programmed into the Capital Improvements Plan to allow time for study, design, procurement of grants, and construction. The first step was to conduct a draft alternatives study that refined the type, layout, and style of the bridge; that report identified a preferred alternative based on cost and feedback received on the alternatives and aesthetics. According to Director Joiner, the preferred alternative, Alternative D, calls for a concrete bridge having two vehicular travel lanes, two on-street bike lanes, a shared use path on the south side, and a sidewalk on the north. That alternate also includes signature aesthetic elements identified through the public input process and also supports City Council's goal to beautify entrances to Ames and major arterials. The total cost of \$2,286,000 includes the signature aesthetics.

Mr. Joiner advised that, following completion of the draft report, a public meeting was held to gain feedback on the options presented. Because of its setting adjacent to Brookside Park, Stuart Smith Park, and the Brookridge neighborhood, it was clear that those at the public meeting preferred the aesthetic compliment of examples that would integrate the bridge with the architecture, history, and setting of the area.

At its December 11, 2012, meeting, the City Council asked staff to come back with visual elements for the different styles of bridges (base bridge to full aesthetic treatment). Operations Manager Corey Mellies presented the different aesthetic examples, as follows:

- 1. The first example has no aesthetic treatments and represents the base cost of the bridge.
- 2. The second example incorporates typical aesthetic options into a bridge. Typical aesthetic premiums, such as the staining and railing used on the SE 16th Street Bridge, would increase the construction costs by 5% 10%.
- 3. The third example involves signature aesthetics for the bridge. Signature aesthetics premiums would add an additional 15% 20% in construction costs.

Each aesthetic treatment and its corresponding estimated cost was detailed by Mr. Mellies, as follows:

#### **Aesthetic Premiums**

- 1. Structural Steel Pedestrian Hand Railing \$ 78,000
- 2. Steel Pipe Pedestrian Hand Railing \$ 28,600
- 3. Colored Concrete Sealer (including exterior beams) \$ 36,300
- 4. Structural Concrete (oversize west abutment) \$ 18,000
- 5. Concrete Texturing (abutment & piers) \$ 140,000
- 6. Concrete Texturing (rails) \$ 26,000
- 7. Roadway Lighting \$ 4,000
- 8. Sidewalk Lighting \$ 16,800

# 9. Underdeck Lighting \$ 1,800

Total Additional Cost For Aesthetic Premiums \$ 349,500

Five options were presented for the Council's discussion: Option 1 was to accept the 6th Street Bridge Design Alternative Study and direct staff to proceed with development with Alternate D from the final report (which includes two traffic lanes, two on-street bike lanes, a separate shareduse path, and a separate sidewalk) along with all nine of the signature aesthetic premiums identified above. This option will result in an additional cost of \$349,500. Option 2 was to accept the 6th Street Bridge Design Alternative Study and direct staff to proceed with Alternate D from the final report (which includes two traffic lanes, two on-street bike lanes, a separated shared-use path, and a separated sidewalk) along with aesthetic premiums 1, 2, and 3. That option would result in an additional cost of \$142,900. Option 3 was to accept the 6th Street Bridge Design Alternative Study and direct staff to proceed with development with Alternate D from the final report (which includes two traffic lanes, two on-street bike lanes, a separate shared-use path, and a separate sidewalk) and not incorporate any of the nine aesthetic premiums into the design of the bridge. Option 4 was to direct staff to move ahead with a different design alternative and any other combination of aesthetic features. Option 5 was to direct that the City not move forward with the project, which would result in the eventual closure of the bridge due to its continuing deterioration.

Mr. Mellies advised that, from an engineering standpoint, it was staff's belief that design Alternative D would best accommodate all users within the corridor. It would extend the on-street bike lanes from the east to accommodate the more-experienced bikers while providing connectivity to the shared-use path system as well as a sidewalk access to Brookside Park. Also, according to Mr. Mellies, because it meets federal design guidelines, that design would enable the City to apply for federal construction grants.

City Manager Schainker said that the City Council would need to provide staff direction on the level of aesthetic features in order to move forward with design. Mr. Mellies noted that incorporating all nine aesthetic features for a signature aesthetic would meet the desires of those at the public meeting. Those people felt that would better ensure that the bridge would blend with the character and history of Brookside Park and the adjacent neighborhood. The three aesthetic lighting features would also enhance safety of vehicles, pedestrians, and bicyclists. It was pointed out by Mr. Mellies that the functional purpose of the bridge would be accomplished with any of the three aesthetic options.

Moved by Davis, seconded by Goodman, to recommend that the City proceed with Alternate D, which includes two traffic lanes, two on-street bike lanes, a separate shared-use path, and a separate sidewalk.

Council Member Orazem noted that Cathy Brown, as a representative of Iowa State University, had recommended Alternate A, rather than Alternate D. Mr. Mellies advised that Alternate A did not include on-street bike lanes.

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

Council Member Wacha pointed out that the concrete texturing (abutment and piers) was the most-expensive option at \$140,000; however, would not really be visible from the roadway. Council Member Szopinski agreed after inspecting the area in question. Mr. Mellies advised that

those using the shared-use path would be able to see the concrete texturing. Council Member Goodman pointed out that the bridge is designed to last at least 75 years, so \$140,000 over 75 years would not equate to a large amount. He would like to see signature aesthetic premiums anywhere where they can be observed.

Moved by Davis, seconded by Wacha, to approve signature aesthetic premiums numbered 1, 2, 3, 7, 8, and 9.

Moved by Goodman, seconded by Davis, to amend the motion to approve signature aesthetic premiums 1, 2, 6, 7, 8, and 9 (thus removing 3 and adding 6).

Motions withdrawn.

Moved by Davis, seconded by Goodman, to approve signature aesthetic premiums numbered 1, 2, 6, 7, 8, and 9..

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

Additional discussion ensued on the benefits of oversizing the abutment and of concrete texturing the abutment and piers.

Moved by Orazem, seconded by Goodman, to add in aesthetic premium numbered 3 and only include, from aesthetic premium numbered 5, the concrete texturing of the abutment, but not concrete texturing of the piers.

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

**HEARING ON FINAL AMENDMENTS TO FISCAL YEAR 2012/13 BUDGET:** Finance Director Duane Pitcher gave an overview of the budget amendment process. Budget Officer Nancy Masteller summarized the final amendments by fund.

Mayor Pro-Tem Larson opened the public hearing. No one came forward to speak, and Mr. Larson closed the hearing.

Moved by Goodman, seconded by Davis, to adopt RESOLUTION NO. 13-237 amending the current budget for Fiscal Year ending June 30, 2013

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

**HEARING ON ANNEXATION OF 2212 OAKWOOD ROAD:** City Planner Jeff Benson advised that the subject property is located south of Oakwood Road between the Suncrest Subdivision and Christofferson Park. The Ames Urban Fringe Plan designates the property as Urban Residential, which supports annexation. The Ames Land Use Policy Plan (LUPP) includes it in the Southwest II Allowable Growth Area. If annexed, the LUPP designation would be Village/Suburban Residential, consistent with the developer's stated intention to develop it for Suburban Residential use. According to Mr. Benson, City of Ames' sewer and water mains serve the property to the west and have the capacity to be extended to the subject parcel. The property is not within the City of Ames electric service area; the electric service would be provided by Alliant Energy

According to Planner Benson, the Planning and Zoning Commission, at its April 17, 2013, meeting recommended approval of the annexation in question.

The public hearing was opened by Mayor Pro-Tem Larson.

R. Chris Williams, 2311 Cottonwood Road, Ames, advised that 60% of the residents of the Suncrest Subdivision had signed a petition stating that they are opposed to the annexation. The reason for their opposition is that the drainage plan, as presented to them by FOX engineering, is not adequate. According to Mr. Williams, they chose to sign a petition, rather than have 70 to 80 persons show up to speak at the Council meeting.

Mr. Williams told the Council that a group of affected residents had retained Steve Jones, whom Mr. Williams identified as the state of Iowa drainage expert and the person who developed the SUDAS standards. According to Mr. Williams, the developer's plan to put water in the southwest corner of Wessex was inadequate as water would back-up and cause residents of Suncrest further drainage issues. It is believed that a drainage easement is needed on the south side of Wessex under University Boulevard and an outlet to the creek behind the building currently being constructed in the Research Park. The Council was informed by Mr. Williams of existing drainage issues where many of the residents are getting water in their basements. Those problems need to be resolved before there is a compounding effect from adding more run-off. Mr. Williams alleged that the neighborhood's currently existing drainage plan had been inadequately designed. A copy of the petition signed by residents of the Suncrest neighborhood was given to Public Works Director Joiner for the record. It was the opinion of Mr. Williams that people were not necessarily opposed to the further development, but were opposed to what was presented to them in neighborhood meetings. They feel, however, that, before compounding the problems, the existing problems need to be fixed.

The Council was also advised by Mr. Williams that he is a Civil Engineer; however, drainage was not his area of expertise. For that reason, the neighborhood had retained Steve Jones. Mr Williams also stated that residents had met with City staff. They had received the staff's response today, but not all concerns were addressed. The residents are also not convinced that City staff had used the correct hydraulic chart for the run-off situation. According to Mr. Williams, Steve Jones will be preparing a report with his recommendations for resolving the drainage issues, and the neighborhood would be happy to share that information with the City.

Kurt Friedrich, Friedrich Iowa Realty, 100 Sixth Street, Ames, advised that he was representing the current land owners Floyd and Anna Christofferson and also speaking as the future developer of the land. Mr. Friedrich provided a preview of what the plans are for the prospective development. Addressing Mr. Williams's concerns, Mr. Friedrich said the developers fully intend to address the storm water concerns as they work through the development. Mr. Friedrich also noted that the proposed development is located wholly within the Ames School District. A correction to the Council Action Form was requested by Mr. Friedrich. He noted that the Planning and Zoning Commission had recommended approval of the annexation by a vote of 6-0; however, there was one member of the Commission who had abstained from the vote.

At the inquiry of Council Member Goodman, Planner Benson advised that the City Council would have another opportunity after the annexation had been approved to ensure that the storm water issues had been worked out. Council Member Davis pointed out that the action on the Agenda tonight would only be to bring the land into the city limits. Planner Benson outlined the processes to be followed if the land were annexed. He specifically noted that all the utility work, including the storm water, would be required to be designed according to the standards and Codes of the City. Those would be depicted on the Preliminary Plat, which would come before the City Council for approval. Determination of whether a Master Plan would be required as well as approval of a rezoning application would precede the request for approval of a Preliminary Plat.

Council Member Goodman pointed out that the land in question was located in an area that already had the infrastructure, so there would be no additional expense for taxpayers. In addition, no tax abatement was being requested. For those reasons, Mr. Goodman felt that it was a very good project; however, he was concerned about creating drainage problems that the City would later be requested to mitigate.

No one else requested to speak, and the public hearing was closed by Mayor Pro-Tem Larson.

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 13-238 approving the voluntary annexation of 2212 Oakwood Road.

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 Szopinski, to direct staff to work with the developer and neighbors to explore going beyond existing Codes with regard to storm water management and to look at additional expectations to protect future and adjacent properties.

Council Member Goodman clarified his position that the City spends hundreds of thousands of dollars to mitigate storm water and flooding problems in existing subdivisions. He noted specifically that, in FY 2012/13, the General Obligation Bond debt for flood response mitigation projects is \$820,000. Mr. Goodman said that he is trying to protect future Councils and residents from having to deal with overland and other types of flooding. According to Council Member Goodman, "There have been too many surprises." It is important that the City attempt to figure out how it can associate the costs of future flood mitigation – "instead of picking them up 15 years later"– with the original development. Mr. Goodman stated that he was comfortable moving ahead with the annexation with the caveat that the City would work in a way that it had not done so before to figure out how to eliminate future flood mitigation expenses.

City Manager Schainker summarized the motion that the intent was for the City to work with the developer to see if the developer would go above and beyond what is currently required in the Code. Public Works Director Joiner said that staff would continue to work with the developer to ensure that the maximum amount of protection would be in place. Council Member Wacha noted that he would support Mr. Goodman's motion, but if staff was being asked to go "beyond existing Code," then he believes the Code needs to be changed. Mayor Pro-Tem Larson concurred.

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

HEARING ON REZONING OF 920 CARROLL AVENUE (FORMER WILLSON-BEARDSHEAR SCHOOL): City Planner Charlie Kuester explained the request of the Ames Community School District to rezone 920 Carroll Avenue from Government/Airport to Urban Core Medium Density Residential. Mr. Kuester noted that the School District is proposing to sell the former Willson-Beardshear School to the Ames Community Preschool Center. According to Planner Kuester, after review of the request, staff believes that the request is consistent with the Land Use Policy Plan, and there are no other issues that would preclude the use of the former school as a preschool. According to Mr. Kuester, the Planning and Zoning Commission, at its May 1, 2013, meeting, voted 5-0, with one abstention, to recommend approval of the proposed rezoning.

Mr. Kuester further advised that a title search had not revealed that the portion of Carroll Avenue west of the School had ever been dedicated to the City. Therefore, acceptance of a Quit Claim Deed would need to be placed on a future Council Agenda.

The Mayor Pro-Tem opened the public hearing.

Sue Wuhs, 2920 Monroe, Ames, identified herself as the Director of the Ames Community Preschool Center (ACPC), the new owner of 920 Carroll Avenue.

There was no one else who came forward to speak, and the hearing was closed.

Council Member Orazem asked what else the property could be used for if ACPC did not reuse the property. Planner Kuester advised that the property could only be used for a single-family home on a very large lot. With further Council action, the property could be divided for residential lots.

Moved by Davis, seconded by Goodman, to pass on first reading an ordinance rezoning property at 920 Carroll Avenue (former Willson-Beardshear school) from "S-GA" (Government/Airport) to "UCRM" (Urban Core Residential Medium Density.

Roll Call Vote: 5-0-1. Voting aye: Davis, Goodman, Larson, Orazem, Szopinski. Voting nay: None. Abstaining due to a conflict of interest: Wacha. Motion declared carried.

**HEARING ON MASTER PLAN FOR SOUTH FORK SUBDIVISION:** Mayor Pro-Tem Larson pointed out that the only action to be taken by the City Council at this meeting would be approval or denial of the revised Master Plan. The Council Action Form referenced approval of a revised Preliminary Plat; however that had not been listed on the Agenda; therefore, no action could be taken on the Preliminary Plat at this meeting; it will be brought back on the City Council's June 11, 2013, meeting.

City Planner Kuester described the revisions being proposed by the applicant. The first would modify the intersection of Cochrane parkway and Bellflower Drive. Cochrane Parkway would no longer continue east past that intersection to meet the future extension of Dotson Drive. The realignment would likely reduce the cut-through traffic on Cochrane Parkway once Dotson Drive is extended. The second change involves modifying the lot arrangement and number of lots along Sunflower Drive between Tripp Street and Marigold Drive. Currently, there are ten lots proposed for single-family detached residences. The proposed plan creates 18 lots to accommodate proposed bi-attached homes. The change will slightly increase the overall density of the FS-RL portion of the development.

According to Mr. Kuester, opposition had been received from one neighbor on Village Drive expressing concern over the increased density and another neighbor on Village Drive expressed concern over the increased density caused by changing the single-family homes to bi-attached homes.

Mayor Pro-Tem Larson opened the public hearing.

Keith Arneson, 4114 Cochrane Parkway, Ames, identified himself as the developer of South Fork Subdivision. Mr. Arneson said that portions of South Fork Subdivision are underutilized, sometimes being used as a dump site. The Subdivision is wholly within the Ames Community School District. Mr. Arneson attempted to justify his position not to extend Cochrane Parkway. He also explained his reasoning for requesting 18 lots, instead of ten (10).

Mayor Pro-Tem Larson closed the hearing after no one asked to speak.

Moved by Davis, seconded by Orazem, to adopt RESOLUTION NO. 13-239 approving the revised Master Plan.

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 AT 4121 APLIN ROAD:** The public hearing was opened by the Mayor Pro-Tem and closed after no one came forward to speak.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 13-240 approving vacating utility easements at 4121 Aplin Road.

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

HEARING ON RESOURCE RECOVERY PLANT NEW FIRE VALVE CONTROL ROOM ADDITION: Mayor Pro-Tem Larson opened the hearing and closed same after there was no one wishing to speak.

Moved by Davis, seconded by Orazem, to adopt RESOLUTION NO. 13-241 approving final plans and specifications and awarding a contract to Woodruff Construction, LLC, of Ames, Iowa, in the amount of \$194,300.00.

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

#### HEARING ON 2012/13 DOWNTOWN STREET PAVEMENT IMPROVEMENTS (CLARK AVENUE FROM MAIN STREET TO 5<sup>TH</sup> STREET AND GILCHRIST STREET FROM LINCOLN WAY TO KELLOGG AVENUE): The hearing was opened. There being no one wanting to speak, Mayor Pro-Tem Larson closed the hearing.

Moved by Davis, seconded by Szopinski, to adopt RESOLUTION NO. 13-242 approving final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$551,295.70.

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

**HEARING ON NUISANCE ASSESSMENTS:** The public hearing on this issue was opened by Mayor Pro-Tem Larson. He closed same after no one came forward to speak.

Moved by Orazem, seconded by Wacha, to adopt RESOLUTION NO. 13-243 assessing the costs of snow/ice removal and certifying those assessments to the Story County Treasurer.

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

**WATER RATIONING ORDINANCE:** Moved by Davis, seconded by Szopinski, to pass on first reading the revised Water Rationing Ordinance.

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

Moved by Davis, seconded by Szopinski, to pass on first reading an ordinance revising Appendix N.

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

**STREET AND SECURITY LIGHTING RATE ORDINANCE:** Moved by Davis, seconded by Wacha, to pass on first reading the Street and Security Lighting Rate Ordinance.

Electric Services Director Donald Kom explained that, as part of the electric rate update, the Energy Cost Adjustment (ECA) was added to the base energy cost to "zero out" that cost component.

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

**COUNCIL COMMENTS:** Moved by Orazem, seconded by Davis, to refer to staff the letter from I & S Group requesting City staff review of sidewalk and sewer extension for property located on 13<sup>th</sup> Street for a new Burger King restaurant.

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

Mayor Pro-Tem Larson asked staff to provide an update on flooding conditions in Ames. Assistant City Manager Bob Kindred advised that the Emergency Operations Center was mobilized on Monday, May 27, for approximately five hours. It appears at this time that, barring

Council Member Goodman asked staff to provide a memo reporting on the traffic at the intersection of Northwestern and Sixth Street and how it might be made safer for pedestrians. Since Council Member Goodman was the only Council member to receive an email referencing the perceived issue at that intersection, Council Member Davis asked that he forward the email to the Mayor and other Council members prior to it being referred.

Moved by Goodman, seconded by Orazem, to direct staff to schedule a workshop as soon as staff gets an understanding of the changes that will be forthcoming due to state legislative actions concerning property taxes.

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

**ADJOURNMENT:** Moved by Davis to adjourn the meeting at 9:20 p.m.

Diane R. Voss, City Clerk

Jami Larson, Mayor Pro-Tem



# REPORT OF CONTRACT CHANGE ORDERS

Doriodu	$\boxed{1^{st} - 15^{th}}$		
Fenoa.	$\boxed{16^{th}} - \text{ end of month}$		
Month and year:	May 2013		
For City Council date:			

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
Transit	Real-Time Passenger Information	1	\$254,785.00	Nextbus, Inc.	\$0	\$40,071.00	M. Mundt	MA
Public Works	2010/11 Airport Improvements (West Apron Rehabilitation)	1	\$1,256,500.65	Godbersen- Smith Construction	\$0	\$243.10	T. Warner	MA
Public Works	2010-11 Water System Improvements (S. Duff Water Main Replacement)	1	\$143,559.75	Great Plains Pipe & Structures	\$0	\$-(3,468.31)	T. Warner	MA
Public Works	Hickory Drive (Lincoln Way - Westbrook Dr)	1	\$167,500.48	Manatt's Inc.	\$0	\$7,650.00	T. Warner	MA
Public Works	2011/12 Downtown Street Pavement Improvements (Douglas Avenue)	2	\$1,215,016.69	Con-Struct, Inc.	\$10,553.12	\$3,581.69	J. Joiner	MA
Water & Pollution Control	Water Treatment Plant Lime Sludge Disposal	1	\$316,220.00	WulfeKuhle Injection & Pumping, Inc.	\$0	\$44,712.77	B. Kindred	MA

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 Plant SCADA Phase II Project	4	\$412,250.00	Automatic Systems Company	\$26,044.00	\$-(1,965.00)	B. Kindred	MA





Caring People Quality Programs Exceptional Service

4 a-h

- **TO:** Mayor Ann Campbell and Ames City Council Members
- **FROM:** Lieutenant Jeff Brinkley Ames Police Department
- **DATE:** June 5, 2013
- SUBJECT: Beer Permits & Liquor License Renewal Reference City Council Agenda June 11, 2013

The Council agenda for February 26, 2013, includes beer permits and liquor license renewals for:

- Class E Liquor, C Beer, and B Wine Kum and Go #200, 4510 Mortensen Rd
- Class E Liquor, C Beer, and B Wine Kum & Go #214, 111 Duff Ave
- Class E Liquor, C Beer, and B Wine Kum & Go #215, 4506 Lincoln Way
- Class E Liquor, C Beer, and B Wine Kum & Go #216, 203 Welch Ave
- Class E Liquor, C Beer, and B Wine AJ's Liquor, 4518 Mortensen Rd #109
- Class E Liquor MMDG Spirits, 126A Welch Ave
- Special Class C Liquor Hickory Park, 1404 S Duff Ave
- Class C Liquor Texas Roadhouse, 519 S Duff Ave

A routine check of police records found no violations for Kum & Go #214, Kum & Go #215, Kum & Go #216, AJ's Liquor, MMDG Spirits, Hickory Park, or Texas Roadhouse. There was one citation written to Kum & Go #200 on a police compliance check in November 2012. Kum & Go #200 passed the follow-up compliance check.

The Police Department would recommend renewal of all of these licenses.

# COUNCIL ACTION FORM

# **SUBJECT:** PUBLIC UTILITY EASEMENT VACATION – MARY GREELEY SUBDIVISION (EAST 13<sup>TH</sup> STREET)

# BACKGROUND:

Staff has received a request from the attorney representing Mary Greeley Medical Center to vacate the public utility easement currently shown running north/south through the existing lot at 2322 East 13<sup>th</sup> Street on Attachment A. The vacation is requested in order for the property owner to move forward with a subdivision of the property with the intent of selling lots for future development. As a part of the final platting process, new public utility easements will be established as shown on Attachment B.

This request was originally scheduled to be presented to Council at the April 9, 2013 meeting. However, at that time staff had not yet received a response from all utility users as to the existence or potential use of the existing easement. Therefore, this item was pulled from the Council agenda.

Public Works staff has now received responses from all registered right-of-way users as to the extent of utilities in this immediate area and any intention to utilize the existing easement. The only affected utility is Alliant Energy. This is a service line to the existing building on the site, which is not required to be in an easement. None of the other utility owners have an existing use or any plans to utilize the existing easement.

# ALTERNATIVES:

- 1. Approve the proposal to vacate the existing public utility easement at 2322 East 13<sup>th</sup> Street and set the date of public hearing for June 25, 2013.
- 2. Direct staff to pursue other options.

# MANAGER'S RECOMMENDED ACTION:

By approving vacation of the easement at this time, Council will meet this property owner's need to move forward with the final platting process for the subdivision and the sale and improvements of the lots.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the vacation of the existing public utility easement at 2322 East 13<sup>th</sup> Street and setting the date of public hearing for June 25, 2013.





Geographic Information System (GIS) Product Disclaimer: City of Ames GIS map data does not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership & land use nor does It replace field surveys of utilities or other features contained in the data. All features represented in this product should be field venified. This Product is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the User.



E. 13th and Dayton Easment Vacation Mary Greely Subdivision



Scale: 1 in = 75 ft Date: 3/20/2013

# COUNCIL ACTION FORM

# SUBJECT: QUIT CLAIM DEED FOR PORTION OF 900 BLOCK OF CARROLL AVENUE

#### BACKGROUND:

The Ames Community School District recently sold the former Wilson-Beardshear School to the Ames Community Pre-school Center (ACPC). During the title search, no evidence could be found that the west 66 feet of the lot was ever transferred to the City of Ames. This west 66 feet is now the right-of-way for Carroll Avenue. In order to clear this title issue, ACPC is requesting that the City accept a quit claim deed for the property.

Staff has found no explicit acceptance of a deed or plat conveying this right-of-way to the City. In the 1930's the City did pass an ordinance establishing the grades of the street prior to the paving project. It can be inferred that the City owns this land, due to its inclusion in that paving project. However, accepting the quit claim deed would provide explicit acceptance by the City of the right-of-way.

#### ALTERNATIVES:

- 1. The City Council can accept the quit claim deed for a portion of the Carroll Avenue right-of-way.
- 2. The City Council can chose not to accept the quit claim deed.

#### MANAGER'S RECOMMENDED ACTION:

In order to clear title for ACPC and to ensure that there is no question as to the ownership of Carroll Avenue, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the quit claim deed for a portion of Carroll Avenue.

# ATTACHMENT 1



# MAY 2 8 2013

# CONTRACT FOR HUMAN SERVICES

THIS AGREEMENT, made and entered into the 1st day of July, 2013, by and between the CITY OF AMES, IOWA, a municipal corporation organized and existing pursuant to the laws of the State of Iowa (hereinafter sometimes called "City") and University Community Childcare (a nonprofit corporation or governmental unit organized and existing pursuant to the laws of the State of Iowa and hereinafter called "Provider");

#### WITNESSETH THAT:

WHEREAS, the City of Ames has, by its City Council acting in open and regular session, determined that certain services and facilities to be provided to the City of Ames and its citizens by Provider, such services and facilities being hereinafter described and set out, should be purchased in accordance with the terms of a written agreement as hereinafter set out, in accordance with all applicable Federal, State, and Local laws or regulations, and

WHEREAS, the purchase of these services and facilities constitutes a public purpose by providing children with a warm environment to develop to their fullest potential while their parents are at work or school;

NOW, THEREFORE, the parties hereto have agreed and do agree as follows:

#### I PURPOSE

The purpose of this Agreement is to procure for the City of Ames and its citizens certain services and facilities as hereinafter described and set out; to establish the methods, procedures, terms and conditions governing payment by the City of Ames for such services; and, to establish other duties, responsibilities, terms and conditions mutually undertaken and agreed to by the parties hereto in consideration of the services to be performed and monies paid.

#### II SCOPE OF SERVICES

Provider shall provide the services and facilities to the City of Ames and its citizens as set out in the Provider's 2013/14 ASSET proposal, and service components provided in Attachment B. This description shall be made a part of this Agreement. The programs or services must conform to the standardized definitions used by the Analysis of Social Services Evaluation Team (ASSET), and unit costs must be consistent between all ASSET funders.

The cost per unit of service shall equal that proposed cost indicated in the Provider's ASSET Budget Forms. In the event that actual ASSET funds or other revenues differ from the Provider's request, the cost per unit shall remain as requested, but the number of units provided shall be adjusted.

1

The City will be contracting for services at the cost per unit indicated, not to exceed the following amounts:

SERVICE	COST PER UNIT	AMOUNT
Child Care – Infant	58.25	19,528
Child Care – Children	47.01	23,704
Comfort Zone	48.75	788

#### III METHOD OF PAYMENT

A. All payments to be made by the City of Ames pursuant to this Agreement shall be made on a reimbursement basis for services provided in amounts not to exceed those outlined in Section II above.

B. The City will disburse payment monthly on requisition of Provider.

C. Requisitions for disbursement shall be made in such form and in accordance with such procedures as the Director of Finance for the City shall prescribe. Said form shall include but not be limited to an itemization of the nature and amount of services provided, and must be filled out completely.

D. The maximum total amount payable by the City of Ames under this agreement is **\$44,020** as detailed in the SCOPE OF SERVICES (Section II of this contract), and no greater amount shall be paid.

E. The Provider shall requisition for funds on a monthly basis. If Provider wishes to request disbursement of funds on other than a monthly basis, the Provider must request in writing that an alternate disbursement period be adopted and approved by the Director of Finance for the City. Failure to request reimbursement in a timely manner shall be grounds for termination of this agreement.

# IV

# FINANCIAL ACCOUNTING AND ADMINISTRATION

A. All monies disbursed under this Agreement shall be accounted for by the accrual method of accounting or other generally accepted comprehensive basis.

B. All services for which payment is claimed shall be supported by documentation evidencing in proper detail the nature and propriety of the charges. The City-provided claim form shall be completed and include the service name, the unit cost claimed for each service, and the client code where required. A client code shall be required for any service in which the individual has entered the program through a third party referral, intake process, personal application, or emergency response. Exceptions shall include one-time educational sessions, confidential telephone counseling, or where the identity and residency of a person cannot be reasonably determined. The Provider may assign whatever client code it deems appropriate, as long as it can be used to verify the client's Ames or Story County residency and participation in City-subsidized programs of service and/or sliding fee scale.

C. All checks or other accounting documents pertaining in whole or in part to this Agreement shall be clearly identified as such and readily accessible for examination and audit by the City or its authorized representative.

D. All records shall be maintained in accordance with procedures and requirements established by the City Finance Director, and the City Finance Director may, prior to any disbursement under this Agreement, conduct a pre-audit of record keeping and financial accounting procedures of the Provider for the purpose of determining changes and modifications necessary with respect to accounting for funds made available hereunder. All records and documents required by this Agreement shall be maintained for a period of three (3) years following final disbursement by the City.

E. At such time and in such form as the City may require, there shall be furnished to the City such statements, records, reports, data, and information as the City may require with respect to the use made of monies disbursed hereunder.

F. At any time during normal business hours, and as often as the City may deem necessary, there shall be made available to the City for examination all records with respect to all matters covered by this Agreement and Provider will permit the City to audit, examine, and make excerpts or transcripts from such records.

G. Monies provided under this agreement shall not be used as matching funds for a grant to fund activities in any county other than Story County.

H. If Provider's annual budget is over \$100,000, within six months of the end of the Provider's fiscal year the Provider shall submit to the City an annual financial audit prepared by an independent certified public accounting firm and a copy of IRS Form 990. If Provider's annual budget is \$100,000 or less, within six months of the end of the Provider's fiscal year the Provider shall submit to the City a copy of IRS Form 990 and a balance sheet prepared externally and independently. Failure to submit documentation in accordance with this section shall result in withholding payments under this contract. If withheld, payments may resume when required documentation is delivered to the City and City staff has had a reasonable period to review it.

#### V

#### DURATION

This Agreement shall be in full force and effect from and after July 1, 2013, until June 30, 2014. The City Council may terminate this Agreement by giving written notice to the Provider at least sixty (60) days before the effective date of such termination. From and after the effective date of termination, no further disbursement under this Agreement shall be made by the City.

#### VI DISCRIMINATION PROHIBITED

In accordance with Chapter 14 of the Municipal Code, no person shall, on the grounds of age, race, color, creed, religion, national origin, disability, sexual orientation, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this Agreement.

IN WITNESS WHEREOF the parties hereto have, by their authorized representatives, set their hand and seal as of the date first above written.

**CITY OF AMES, IOWA** 

ATTEST:

BY

Ann Campbell, Mayor

Diane Voss, City Clerk

University Community Chilcare

Organization Address (please print):

Authorized Representative B

Ames, I.A. 50070

Print Name:

PennyPepper

Phone Number:

515-294-9838

100 University Village

#### ATTACHMENT B To City of Ames Human Services Contract

Organization Name: University Community Childcare

This form is for the reference of the City of Ames Finance Department in approving your agency's requests for funds throughout the fiscal year.

Please indicate the service name, the number of units that you intend to claim for reimbursement, and the cost per unit during 2013/14 (# of units x unit cost should equal the amount allocated by the City for that service as indicated in your contract). If necessary, duplicate and attach additional sheets.

Complete and return this attachment with your signed contract. Please refer to the ABF 5 submitted by your agency to find your unit costs as approved by ASSET. Your organization cannot be reimbursed without the submission of this completed document.

NAME OF SERVICE	# OF UNITS TO BE DRAWN DOWN	COST PER UNIT
Childcare - Infant	370.3	52,73
Childcare - Children	553.4	42.83
Childcare - Comfort Zone	17.4	45.32
	· · · ·	

# COUNCIL ACTION FORM

### <u>SUBJECT</u>: 2013/14 CONCRETE STREET PAVEMENT IMPROVEMENTS DESIGN (KNAPP STREET - WELCH AVENUE TO LYNN AVENUE, AND LYNN AVENUE - KNAPP STREET TO STORM STREET)

#### BACKGROUND:

This annual program is to rehabilitate or reconstruct concrete street sections that have deteriorated, including joint sealing, in order to prevent premature breakdown of the pavement. This work will provide enhanced rideability to residents and visitors.

Two of the three locations for the 2013/14 fiscal year are Knapp Street from Welch Avenue to Lynn Avenue, and Lynn Avenue from Knapp Street to Storm Street. The third location, North 2<sup>nd</sup> Street from North Elm Avenue east to the end, will be designed by Public Works staff for a separate bid letting.

This design project will include at least two public informational meetings, design of pavement improvements, drainage analysis and design of respective storm sewer improvements, as well as evaluation of the existing sanitary and storm sewer pipe structure. Services to be performed by the consultant include base survey, evaluation of construction techniques, preparation of plans and specifications to meet local bidding requirements, notification/coordination with right-of-way users and adjacent land owners, and attendance at the pre-construction meeting.

Proposals for this work were received from 13 engineering firms and were evaluated according to the following criteria: Project Understanding, Design Team, Key Personnel, Previous Experience, Project Approach, Responsiveness, Ability to Perform Work, Proposed Project Design/Letting Schedule, and Estimated Contract Cost. Listed below is the ranking information based on this evaluation:

	Overall	Estimated
	Rank	Fee
2013/14 Concrete Street Pavement Improvements		
Veenstra & Kimm	1	\$66,750
Shive Hattery	2	\$53,200
Snyder & Associates	3	\$72,000
Clappsaddle Garber Associates	4	\$62,250
WHKS	4	\$82,000

#### Proposal Ratings/Rankings

Bolton & Menk	4	\$90,236
Stanley Consultants	7	\$79,100
FOX	7	\$85,000
Civil Design Advantage	9	\$82,900
Howard R Green	9	\$150,000
McClure	11	\$91,580
Foth	11	\$98,100
Kirkham Michael	13	\$100,250

Staff has negotiated a contract with the highest rated firm, Veenstra & Kimm, Inc. from West Des Moines, Iowa, which in this case has the third lowest cost. Cost was accounted for in the Overall Rank score. This consultant has a strong history of successfully designing projects within the Campustown neighborhood, including Welch Avenue, Ash Avenue/Knapp Street, Storm Street and most recently Ash Avenue from Knapp to Mortensen. Their project manager is very good with public relations and often meets one-on-one with residents to work through their concerns during the design phase of the project. With their experience in neighborhood meetings related to previous projects, it is believed the Veenstra & Kimm, Inc. will be best able to design a successful project.

# ALTERNATIVES:

- 1. Approve the engineering services agreement for the 2013/14 Concrete Street Pavement Improvements (Knapp Street Welch to Lynn and Lynn Avenue Knapp to Storm) with Veenstra & Kimm, Inc. from West Des Moines, Iowa, in an amount not to exceed \$66,750.
- 2. Direct staff to negotiate an engineering agreement with another consulting firm.

# MANAGER'S RECOMMENDED ACTION:

Based on staff's evaluation using the above criteria, Veenstra & Kimm will provide the best value to the City in designing this project.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the engineering services agreement for the 2013/14 Concrete Street Pavement Improvements (Knapp Street – Welch to Lynn and Lynn Avenue – Knapp to Storm) with Veenstra & Kimm, Inc. from West Des Moines, Iowa, in an amount not to exceed \$66,750.

# COUNCIL ACTION FORM

# <u>SUBJECT</u>: 2013/14 COLLECTOR STREET PAVEMENT IMPROVEMENTS (SHELDON AVENUE – LINCOLN WAY TO HYLAND AVENUE)

# BACKGROUND:

This is the annual program for reconstruction or rehabilitation of collector streets. Locations are prioritized in accordance with the most current street condition inventory. The location for 2013/14 is Sheldon Avenue from Lincoln Way to Hyland Avenue. This design project will include at least two public informational meetings, coordination with lowa State University, design of pavement improvements, drainage analysis and design of respective storm sewer improvements, as well as evaluation of the existing sanitary and storm sewer pipe structure. Services for the project include plan development and all required submittals to meet Iowa Department of Transportation letting requirements, which is anticipated for January 2014 with construction during the 2014 Iowa State University summer session.

Proposals for this work were received from 13 engineering firms, and were evaluated according to the following criteria: Project Understanding, Design Team, Key Personnel, Previous Experience, Project Approach, Responsiveness, Ability to Perform Work, Proposed Project Design/Letting Schedule, and Estimated Contract Cost. Listed below is the ranking information based on this evaluation:

	Overall	Estimated
	Rank	Fee
2013/14 Collector Street		
Pavement Improvements		
(Sheldon)		
Stanley Consultants	1	\$76,400
Snyder & Associates	1	\$98,800
Shive Hattery	3	\$99,700
WHKS	4	\$108,40
Clapsaddle Garber Associates	5	\$92,944
Veenstra & Kimm	6	\$116,45
Foth	7	\$100,20

#### Proposal Ratings/Rankings

Bolton & Menk	7	\$116,83
FOX	9	\$110,00
Kirkham Michael	10	\$99,835
Civil Design Advantage	10	\$104,95
McClure	12	\$107,76
Howard R. Green	13	\$151,00

Two firms rated equally in the overall evaluation score. In this case, with the rankings being equal, cost became the deciding factor. Staff has negotiated a contract with the highest ranked firm, Stanley Consultants from Des Moines, Iowa, which also has the lowest cost. This consultant has performed work with the City in the past, most recently the 2008/09 & 2009/10 Collector Street Pavement Improvements program.

# ALTERNATIVES:

- 1. Approve the engineering services agreement for the 2013/14 Collector Street Pavement Improvements (Sheldon Avenue) with Stanley Consultants from Des Moines, Iowa, in an amount not to exceed \$76,400.
- 2. Direct staff to negotiate an engineering agreement with another consulting firm.

# MANAGER'S RECOMMENDED ACTION:

Based on staff's evaluation using the above criteria, Stanley Consultants will provide the best value to the City in designing this project.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the engineering services agreement for the 2013/14 Collector Street Pavement Improvements (Sheldon Avenue) with Stanley Consultants from Des Moines, Iowa, in an amount not to exceed \$76,400.

# COUNCIL ACTION FORM

# SUBJECT: 2013/14 DOWNTOWN STREET PAVEMENT IMPROVEMENTS (5<sup>TH</sup> STREET)

#### BACKGROUND:

This annual program is for the rehabilitation/reconstruction of streets within the downtown area (Lincoln Way to 5<sup>th</sup> Street and Grand Avenue to Duff Avenue). In the past, these projects have involved pavement reconstruction, rehabilitation of storm and sanitary sewers, and streetscapes.

The location for 2013/14 is 5<sup>th</sup> Street from Duff Avenue to Burnett Avenue. This design project will include at least two public informational meetings, design of pavement improvements, drainage analysis and design of respective storm sewer improvements, as well as evaluation of the existing sanitary and storm sewer pipe structure. Services to be performed by the consultant include base survey, evaluation of construction techniques, preparation of plans and specifications to meet local bidding requirements, notification/coordination with right-of-way users and adjacent land owners, and attendance at the pre-construction meeting.

Proposals for this work were received from nine engineering firms and were evaluated according to the following criteria: Project Understanding, Design Team, Key Personnel, Previous Experience, Project Approach, Responsiveness, Ability to Perform Work, Proposed Project Design/Letting Schedule, and Estimated Contract Cost. Listed below is the ranking information based on this evaluation:

	Overall	Estimated
	Rank	Fee
2013/14 Downtown Street Pavement Improvements (5th)		
Snyder & Associates	1	\$65,900
Civil Design Advantage	2	\$76,450
Bolton & Menk	3	\$77,980
Veenstra &Kimm	4	\$98,250
McClure	5	\$76,230

#### **Proposal Ratings/Rankings**

FOX	6	\$80,000
Foth	7	\$85,700
Howard R. Green	8	\$111,000
Kirkam Michael	9	\$95,000

Staff has negotiated a contract with the highest ranked firm, Snyder & Associates from Ankeny, Iowa, which in this case also has the lowest cost. This consultant has a strong history of successfully designing projects and coordinating with property owners as shown with their most recent project, the 2010/11 CyRide Route Pavement Improvements project on Ontario Avenue.

# ALTERNATIVES:

- 1. Approve the engineering services agreement for the 2013/14 Downtown Street Pavement Improvements (5<sup>th</sup> Street) with Snyder & Associates from Ankeny, Iowa, in an amount not to exceed \$65,900.
- 2. Direct staff to negotiate an engineering agreement with another consulting firm.

# MANAGER'S RECOMMENDED ACTION:

Based on staff's evaluation using the above criteria, Snyder & Associates will provide the best value to the City in designing this project.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the engineering services agreement for the 2013/14 Downtown Street Pavement Improvements (5<sup>th</sup> Street) with Snyder & Associates from Ankeny, Iowa, in an amount not to exceed \$65,900.

# COUNCIL ACTION FORM

#### SUBJECT: POWER PLANT FIRE RISK MITIGATION CONTRACT

#### BACKGROUND:

This contract allows the Power Plant to have an engineering firm with fire protection protection expertise or а fire firm to act as the Owner's Engineer/ Designer/Representative for various fire risk mitigation studies, for the preparation of specific fire system and installation design and specifications, and for fire system installation management, inspection and testing.

The scope of work requires the engineering firm to: 1) be the engineer for the areas listed above, 2) develop plans and specifications, 3) provide detailed cost estimates, 4) provide lists of potential bidders, 5) evaluate contractors, 6) carry out contract management, and 7) perform field installation administration as needed, required, and requested for each project. **Council should note that this engineering firm will not be allowed to bid on any part of the actual fire protection system installation.** 

On December 18, 2012, City Council awarded a contract to Burns & McDonnell, Chesterfield, MO, for the Professional Services for Fire Risk Mitigation contract in a not-to-exceed amount of \$50,000. Included in the original contract were terms for up to four additional one-year terms. **Council should note that this is the first renewal out of four maximum.** 

Funding is available from the Capital Improvements Plan in the Power Plant Fire Protection System Project. In the FY12/13 funding year, there remains \$884,933 unspent. Staff's intent is to roll this funding into FY13/14 to cover the contract expense.

# ALTERNATIVES:

- 1. Approve the contract renewal with Burns & McDonnell, Chesterfield, MO, for the Professional Services for Fire Risk Mitigation contract for the one-year period from July 1, 2013 through June 30, 2014 in an amount not to exceed \$50,000.
- 2. Do not renew the agreement and instruct staff to seek new competitive proposals.

#### MANAGER'S RECOMMENDED ACTION:

This work is necessary for fire risk mitigation (fire detection, alarm, & suppression) to protect critical plant equipment. If not done, a loss event resulting from a fire could be catastrophic because electricity production could stop. It is cost-effective for the Power Plant to have a company under contract to provide these services because of their
specialized knowledge of current National Fire Protection Association (NFPA) code requirements and of mitigation equipment currently utilized in this industry. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

#### <u>SUBJECT</u>: 2012/13 WATER SYSTEM IMPROVEMENTS PROGRAM – WATER MAIN REPLACEMENT #3 (CENTER AVENUE)

#### BACKGROUND:

The annual Water System Improvements program provides for replacing water mains in areas that are experiencing rusting water problems. It also provides for installing larger distribution mains in areas that have a high concentration of 4-inch supply lines, transferring water services from 4-inch water mains in streets where larger water mains exist, and abandoning 4-inch water mains. Eliminating duplicate water mains, where possible, improves water flow and helps reduce rusty water. Installing larger distribution lines in areas that have a high concentration of 4-inch supply lines and less than desirable fire-fighting capacity (predominately in the older areas of the community) provides larger supply quantities in relation to the current and proposed land uses, in accordance with the Land Use Policy Plan.

This project entails placing a 12-inch water main along Center Avenue from Lincoln Way to East 2<sup>nd</sup> Street. This project also includes installation of a new fire service and domestic water service to Resource Recovery that will be coordinated with their facility fire sprinkler improvements project.

Staff completed plans and specifications with estimated construction costs of \$133,206. Engineering and construction administration costs for this project are estimated at \$19,980. Project funding is shown in the 2012/13 Capital Improvements Plan in the amount of \$900,000 from the Water Utility Fund.

The 2012/13 Water System Improvements Program includes expenses as follows:

East Lincoln Way Water Main Replacement (Contract)	\$154,686
South Wilmoth – Tripp Water Main Replacement (Contract)	\$384,443
Center Avenue Water Main Replacement (This Project)	\$133,206
Water Service Transfers (Actual)	\$ 90,713
Engineering and Contract Administration (Estimated)	<u>\$135,000</u>
	\$898,048

#### ALTERNATIVES:

1. Approve the 2012/13 Water System Improvements – Water Main Replacement #3 (Center Avenue) by establishing July 17, 2013, as the date of letting and July 23, 2013, as the date for report of bids.

2. Do not approve this project.

#### MANAGER'S RECOMMENDED ACTION:

By approving these plans and specifications, it will be possible to improve the reliability of the water system and to improve water quality for our citizens and businesses in this area.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the 2012/13 Water System Improvements – Water Main Replacement #3 (Center Avenue) by establishing July 17, 2013, as the date of letting and July 23, 2013, as the date for report of bids.

#### SUBJECT: PRELIMINARY PLANS AND SPECIFICATIONS FOR SF6 CIRCUIT BREAKERS

#### BACKGROUND:

The complete project is the replacement of 69kV switchyard relay and controls at the Ames Plant substation. The 69kV switchyard relaying and controls are currently located inside the Power Plant. This requires long runs of aged control cable between the Power Plant and switchyard, running beneath portions of the Water and Pollution Control's newer office. Some of the control cables are no longer operational and some conduits have collapsed and are not accessible for repair. The existing relays are obsolete electro-mechanical devices which are becoming difficult to maintain/repair as replacement parts are no longer manufactured. Additionally, some of the existing relays at the Stange Road, Dayton Avenue and Haber Road substations are also obsolete electro-mechanical devices that need to be replaced as part of this project to complete a coordinated 69kV looped scheme using the available fiber-optic communications previously installed. The relaying and controls for the 69kV switchyard and other listed substations are critical components that play a significant role in overall electric system reliability.

With the installation of the Ames Plant 161kV / 69kV substation, a relay and control enclosure was installed adjacent to the 69kV switchyard with sufficient room to house the relays and controls needed for the 69kV switchyard. By installing modern, programmable relays and updated controls in this location and using the previously-installed fiber-optic communications, long-term reliability can be improved by eliminating the obsolete and maintenance-intensive electro-mechanical relays and aged, lengthy control circuits that are no longer accessible for repair.

This portion of the project is for the purchase of three circuit breakers and related accessories. The Engineer's estimate of the cost of these circuit breakers is **\$160,000**. It is necessary to specify and order these breakers ahead of the final design and construction bidding due to the long lead time for these pieces of equipment. A separate report is also being presented to Council for electrical materials. Additionally, the construction phase approval of plans and specifications will be presented to Council in the near future.

Upon City Council approval and receipt of favorable bids, the breakers will be ordered.

The approved FY2013/14 CIP for Electric Services includes \$1,700,000 for engineering, materials and construction of this project with Iowa State University contributing an estimated \$319,600 to the cost. To date the project budget has the following items encumbered:

1. \$160,000	Estimated for 3 circuit breakers – this item (pending Council approval of plans and specifications for this agenda item)
2. \$175,000	Estimated cost for electrical materials (see Electrical Materials Council Action Form on this Council meeting agenda )

This will leave \$1,365,000 to cover engineering, additional materials purchases, and construction costs.

#### ALTERNATIVES:

- 1. Approve the plans and specifications for the SF6 Circuit Breakers and set June 26, 2013, as the bid due date and July 9, 2013, as the date of hearing and award of contract.
- 2. Do not approve the plans and specifications at this time.

#### MANAGER'S RECOMMENDED ACTION:

This equipment is necessary to complete the projects at the specified substations. This project will help move customer loads off the Power Plant bus and will help to limit exposure of the Power Plant bus to distribution faults, thereby improving Power Plant reliability. By installing modern, programmable relays and updated controls in these locations, long-term reliability can be improved by eliminating the obsolete and maintenance-intensive electromechanical relays and aged, lengthy control circuits that are no longer accessible for repair.

These projects are necessary for Electric Services to continue providing safe, reliable, service to the customers in the City.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

#### **SUBJECT: PURCHASE OF SUBSTATION ELECTRICAL MATERIALS**

#### BACKGROUND:

The complete project is the replacement of 69kV switchyard relay and controls at the Ames Plant substation. The 69kV switchyard relaying and controls are currently located inside the Power Plant. This requires long runs of aged control cable between the Power Plant and the switchyard, which run beneath portions of the Water and Pollution Control Department's Technical Services building. Some of the control cables are no longer operational and some conduits have collapsed and are not accessible for repair. The existing relays are obsolete electro-mechanical devices which are becoming difficult to maintain and repair since replacement parts are no longer manufactured. Additionally, some of the existing relays at the Stange Road, Dayton Avenue and Haber Road substations are also obsolete electro-mechanical devices that need to be replaced. This can all be accomplished as part of this project to complete a coordinated 69kV looped scheme using the available fiber-optic communications previously installed. The relaying and controls for the 69kV switchyard and other listed substations are critical components that play a significant role in overall electric system reliability.

With the installation of the Ames Plant 161kV / 69kV substation, a relay and control enclosure was installed adjacent to the 69kV switchyard with sufficient room to house the relays and controls needed for the 69kV switchyard. By installing modern, programmable relays and updated controls in this location and using the previously-installed fiber-optic communications, long-term reliability can be improved by eliminating the obsolete and maintenance-intensive electro-mechanical relays and aged, lengthy control circuits that are no longer accessible for repair.

This portion of the project is for the purchase of electrical materials, consisting of high voltage switches, instrument transformers, lightning arresters, and steel supports. The Engineer's estimated cost of these materials is \$175,000. It is necessary to specify and order these electrical materials ahead of the final design and construction bidding due to the long lead time for these materials. There is a separate Council Action Form being presented to Council for the approval of plans and specifications for the bidding of circuit breakers. Additionally, the construction phase approval of plans and specifications will be presented to Council in the near future.

Upon City Council approval and receipt of favorable bids, the electrical materials will be ordered.

The approved FY2013/14 CIP for Electric Services includes \$1,700,000 for engineering, materials and construction of this project with Iowa State University contributing an estimated \$319,600 to the cost. To date the project budget has the following items encumbered:

1.	\$160,000	Estimated cost for 3 circuit breakers (see Circuit Breaker Council Action Form on this Council meeting agenda)
2.	\$175,000	Estimated cost for Electrical Materials — (pending Council approval of plans and specifications for this agenda item)

This will leave \$1,365,000 to cover engineering, additional materials purchases, and construction costs.

### ALTERNATIVES:

- 1. Approve the plans and specifications for Substation Electrical Materials and set June 26, 2013, as the bid due date and July 9, 2013, as the date of hearing and award of contract.
- 2. Do not approve the plans and specifications at this time.

#### MANAGER'S RECOMMENDED ACTION:

This equipment is necessary to complete the projects at the various substations, including the substation adjacent to the Power Plant. This project will help move customer loads off the Power Plant bus and help to limit exposure of the Power Plant bus to distribution faults, thereby improving Power Plant reliability. By installing modern, programmable relays and updated controls in these locations, long-term reliability can be improved by eliminating the obsolete and maintenance-intensive electromechanical relays and aged, lengthy control circuits that are no longer accessible for repair.

These projects are necessary for Electric Services to continue providing safe, reliable, service to the customers in the City.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

# SUBJECT: DATES CHANGES FOR 2013 SOFTBALL FIELD FENCING & LIGTHING SOUTH RIVER VALLEY PARK

#### BACKGROUND:

This project is to replace fencing and lighting on two diamonds in South River Valley Park. The current fencing is old and is a potential safety hazard. The lighting is currently inadequate. The budget for this project is \$260,000.

The architectural/engineering firm's estimate for construction of this project is \$293,000.

If needed, additional funds are available from savings on the following projects: \$20,000 from Carr Pool demolition, \$15,000 from Ada Hayden bridge erosion, and \$10,000 from Homewood bank stabilization.

It has been decided that soil samples are needed for contractors to quote the project accurately. Additional time is needed to take soil samples and provide that data to the project contractors.

#### ALTERNATIVES:

- 1. Change the bid due date for the 2013 Softball Field Fencing & Lighting South River Valley Park from June 13, 2013 to July 16, 2013 and set July 23, 2013 as the date of hearing and award of the construction contract.
- 2. Do not approve the change of bid due date at this time, delaying the 2013 Softball Field Fencing & Lighting South River Valley Park.

#### MANAGER'S RECOMMENDED ACTION:

The soil sample data is needed for the contractors in order to get fair and competitive bids on this project.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving changing the bid due date for the 2013 Softball Field Fencing & Lighting South River Valley Park from June 13, 2013 to July 16, 2013 and setting July 23, 2013 as the date of hearing and award of the construction contract.

#### **SUBJECT:** 2013-16 ELECTRIC DISTRIBUTION LINE CLEARANCE PROGRAM

#### BACKGROUND:

This contract will include nearly all of the requirements for tree trimming services for Electric Services during the next three fiscal years. The periods from July 1, 2014, through June 30, 2015, and from July 1, 2015, through June 30, 2016, are renewal options subject to City Council approval of funding. Prices for equipment rates and miscellaneous charges are firm throughout the first two years of the contract period, and are to be adjusted for FY2015-16 based on a percentage of increase included in the original bid. Labor rates are to be adjusted for FY2014-15 and FY2015-16 based on a percentage of increase included in the original bid.

Bid notices were sent to thirteen potential bidders, as well as to one plan room. Prequalification of bidders was required for this contract to ensure that each one had sufficient experience and resources to perform at the level required. Four firms provided prequalification documents detailing their employee safety and training programs and company resources. All four of those firms were determined to be prequalified to bid.

On April 11, 2013, three bids were received and evaluated staff. Staff concluded that the low bid from Asplundh Tree Expert Co., Fairfax, IA, is acceptable. The bid results are shown on Attachment A. Attachment B shows the cost evaluation, which is based on a crew of four people and required equipment for 48 weeks per year, including annual usage on material and supplies. A forty-eight week time period has traditionally been used in the evaluation, since it provides for a full year of services but allows for inclement weather, crew absences, etc., when no work would be performed.

The approved operating budget for FY2013/14 includes \$171,000 for this program. Services provided under this contract are monitored by Electric Services staff to ensure that expenditures are performed properly and are in accordance with the approved funding level.

#### ALTERNATIVES:

1) Award the contract for the FY2013/14 Electric Distribution Line Clearance Program to Asplundh Tree Expert Co., Fairfax, IA, for hourly rates and unit prices bid, in an amount not to exceed \$171,000. Renewal options for FY2014-15 and FY2015-16 may be exercised later at the Council's discretion. 2) Reject all bids and attempt to obtain the required services on an as-needed basis.

#### MANAGER'S RECOMMENDED ACTION:

An on-going tree trimming program helps mitigate the number of customer interruptions resulting from extreme weather events. Alternative No. 1 establishes a fixed price contract for performance of the required tree trimming services at the best price, obtained via the competitive sealed bid process. It has proven to be very cost–effective to have a company under contract to provide these services.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as stated above.

#### CITY OF AMES, IOWA LINE CLEARANCE PROGRAM FY 2013-2014

		REE EXPERT AIRFAX, IOWA	WRIGHT TREE SERVICE, DES MOINES, IOWA		TREES, INC., HOUSTON, TEXAS		
Smart Choice							
		YRATE		YRATE	HOURLY RATE		
LABOR DESCRIPTION	STRAIGHT TIME	TIME & ONE- HALF	STRAIGHT TIME	TIME & ONE- HALF	STRAIGHT TIME	TIME & ONE- HALF	
Working Foreman	\$30.65	\$41.38	\$32.28	\$43.20	\$36.10	\$51.98	
Trimmer A	\$27.56	\$37.21	\$29.38	\$39.18	\$31.58	\$45.48	
Trimmer B	\$26.51	\$35.77	\$27.17	\$36.13	\$28.72	\$41.36	
Trimmer C	\$24.45	\$33.01	\$25.80	\$34.24	\$27.33	\$39.36	
Trimmer D	\$23.05	\$31.12	\$24.45	\$32.37	\$25.91	\$37.31	
Ground Person	\$21.64	\$29.21	\$20.44	\$26.83	\$24.48	\$35.25	
Line Permitter	\$27.56	\$37.21	\$29.38	\$39.18	\$34.12	\$49.13	
EQUIPMENT DESCRIPTION		CREW HOUR	+	CREW HOUR		CREW HOUR	
Hydraulic aerial device	\$13	3.97	\$1	3.97	\$1	6.41	
Manual aerial device	\$8	.15	\$1	3.97	\$16.41		
Chip truck	\$8	.15	\$9.02		\$9.62		
Brush Tractor	\$6 <sup>2</sup>	1.62	\$32.75		\$27.28		
Truck&Trailer for Brush trac.	\$14	\$14.72		\$11.35		\$17.66	
Hydro Axe		9.55	\$48.10		\$63.48		
Truck&Trailer for Hydro Axe.	\$17	7.55	\$11.35		\$17.66		
Pick-up Truck	\$7	.76	\$8.05		\$12.07		
Power saw	\$0	.46	\$0.35		\$0.60		
Brush Chipper	\$4	.31	\$4.25		\$5.15		
Hand pruning equip.	No C	harge	No Charge		No Charge		
Ropes and body belts	No C	harge	No Charge		No Charge		
MATERIALS & SUPPLIES	BID F	PRICE	BID PRICE		BID PRICE		
Weedone CB	N	/A	N/A		N/A		
Banvel CST per gal	N/A		N/A		N/A		
Garlon 4 per gal	\$30.43		\$30.73		\$34.50		
Tree Paint: Maintain A per case of 12 13 0z.cans	\$81.07		\$88.80		\$85.26		
Other supplies Cost plus %	10%		10%		15%		
PERCENTAGE OF INCREASE, OPTIONAL RENEWAL PERIODS							
Labor FY 2014-2015		%		2%		%	
Labor FY 2015-2016	<u>2%</u> 2%		2%		3%		
Equipment FY 2015-2016	2	%	2%		3%		

	ASPLUNDH TREE EXPERT COMPANY					
Ames Smart Choice	HOURLY RATE RENEWAL PERIOD RATE			ATES		
LABOR DESCRIPTION	STRAIGHT TIME	TIME & ONE-HALF	FY 1	4-15	FY 1	5-16
Working Foreman	\$30.65	\$41.38	\$31.26	\$42.21	\$31.89	\$43.05
Trimmer A	\$27.56	\$37.21	\$28.11	\$37.95	\$28.67	\$38.71
Trimmer B	\$26.51	\$35.77	\$27.04	\$36.49	\$27.58	\$37.22
Trimmer C	\$24.45	\$33.01	\$24.94	\$33.67	\$25.44	\$34.34
Trimmer D	\$23.05	\$31.12	\$23.51	\$31.74	\$23.98	\$32.38
Ground Person	\$21.64	\$29.21	\$22.07	\$29.79	\$22.51	
Line Permitter	\$27.56	\$37.21	\$28.11	\$37.95	\$28.67	\$38.71
EQUIPMENT DESCRIPTION	RATE PE					
	но	UR				
Hydraulic aerial device	\$13	.97			\$14	.25
Manual aerial device	\$8.				\$8.31	
Chip truck	\$8.	15			\$8.31	
Brush Tractor	\$61	.62			\$62.85	
Truck&Trailer for Brush trac.	\$14	.72			\$15	5.01
Hydro Axe	\$69	.55			\$70	).94
Truck&Trailer for Hydro Axe.	\$17					7.90
Pick-up Truck	\$7.					.92
Power saw	\$0.					.47
Brush Chipper	\$4.					.40
Hand pruning equip.	No Cl					harge
Ropes and body belts	No Cl	narge			No C	harge
MATERIALS & SUPPLIES	BID P	RICE	-		-	
Weedone CB						
Banvel CST per gal						
Garlon 4 per gal	\$30.43					
Tree Paint: Maintain A per						
case of 12 13 0z.cans	\$81.07					
Other supplies Cost plus %	10%					

PERCENTAGE OF INCREASE, OPTIONAL			
Labor FY 2014-2015	2%		
Labor FY 2015-2016	2%		
Equipment FY 2015-2016	2%		

### CITY OF AMES, IOWA EVALUATED TOTAL COST LINE CLEARANCE PROGRAM FY2013-FY2016

	ASPLUNDH TREE	WRIGHT TREE	
DESCRIPTION	EXPERT CO	SERVICE, INC	TREES, INC
FY 2013-2014:			
Estimated Total Labor Costs	\$206,227.20	\$214,041.60	\$242,457.60
Estimated Total Equipment Costs	<u>\$50,880.00</u>	<u>\$51,110.40</u>	<u>\$65,721.60</u>
Subtotal:	\$257,107.20	\$265,152.00	\$308,179.20
Estimated Total Materials & Supplies	<u>\$836.83</u>	<u>\$845.08</u>	<u>\$948.75</u>
Estimated Total Costs			
FY 2013-2014	\$257,944.03	\$265,997.08	\$309,127.95
<u>FY 2014-2015:</u>			
Estimated Total Labor Costs	\$210,351.74	\$218,322.43	\$249,731.33
Estimated Total Equipment Costs	<u>\$50,880.00</u>	<u>\$51,110.40</u>	<u>\$65,721.60</u>
Subtotal:	\$261,231.74	\$269,432.83	\$315,452.93
Estimated Total Materials & Supplies	<u>\$836.83</u>	<u>\$845.08</u>	<u>\$948.75</u>
Estimated Total Costs			
FY 2014-2015	\$262,068.57	\$270,277.91	\$316,401.68
<u>FY 2015-2016:</u>			
Estimated Total Labor Costs	\$214,558.78	\$222,688.88	\$257,223.27
Estimated Total Equipment Costs	\$51,897.60	\$52,132.61	\$67,693.25
Subtotal:	<u>\$266,456.38</u>	<u>\$274,821.49</u>	<u>\$324,916.52</u>
Estimated Total Materials & Supplies	<u>\$836.83</u>	<u>\$845.08</u>	<u>\$948.75</u>
Estimated Total Costs			
FY 2015-2016	\$267,293.20	\$275,666.56	\$325,865.27
SUMMARY			
Overall Estimated Labor Costs	\$631,137.72	\$655,052.91	\$749,412.20
Overall Estimated Equipment Costs	\$153,657.60	\$154,353.41	\$199,136.45
Overall Estimated Materials &			
Supplies	\$2,510.48	\$2,535.23	\$2,846.25
OVERALL EVALUATED COST,			
THREE YEARS	\$787,305.80	\$811,941.55	\$951,394.89

#### SUBJECT: CITY HALL CUSTODIAL SERVICES CONTRACT

#### BACKGROUND:

All cleaning and custodial services for City Hall are provided by a third party professional cleaning service. The tasks included in this service are all the routine daily cleaning tasks, carpet shampooing, vinyl and Terrazo floor maintenance, ceramic tile cleaning, plumbing fixture cleaning and sanitation, spot cleaning as needed, emptying all trash receptacles, glass cleaning, window washing, and litter collection around the outside of the building, litter collection in parking lots M, MM, N, and the Veterans Memorial, and an occasional emergency unplanned clean-up. **The current contract expires on June 30, 2013, after six years at the same annual base fee.** That base fee is \$66,000 and is split for budget purposes for specific areas as follows:

City Hall and Police Department	\$45,950
Gym & community center	\$11,840
Auditorium	\$ 3,135
Wellness/Aerobics room	\$ 5,075

The specifications for this contract have now been revised to include a goal of creating a more pristine appearance in all the areas served and of having a contractor's employee on duty from 8 AM to 5 PM daily. This bid is for the period of July 1, 2013, through June 30, 2014. There are also four 12 month renewal periods available through June 30, 2018. Each renewal period is subject to successful past performance and approval by Council. The bid also provides for a percentage increase on base fees for each renewal period.

After six years at the same base rate plus the addition of an increase in the results expected, an increase in base fees was anticipated. The approved operating budget for FY 2013/14 was set at \$82,500, of which \$60,000 is in the Facilities budget, \$12,000 is in the Gym & Community Center budget, \$5,400 is in the Auditorium budget, and \$5,100 is in the Wellness budget.

The base bid amounts include all routine services provided daily plus other services provided periodically or less frequently. Also bid separately is a per-hour rate for additional services requested, emergency clean up, and special events clean-up in the Auditorium. These services will be billed at the hourly rate bid in addition to the planned services.

On May 31, 2013, six bids were received as follows:

BIDDER – Base Bid	TOTAL ANNUAL COST	ADDITIONAL SERVICES COST PER HOUR
Klean Rite, Ames, IA	\$56,940.00	\$20.00
LogiClean LLC, Ames, IA	69,000.12	20.00
FBG Services Corp., Des Moines, IA	71,964.00	15.10
Jones Cleaning & Remodeling, Ames, IA	72,652.00	17.00
Reliable Maintenance Co., Des Moines, IA	106,777.00	18.00
Nationwide Office Care, Clive, IA	197,542.00	15.00

BIDDER – Annual % Rate Increase by FY	14/15	15/16	16/17	17/18
Klean Rite, Ames, IA	0.5%	0.5%	0.75%	0.75%
LogiClean LLC, Ames, IA	0.0%	0.0%	0.0%	0.0%
FBG Services Corp., Des Moines, IA	1.0%	1.0%	1.0%	1.0%
Jones Cleaning & Remodeling, Ames, IA	0.0%	0.0%	0.0%	0.0%
Reliable Maintenance Co., Des Moines, IA	1.0%	1.0%	2.0%	2.0%
Nationwide Office Care, Clive, IA	3.0%	3.0%	3.0%	3.0%

The bid award recommendation is based on the lowest overall cost to the City over the 5-year period.

Klean Rite submitted the lowest acceptable bid of \$56,940. This bid is 13.7% below the current contract and is 31% under the budgeted amount. This cost will be shared in operating budgets as follows:

\$39,800 in the Facilities budget

- \$10,240 in the Gym & Community Center budget
- \$ 2,700 in the Auditorium budget
- \$ 4,200 in the Wellness budget

### ALTERNATIVES:

- 1. Award this contract for City Hall custodial services to Klean Rite, Ames, IA., in the amount of \$56,940 per year plus \$20.00 per hour for emergency callback and additional work as authorized, for FY 2013/14. The contract is renewable for up to four, twelve-month periods subject to successful performance and Council approval, with the increases reflected in the bid.
- 2. Award the contract for custodial services for the Ames City Hall to one of the other bidders.
- 3. Reject all bids and direct staff to re-bid custodial services.

#### MANAGER'S RECOMMENDATION:

Klean Rite is the current provider of custodial services for the Transit Department, Water Plant, and Water Pollution Control. Klean Rite has the lowest overall cost to the City over the five-year contract. The Director of Fleet & Facilities has examined Klean Rite's performance in the other City facilities and finds them to be acceptable. Klean Rite is committed to meeting the expected results and is ready to provide these services. The level of services will be increased from the past, while the actual cost of services will be less by \$9,060 (13.7%) and under budget by \$25,560 (31%).

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby awarding the contract for City Hall custodial services to Klean Rite, Ames, IA., in the amount of \$56,940 per year, plus \$20.00 per hour for emergency callback and additional work as authorized, for FY 2014.

#### ITEM # <u>18</u> DATE: <u>06-11-13</u>

#### COUNCIL ACTION FORM

#### SUBJECT: CYRIDE TRANSIT ADVERTISING CONTRACT

#### BACKGROUND:

CyRide provides exclusive rights for a private business to sell advertising on the exterior and interior of CyRide buses. The current contract is with Houck Transit advertising and provides the transit system with the following revenues:

- 52% of the gross sales revenues
- A minimum guarantee of \$101,000 per year

Revenues generated from this contract have provided CyRide with \$101,000 to \$121,667 annually. The existing contract has benefited CyRide by providing valuable revenue with minimal effort, since the advertising firm is responsible for all aspects of the advertising process, including placing and removing advertising on the buses.

With expiration of the existing contract, CyRide distributed a Request for Proposal for Transit Advertising Services on April 1, 2013 and received proposals on May 3, 2013. One bid was received – from Houck Transit Advertising – with the following contract revenues negotiated:

- 52% of the gross sales revenues
- A minimum guarantee of \$104,000 in the first year, \$105,000 in the second year and \$106,000 in year three

With this single bid, CyRide reviewed the revenues proposed and contacted other transit systems in Iowa to determine their revenue contract terms. Staff found that most systems are receiving 50% of gross sales revenues with no annual guarantee. Therefore, the terms of the Houck Transit Advertising proposal are competitive and favorable for CyRide.

The key terms of this advertising contract are as follows:

- 1. Advertising Space Establishes the parameters of the spaces available exterior, interior, and their exclusivity.
- 2. **Term** Three year agreement beginning July 1, 2013 with two annual extensions, if mutually agreed upon by both parties.
- 3. **Compensation** 52% of gross sales or a minimum annual guarantee, whichever is greater, with payment by the 20<sup>th</sup> of the month.

- 4. **Termination** Two termination clauses one for convenience and the other for default with terms granting opportunity to cure the deficiency.
- 5. **Rights and Remedies** Any claims or disputes will be settled by arbitration; and waiver of one remedy does not limit future breaches.
- 6. **CyRide Requested Changes** CyRide has the ability, at any time, to request changes to the contract based on modifications to its advertising policies. Losses of revenue or additional expenses as a result of these changes will be negotiated between the two parties.
- 7. Advertising Contractor Requested Changes Contractor will not be compensated for work outside of the scope of services; and a process is detailed regarding how both parties can resolve issues with requested changes.
- 8. **Communications** Lists both parties' contact information and how notices will be relayed.
- 9. **Contract Documents** Lists all the documents that are a part of the contract such as the Federal Transit Administration contract provisions, contractors proposal, etc.
- 10. Authority Lists who should sign the contract as the official signatory.
- 11. **Ambiguities** Indicates that there is no ambiguity in the contract as written and that both parties have read the contract.
- 12. Force Majeure Indicates that, if unforeseen events such as natural disasters, acts of God, etc., occur, both parties may renegotiate the contract terms.

The Transit Board of Trustees approved contract award to Houck Transit Advertising at their May 9, 2013 meeting.

## ALTERNATIVES:

- 1. Award this contract to Houck Transit Advertising of Saint Paul, Minnesota for exclusive rights to sell interior and exterior bus advertising on CyRide buses for a three year period with two annual extensions possible.
- 2. Reject the proposal from Houck Transit Advertising and rebid the services.

## MANAGER'S RECOMMENDED ACTION:

Transit advertising contracts provide for significant operating revenues with minimal effort, thus allowing CyRide to focus on its core mission of providing quality transit services in the community. A review of similar contracts in other transit systems found that the proposed contract terms from Houck Transit Advertising were equal to or better than most.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby awarding this contract to Houck Transit Advertising for exclusive advertising rights on CyRide buses.



# **MEMO**

- **To:** Mayor and Members of the City Council
- From: City Clerk's Office
- **Date:** June 7, 2013
- Subject: Contract and Bond Approval

There is no Council Action Form for Item No. <u>19</u>. Council approval of the contract and bond for this project is simply fulfilling a *State Code* requirement.

/jr

# SUBJECT: POWER PLANT STEAM TURBINE NO. 8 OVERHAUL – CHANGE ORDER #5

#### BACKGROUND:

This project is required to replace worn parts discovered after the opening and inspection of the Power Plant's Unit No. 8 turbine and generator for repairs needed to avoid serious future damage. Repairs and replacement of worn parts have been completed as the inspection progressed and work was defined. Large change orders are a normal and expected part of a major turbine-generator overhaul, due to the fact that many repair needs are unknown until the unit is opened and inspected.

On January 22, 2013, City Council awarded a contract to NAES Corporation, Houston, TX, for Steam Turbine No. 8 Overhaul in the amount of \$807,800. This original amount included the following elements:

- \$443,800 for the lump sum base bid contract portion.
- \$91,500 for the time and material based "not to exceed" contract portion.
- \$272,500 for the estimated time and material based contract portion.

Council authorization for a fifth change order covering two items is now needed.

#### <u>ltem 1:</u>

This work involves labor, tools and supervision for the removal of the stop valve fine screen. This activity was not originally planned under the "Open, Clean, and Close" with the contractor. It was decided that, with boiler tube work going on at the same time as the overhaul, fine screens would be temporarily installed to catch any foreign material resulting from boiler work before it reaches the turbine. Screen removal is then required after approximately two weeks of operation to prevent it from breaking and damaging the turbine. The cost of this item is estimated at \$18,460.

#### Item 2:

This cost is due to start up and contractor standby exceeding 48 hours due to non turbine related issues. The cost is estimated at \$6,844.00.

#### The total cost of both items in Change Order No. 5 is \$25,304.00.

### CHANGE ORDER HISTORY:

Four change orders have previously been issued for this project.

**Change Order No. 1** for \$171,482.00 was to increase funds to cover costs associated with turbine repairs that were more extensive then what was included in the base bid.

**Change Order No. 2** for \$75,276.95 was for additional steam turbine shell repairs, a recommended hydrogen sealing modification and control valve rack repairs.

**Change Order No. 3** for \$18,250.00 was for additional work related to the nozzle block which required significant field lapping to get 100% metal to metal contact between the nozzle block and the shell.

**Change Order No. 4** for \$30,000.00 was for extra field labor hours and premium pay for the extended time required to clean and flush the turbine lube oil system and to complete the generator air test.

The total cost of all four change orders was \$295,008.95.

#### PROJECT COST HISTORY

This fifth change order will increase this portion of the Steam Turbine No. 8 Overhaul project cost by an additional \$25,304.00. This will bring costs for this portion of the project to \$1,128,112.95. Overall, the <u>total</u> project dollar amount committed to date (inclusive of Change Order No. 5) is \$1,961,633.77.

The engineer's estimate to perform the overhaul work with the original work scope and a reasonable amount of repair was \$1,830,000. The approved FY 2012/13 Budget and Capital Improvements Plan includes \$3,500,000 for the turbine generator overhaul. That amount includes parts, professional technical assistance, and contractor services.

#### ALTERNATIVES:

- 1. Approve contract Change Order No. 5 to NAES Corporation of Houston, TX, in the amount of \$25,304.00 for the Steam Turbine No. 8 Overhaul.
- 2. Reject contract Change Order No. 5.

#### MANAGER'S RECOMMENDED ACTION:

This change order is needed to help restore the steam turbine back to good working order and allow the unit to run until the next major overhaul in 5+ years.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

#### SUBJECT: REVISION OF PRELIMINARY PLAT FOR SOUTH FORK SUBDIVISION

#### BACKGROUND:

At the May 28, 2013 City Council meeting, the City Council approved the revised Master Plan for South Fork Subdivision. The Preliminary Plat is an identical document that also needs approval. However, this action was inadvertently not placed on the May 28 agenda.

Council is now asked to proceed with approval of the revised Preliminary Plat as illustrated on Attachment A.

#### ALTERNATIVES:

- 1. The City Council can approve the revised Preliminary Plat for South Fork Subdivision based upon the findings of facts and conclusions in the report dated May 28, 2013.
- 2. If the City Council finds that the proposed Preliminary Plat does not conform to all adopted standards and applicable law pertaining to subdivisions, the City Council can deny the revised Preliminary Plat for South Fork Subdivision.
- 3. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information.

#### MANAGER'S RECOMMENDATION:

Based upon the Findings of Fact and Conclusions noted in the previous report, as well as with the City Council's approval of the Master Plan at the previous meeting, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the revised Preliminary Plat for South Fork Subdivision.

#### ATTACHMENT A



#### <u>SUBJECT</u>: INTERMODAL FACILITY – ACCEPTANCE OF FINAL COMPLETION AND RELEASE OF RETAINAGE

#### BACKGROUND:

The Ames Intermodal Facility was opened on July 1, 2012 under a temporary occupancy permit. Since that time, the General Contractor, Weitz Corporation, has worked to complete outstanding construction items, including the fall 2012 addition of the bike trail. The Ames Intermodal Facility received its final certificate of occupancy on January 10, 2013.

As of April 25, 2013, all conditions of the construction contract were met by the Weitz Corporation, and the architectural firm for the project, Neumann Monson PC Architects, submitted a Letter of Final Inspection (attached). However, as of that date, seven subcontractor claims had been filed against the project. Within the last 30 days, the Weitz Corporation has successfully resolved all claims, with release of these claims now having been received from all the subcontractors.

With completion of the project and resolution of these claims, the project is now ready for close out. Close out requirements, and the status of each for the Intermodal Facility, are described as follows:

- **Punch-List Items** All items contained in the construction contract have been completed to the architect's satisfaction. This includes resolution of the staircase issue discovered last summer.
- **Operating and Maintenance Manuals** CyRide has received all manuals required to operate building equipment and for structural repairs as well as warranty information.
- As Built Drawings CyRide has received all drawings of the building from Weitz Corporation as it was actually constructed as opposed to the original facility drawings.
- Lien Waivers Weitz Corporation has submitted all lien waivers as required.
- **Final Pay Application** –CyRide has received a final pay application for the retainage amount of \$387,600.48.

The Transit Board of Trustees approved acceptance of the facility and release of retainage, contingent upon City Council approval, at their May 9, 2013 meeting.

### ALTERNATIVES:

- 1. Accept final completion of the Ames Intermodal Facility and approve final payment in the amount of \$387,600.48 to Weitz Corp.
- 2. Do not accept the Ames Intermodal Facility project as complete and withhold payment of the retainage to address Council identified issues.

#### MANAGER'S RECOMMENDED ACTION:

With all claims, construction documents, lien waivers, the architectural firm's letter of acceptance now received, and final certificate of occupancy satisfactorily addressed, all conditions of the project are complete. This allows for final acceptance of the project and payment of the retainage amount.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the Ames Intermodal Facility as complete and releasing the retainage amount of \$387,500.48 to Weitz Corporation.

# **CERTIFICATE OF FINAL INSPECTION**

то:	City of Ames / Ames Transit Agency (CyRide) 1700 University Blvd. Ames, IA 50010
PROJECT:	Ames Intermodal Facility Chamberlain/Hayward Ave. Ames, Iowa
CONTRACTOR:	The Weitz Company, LLC 5901 Thornton Avenue Des Moines, IA 50321

The undersigned, having reviewed the Work performed under this Contract, hereby certifies that to the best of his knowledge, information and belief, except as listed below, the Work has been completed in a satisfactory manner in accordance with the Contract Documents. The work performed is hereby recommended for complete "acceptance" by the City of Ames / Ames Transit Agency (CyRide).

Exceptions: None

Attachments: AIA Document G706A-1994

ARCHITECT: Neumann Monson PC 1000 Walnut St. Suite 101 Des Moines, IA 50309

By:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: 04.25.2013

# SUBJECT: 2010/11 WATER SYSTEM IMPROVEMENTS (WATER MAIN REPLACEMENT)

#### BACKGROUND:

The annual Water System Improvements program provides for replacing water mains in areas experiencing rusting water problems. It also provides for installing larger distribution mains in areas with a high concentration of 4-inch supply lines, transferring water services from 4-inch water mains in streets where larger water mains exist, and abandoning 4-inch water mains. Eliminating duplicate water mains, where possible, improves water flow and helps reduce rusty water. Installing larger distribution lines in areas that have a high concentration of 4-inch supply lines and less than desirable fire-fighting capacity (predominately in the older areas of the community) provides larger supply quantities in relation to the current and proposed land uses, in accordance with the City's Land Use Policy Plan.

This particular project entailed placing an 8-inch water main along South Duff Avenue (from South 3<sup>rd</sup> Street to South 5<sup>th</sup> Street) to finish areas that were not repaired with the emergency work from the 2010 flood. The emergency work entailed placing 286 linear feet of water main to replace a section that was damaged during the floods. This project completes the connection from South 5<sup>th</sup> Street to the ending point of the emergency project.

On September 13, 2011, City Council awarded this project to Great Plains Pipe and Structure of Des Moines, Iowa, in the amount of \$143,559.75. Although construction was substantially completed in the spring of 2012, staff has been working with the contractor since that time for proper surface restoration. Construction was completed in the amount of \$140,091.44. One change order, a savings in the amount of \$3,468.31, was processed for this project. This change order was administratively approved by staff to balance the actual field installed quantities, as well as to assess liquidated damages for late completion in the amount of \$2,800.

# Project funding was shown in the 2010/11 Capital Improvements Plan in the amount of \$900,000 from the Water Utility Fund.

The 2010/11 Water System Improvements Program includes expenses as follows:

Oak Ave Water Main Replacement (actual)	\$265,987.36
South Duff Water Main Replacement (this project)	\$140,091.44
Ash Avenue Water Service Transfers (actual)	\$195,439.58
Ash Avenue Water Main Lowering (actual)	\$ 33,651.00
Main Street Water Service Transfers (actual)	\$ 70,000.00
Toronto Area Water Main Replacement (from this acct.)	\$ 59,830.62
Engineering and Contract Administration (est.)	<u>\$135,000.00</u>
Total Program Expenses (actual)	\$900,000.00

#### ALTERNATIVES:

- 1. Accept the 2010/11 Water System Improvements (Water Main Replacement) project as completed by Great Plains Pipe and Structure of Des Moines, Iowa in the amount of \$140,091.44.
- 2. Direct staff to pursue modifications to the project.

#### MANAGER'S RECOMMENDED ACTION:

The project has now been completed in accordance with approved plans and specifications, and is within the approved budget.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the 2010/11 Water System Improvements (Water Main Replacement) project as completed by Great Plains Pipe and Structure of Des Moines, Iowa in the amount of \$140,091.44.

# **SUBJECT:** EMERGENCY RELIEF PROJECTS (S. DAYTON AVENUE, 6<sup>TH</sup> STREET BRIDGE, AND LINCOLN WAY BRIDGE AT SQUAW CREEK)

#### BACKGROUND:

During the floods of 2010, damage was experienced in several locations throughout the City. Grant-funded repair to any damage that occurs in the right-of-way of a federally classified street must be administered through the Federal Highway Administration (FHWA) and the Iowa Department of Transportation (Iowa DOT). Three project areas met that criterion. The work involved in this project included restoration of embankment washout along S. Dayton Avenue, repair of rip-rap and removal of debris at the 6<sup>th</sup> Street Bridge at Squaw Creek, and repair of rip-rap and flood debris removal at the Lincoln Way Bridge at Squaw Creek.

On October 9, 2012, City Council awarded the project to Sheets Excavating, Ltd. of Montezuma, Iowa, in the amount of \$43,030. Construction was completed in the amount of \$39,291.78. One change order, a savings in the amount of \$3,738.22, was processed for this project. This administrative change order balanced the actual field installed quantities. This construction amount is eligible for 80% reimbursement. Engineering design, inspection, administration, and 20% matching funds were included in the FY 2010/11 and FY 2011/12 final amended street maintenance operating budget.

#### ALTERNATIVES:

- 1. Accept the Emergency Relief Projects (S. Dayton Avenue, 6<sup>th</sup> Street Bridge, and Lincoln Way Bridge at Squaw Creek) project as completed by Sheets Excavating, Ltd. of Montezuma, Iowa, in the amount of \$39,291.78.
- 2. Direct staff to pursue modifications to the project.

#### MANAGER'S RECOMMENDED ACTION:

This project is now complete in accordance with the approved plans and specifications and is within the approved budget.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the Emergency Relief Projects (S. Dayton Avenue, 6<sup>th</sup> Street Bridge, and Lincoln Way Bridge at Squaw Creek) project as completed by Sheets Excavating, Ltd. of Montezuma, Iowa, in the amount of \$39,291.78.

#### ITEM # <u>25</u> DATE: 06-11-13

#### COUNCIL ACTION FORM

#### SUBJECT: ENCROACHMENT PERMIT FOR A SIGN AT 2526 LINCOLN WAY

#### BACKGROUND:

The tenant in the building at 2526 Lincoln Way, Bella Hair Salon, has requested an encroachment permit for a new sign which will encroach over the City sidewalk.

The proposed sign will be a blade sign that will project from the front of the building. The sign will extend not more than five feet over the sidewalk, and will not infringe upon the use of the sidewalk by the public.

The requirements of Section 22.3 of the *Municipal Code* have been met with the submittal of a hold-harmless agreement signed by the property owner and the applicant, along with a certificate of liability insurance coverage which protects the City in case of an accident. The \$25 fee for this permit has been received by the City Clerk's Office.

#### ALTERNATIVES:

- 1. Approve this sign encroachment permit request.
- 2. Deny this request.

#### MANAGER'S RECOMMENDED ACTION:

It is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby granting the encroachment permit for this sign.



#### APPLICATION FOR ENCROACHMENT PERMIT

An Encroachment Permit approved by the Ames City Council is required for anything of a "fixed character" which is "upon, over or under" the surface of any "street, alley or sidewalk."

Address of Encroachment:	incoln way, Ames
Type of Encroachment:	for a sign permit through the Inspections Division).
Name of Applicant:	of
Address: 3885 young and.	Kadcliffe, 50230
Applicant's Home Phone:	Work or Cell Phone: 641-330-5495
Owner of Building: SCOH Rand	
Owner's Address: 47.0 South	
Owner's Home Phone:	Work or Cell Phone:

These items must be submitted with your application prior to approval of the permit:

- 1. An Encroachment Permit Agreement approved as to form by the City Attorney and signed by the owner of the building where the encroachment will occur. (Obtained from the City Clerk's Office).
- 2. A sketch of the encroaching item (i.e., sign, canopy, awning, etc.) drawn to scale.
- 3. A sketch showing the placement of the encroaching item on the property.
- 4. An insurance certificate with comprehensive general liability coverage in an amount of not less than \$500,000 combined single limit naming the City of Ames as an additional insured on the policy. Said certificate must be accompanied with a copy of Endorsement CG 2013.
- 5. A fee to be determined by the City's Building Official. The fee is \$1.00 per square foot of the encroachment or a minimum of \$25.00.

Applicant's Signature: \_

: Sott Rout

Owner's Signature (If Different):





# License Application (BB0031422 ) 26

Ar	lqc	ica	nt

Applicant		
Name of Applicant:	King Buffet of Iowa, Inc.	
Name of Business (D	DBA): King Buffet of Ames	
Address of Premises	: <u>1311 Buckeye Suite B</u>	
City: Ames	County: lowa	Zip: <u>50010</u>
Business Phone:	<u>(515) 233-5252</u>	
Mailing Address:	1311 Buckeye Suite B	
City: Ames	State: IA	<b>Zip:</b> <u>50010</u>

#### **Contact Person**

Name:	<u>li ying li</u>		
Phone:	<u>(646) 726-1083</u>	Email Address:	kingbuffet88@yahoo.com

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

Term: 12 months

#### Effective Date: 06/25/2013

#### Expiration Date: 06/24/2014

Privileges:

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

#### Status of Business

BusinessType: Privately Held Corporation

Corporate ID Number: <u>356664</u>

Federal Employer ID # 26-1717825

Ownership

chun ying chen		
First Name: chun ying	Last Name: chen	
City: marshalltown	State: lowa	<b>Zip:</b> <u>50158</u>
Position secretary		
% of Ownership 50.00 %	U.S. Citizen	
Jian Yum Zheng		
First Name: Jian Yum	Last Name: Zheng	
City: Ames	State: lowa	<b>Zip:</b> <u>50010</u>
Position owner		
% of Ownership <u>30.00 %</u>	U.S. Citizen	
li ying li		
First Name: li ving	Last Name: 🗉	
City: ames	State: lowa	<b>Zip:</b> <u>50010</u>
Position president		
% of Ownership 20.00 %	U.S. Citizen	

#### Insurance Company Information

Insurance Company:	Allied Insurance	
Policy Effective Date:	06/25/2013	Policy Expiration Date: 06/25/2014
Bond Effective Continu	iously:	Dram Cancel Date:
Outdoor Service Effective Date:		Outdoor Service Expiration Date:
Temp Transfer Effective Date:		Temp Transfer Expiration Date:

#### <u>SUBJECT</u>: REQUEST FOR WAIVER OF SUBDIVISION REGULATIONS REGARDING SIDEWALKS AND SANITARY SEWER EXTENSION AT 2825 E. 13<sup>TH</sup> STREET

#### BACKGROUND:

Council referred to staff a letter from I&S Group, Inc. seeking a waiver of subdivisions standards (See Attachment 1) for the property at the northwest corner of the intersection of I-35 and East 13<sup>th</sup> Street. Turn Key Investments, LLC, property owner, is proposing a subdivision of land for the construction of a new Burger King restaurant and is subject to the provisions of the City's subdivision regulations.

The proposed division of land is a 2-lot split of approximately 1.23 acres of land abutting the off ramp from south bound I-35 (See Attachment 2, Location Map). The existing commercial building on the site will remain with the new lot created between the building at 2811 East 13<sup>th</sup> Street (Credit Union) and the existing building on the subject property. The new lot will have a shared access with the two adjacent properties. (See Attachment 3, Proposed Subdivision/Site Plan Map).

I&S Group, Inc., on behalf of Turn Key Investments are requesting a waiver of the design and improvement standards otherwise applicable for the proposed subdivision. In this case, only the extension of the sanitary sewer main and the construction of the required sidewalk are necessary since the site already meet the other requirements of the city subdivision codes.

Waivers for the sidewalk installation and sanitary sewer extension are being requested for the following reasons:

- 1) There is no connection to existing sidewalk abutting the subject lots to make a connection with any new sidewalk.
- 2) The proposed extension of the existing 8" sanitary sewer main would only serve the two lot subdivision, since the property abuts the I-35 Interchange and the expansion of any new development east of the interchange would require a much larger main for service.
- 3) Due to the required installation of the sidewalk and the extension of the sanitary sewer main, the development would be required to be processed as a major subdivision requiring a Preliminary and Final Plat. If the waivers are approved the subdivision could be processed as a minor subdivision and be approved administratively.
Advanced planning and engineering work associated with the former regional commercial development determined that the eastward extension of the shared use path should be put on the <u>south side</u> of East 13<sup>th</sup> Street. Therefore, the waiver of the sidewalk installation requirement may be appropriate, since there are no current plans to have a sidewalk connection along the north side of East 13<sup>th</sup> Street in this area. However, if Council desires to retain the option of having sidewalks installed along the north side of East 13<sup>th</sup>, a deferment in the installation of the requirement sidewalk could be approved until such time as a sidewalk connection to the subject property is approved.

With regard to the request to waive the sanitary extension, the intent of the code is to allow for future connections beyond the property being developed. However, engineering designs for the regional commercial development east of I-35 indicated that a larger sewer main will be required to functionally service the size and type of development there. The subdivision proposed on the subject property is the full extent of the development west of the I-35 interchange.

Due to time constraints, the applicant would propose development of the property as show in attachment 3 under the approval of a Minor Site Development Plan as one single lot with two conforming buildings with shared parking (the existing building plus the addition of the new Burger King site). Once the property is developed with the new building, and if approved by the Council, the applicant would then file the proposed Minor Subdivision to split the two lots as show on the attached subdivision plat.

Staff would suggest, if Council agrees to the waiver requests, that the approval be conditioned with a time frame of 12 months to file the application for the Minor Final Plat for the subdivision of the lot. If the Council does not agree to the request for the waivers, the subdivision would need to be processed as a Major Subdivision, which would include the installation of the sidewalk and sanitary sewer extension.

# ALTERNATIVES:

- 1. The City Council can approve the request to waive installation of the sidewalk and the extension of sanitary sewer across the frontage of the property along East 13<sup>th</sup> Street, subject to the condition that the application for subdivision be filed within 12 months of the waiver approval.
- 2. The City Council can deny the request to waive installation of the sidewalk and the extension of sanitary sewer across the frontage of the property along East 13<sup>th</sup> Street.
- 3. The City Council can approve only one of the two waiver requests.
- 4. The City Council can approve the waiver request for the extension of the sanitary sewer and approve **deferment** of the sidewalk installation along the frontage of the property along East 13<sup>th</sup> Street, with the following conditions:
  - a. An agreement will be executed between the property owner/developer and the City to ensure the future installation of the sidewalk, and

- b. The application for subdivision must be filed with the City within 12 months of the waiver approval.
- 5. The City Council can refer this request back to staff for additional information.

## MANAGER'S RECOMMENED ACTION:

The property owner has emphasized that the property in question is in an area where no existing sidewalks are installed, that the closest sidewalk or shared use path is west at Dayton Avenue, and that the sidewalk they would install will never connect with a public sidewalk. Council should also consider that existing plans for the larger area indicate that the shared use path should be located on the south side of East 13<sup>th</sup> Street, not on the north.

The purpose of the utility main extension requirement within the subdivision code is to allow for utility extensions for future developments. However, with the property abutting the I-35 interchange, this extension does not likely have a functional value for future development connection. If the Council agrees, the waiver of the sanitary sewer extension could be granted allowing for the proposed property to be subdivided as a Minor Final Plat.

In this case, it appears that installation of the sidewalk and extension of the sanitary sewer would not benefit future development in the area. Therefore, it is the City Manager's recommendation that Council can approve Alternative #1, thereby granting the waiver of sanitary sewer extension and installation of the public sidewalk, with the condition that the subdivision application be filed within 12 months of the waiver approval.

If Council determines that there is a need to meet the code requirement for the installation of the sidewalk for future development, but understands the installation at this point in time does not serve a current need, the Council should approve Alternative #4, which would approve the waiver request for the extension of the sanitary sewer and approve deferment of the sidewalk installation along the frontage of the property along East 13<sup>th</sup> Street, with the conditions that an agreement will be executed between the property owner/developer and the City to ensure the future installation of the sidewalk, and the application for subdivision must be filed with the City within 12 months of the waiver approval.

### ADDENDUM

#### **ADDITIONAL BACKGROUND INFORMATION:**

At the May 28, 2013 City Council meeting, Council referred to staff a letter from I&S Group, Inc. seeking a waiver of subdivisions standards (See Attachment 1) for the property at the northwest corner of the intersection of I-35 and East 13<sup>th</sup> Street. Turn Key Investments, LLC, property owner, is proposing a subdivision of land for the construction of a new Burger King restaurant and is subject to the provisions of the City's subdivision regulations.

The proposed division of land is a 2-lot split of approximately 1.23 acres of land abutting the off ramp from south bound I-35 (See Attachment 2, Location Map). The existing commercial building on the site will remain with the new lot created between the building at 2811 East 13<sup>th</sup> Street (Credit Union) and the existing building on the subject property. The new lot will have a shared access with the two adjacent properties. (See Attachment 3, Proposed Subdivision/Site Plan Map).

I&S Group, Inc., on behalf of Turn Key Investments, is requesting a waiver of the design and improvement standards otherwise applicable for the proposed subdivision. In this instance, only the extension of the sanitary sewer main and the construction of the required sidewalk are necessary since the site already has access to City water. No new public streets are proposed for the subdivision, since the existing shared access will be used for the connection to East 13<sup>th</sup> Street. **The purpose of the request for a waiver is to allow approval of a Final Plat for 2825 East 13<sup>th</sup> Street, as a "Minor Subdivision," not as a "Major Subdivision."** 

A division of land is classified as a "Major Subdivision" if the subdivision includes three or more lots, and/or if there is a requirement for the construction of public improvements as part of the subdivision. A "Major Subdivision" requires the approval of a Preliminary Plat and a Final Plat.

A "Minor Subdivision" is the division of land into no more than three lots, with **no** requirements for public improvements. Approval of a "Minor Subdivision" requires only a Minor Final Plat, which is approved administratively. **I&S Group requests that the City process the proposed subdivision as a "Minor Subdivision" to expedite the approval process by saving the time it would take to process a Preliminary Plat.** The Final Plat for 2825 E. 13<sup>th</sup> Street can only be approved without first approving a Preliminary Plat if the City Council waives the requirements for construction of public improvements in the E. 13<sup>th</sup> Street right-of-way by the Developer.

Division IV of Chapter 23 of the <u>Municipal Code</u>, contains the site design standards for the creation of new subdivisions. This section 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.

However, Section 23.103(1) of the <u>Municipal Code</u> allows the City Council to waive or modify the requirements of the subdivision regulations where "...strict compliance with the requirements of the regulations would result in extraordinary hardship to the Applicant or would prove inconsistent with the purpose of the Regulations because of unusual topography or other conditions...provided, however, that such modification or waiver shall not have the effect of nullifying the intent and purpose of the Regulations.... In so granting a modification or waiver, the City Council may impose such additional conditions as are necessary to secure substantially the modifications of the requirements so modified or waived." In addition, Chapter 354.9(2) of the Code of Iowa allows cities to "...waive the requirements of any of its standards or conditions...."

Due to time constraints, the applicant is proposing to develop the property under the approval of a Minor Site Development Plan as one single lot with two conforming buildings with shared parking (the existing building plus the addition of the new Burger King site). Once the property is developed with the new building, and if approved by the Council, the applicant would then file the proposed Minor Subdivision to split the two lots as show on the attached subdivision plan.

Staff would suggest, if Council agrees to the waiver request, that the approval be conditioned with a time frame of 12 months to file the application for the Minor Final Plat for the subdivision of the lot. If the Council does not agree to the request for the waivers, the subdivision would need to be processed as a Major Subdivision, which would include the installation of the sidewalk and sanitary sewer extension.

# <u>Sidewalks</u>

The subdivision regulations in Section 23.403(14)(a) require that sidewalks be installed on both sides of the street in commercially zoned areas. This request for waiver involves the required construction of approximately 300 feet of sidewalk along East 13<sup>th</sup> Street. The owner states that the reason for the requested waiver is because the sidewalk would "not connect to anything as there are no existing sidewalks on the adjoining parcels."

<u>Deferment</u>: The deferment section of the sidewalk requirements in Section 23.403 (14)(a)(i) was added to <u>Municipal Code</u> in May 2004. It allows Council to postpone the construction under one of two criteria: (1) premature installation or (2) unusual topography. In the case of deferment, the Council does not waive, but postpones the installation of the sidewalk through the use of financial security which requires approval by City Council in order to record the Minor Subdivision Final Plat.

Under Section 23.403 (14)(a)(i), A deferment for the installation of sidewalks may be granted by the City Council when topographic conditions exist that make the sidewalk installation difficult or when the installation of the sidewalk is premature. Where the installation of a sidewalk is deferred by the City Council, an agreement will be executed between the property owner/developer and the City that ensures the future installation of the sidewalk. The deferment agreement will be accompanied by a cash escrow, letter of credit, or other form of acceptable financial security to cover the cost of the installation of the sidewalk.

The subject property (1.23 acres) is zoned "HOC", Highway Oriented Commercial as well as the properties to the west fronting on the north side of East 13<sup>th</sup> Street. The properties across East 13<sup>th</sup> Street are zoned General Industrial and Agricultural, which under the subdivision ordinance would require sidewalk along one side of the street. All the properties in the area would be subject to the same sidewalk requirements; however, no sidewalks have been installed along East 13th in this area. The closest sidewalk on the north side of East 13<sup>th</sup> Street is the shared use trail west at Dayton Avenue, where the trail then turns south and reduces to a sidewalk width along the west side of Dayton Avenue. The shared use path then crosses on the south side of East 13<sup>th</sup> Street and runs south along the east side of Dayton Avenue. The only other sidewalk in the area is on the north side of the developments that extend between East 13<sup>th</sup> Street and Philadelphia Street, west of Dayton Avenue. The nearest signaled pedestrian crossing point from the north side to the south side of East 13<sup>th</sup> Street is at Dayton Avenue. In the Major Site Development Plan approved previously for the commercial property east of the I-35 Interchange, the shared use path would have been extended east from the interchange along the south side of East 13<sup>th</sup> Street.

#### Sanitary Sewer

The subdivision regulations in Section 23.405 require that sanitary sewers be installed including all necessary or desirable appurtenances to provide for discharge of sanitary sewage at the cost of the applicant and subject to City specifications. Under this requirement, sanitary sewer would be extended to the full width of the frontage of the newly created lots for access by all lots within the subdivision. This would also allow for reasonable connection for any future development to the east.

The applicant states that the existing building sewer system outlets to a manhole just west of the subject property and the new lot could also connect at that location without the need for an extension of the public sewer main. The applicant also notes that the location of the lot abutting the I-35 ramp would make the extension of the sewer main beyond the subject property unlikely. (See Attachment 4 for Current Utilities Map)

In looking at possible future development on the east side of the I-35 interchange, it is very unlikely that the existing 8" main could functionally serve that area. Under the development agreement negotiated several years ago, the mall developer would have extended a significantly larger main from Dayton Avenue eastward on E. 13<sup>th</sup> Street and under the Interstate to serve the larger regional commercial area.

#### Attachment 1 Applicant Letter



Pets. 5-17-13

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May 15, 2013

Mayor and City Council City of Ames PO Box 811 Ames, IA

Honorable Mayor and Council members,

I am a Land Surveyor with I&S Group in Storm Lake, Iowa. We are working with an individual planning to develop a parcel in Ames for a new Burger King Restaurant at 2825 E. 13th St. The legal description of the parcel is: Lot one (1), Production Credit Association Subdivision to the City of Ames, Story County, Iowa. The Lot is currently in one ownership under the name of Turn Key Investments, LLC. The owner's plans would require a new interior lot division which would be described as: The West one hundred seventy-two feet (W. 172') of Lot one (1), Production Credit Association Subdivision to the City of Ames, Story County, Iowa.

Attached are four exhibits labeled A-D. "A" is the original subdivision plat which created Lot One. "B" shows the existing improvements. "C" shows the proposed new division line. "D" is a site plan which shows the relationship of the proposed improvements to the existing.

The city of Ames subdivision ordinance requires that sanitary sewer main and sidewalks be extended across the full frontage of a newly created lot. We are requesting that those requirements be waived so that this division may fall under the requirements of a "minor subdivision".

The sanitary sewer to the existing office building outlets to the manhole shown on exhibit B. Sewer service for the proposed restaurant could flow to the same manhole without the need for a sewer main extention. The proximity of the parcel to the

#### Attachment 1 (Cont.) Applicant Letter



Interstate ramp and I-35 make the extension of the sewer main easterly beyond the existing manhole unlikely. We therefore request that the sewer extension requirement be waived for this property.

A sidewalk across the frontage of the proposed division would not connect to anything as there are no existing sidewalks on the adjoining parcels. We therefore request that the requirement that sidewalk be constructed along the frontage of the proposed division also be waived.

We have spoken with the Public Works Director Mr. Cowles, and he is aware of what is being requested.

Please feel free to contact me with any questions or concerns that you may have. I can be reached at (712-732-7745.

Sincerely,

Isys Group, Inc.

Enc.

CC:

# Attachment 2 Location Map



Attachment 3 Proposed Subdivision/Site Plan Map



# Attachment 4 Utilities Map



#### Staff Report

# URBAN REVITALIZATION CRITERIA FOR ROOSEVELT SCHOOL SITE 921 9<sup>TH</sup> STREET

## 6/11/13

On May 14, 2013, the City Council referred to staff the attached letter from Dean Jensen of Real Estate Service Group Incorporated (RESGI) requesting that the Council direct City staff to prepare a new Urban Revitalization Area designation for the adaptive reuse of the former Roosevelt School building at 921 9<sup>th</sup> Street. Mr. Jensen had provided written information and a brief presentation describing RESGI's vision for this project at the City Council meeting. The former Roosevelt School building has been listed on the National Register of Historic Places since March 2, 2010.

**Code of Iowa Chapter 404.1** provides authority for municipalities to establish Urban Revitalization Areas and associated plans as the mechanism for providing tax abatement in a variety of areas. This includes "An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use."

To address RESGI's request, the City Council must first determine whether the Roosevelt School site meets the criteria described above. If Council determines that Roosevelt School site meets the State criteria, the next step in designating the site as an Urban Revitalization Area is for Council to decide upon a policy establishing qualifying criteria.

Presented below are five options for the City Council to consider as "qualifying criteria" for designating the Roosevelt School site as an Urban Revitalization Area.

**<u>OPTION NO. 1</u>**: These criteria include elements that were adopted for the West University Impacted Area. Tax abatement for that area facilitated renovation of the Iowa House Bed and Breakfast.

An area will be considered for establishing an Urban Revitalization Area and Plan if one of the properties meets all of the following criteria:

A. The property includes a former public school building that is no longer used as a school; and,

- B. The National Park Service has determined that one or more of the properties has a structure that meets the National Register Evaluation Criteria; and,
- C. Improvements are being made to one of the National Register eligible structures which preserves 70% or more of the area of existing exterior walls of the structure or restores or restores original historic materials and designs.

Greek houses that receive tax abatement are also required to preserve 70% or more of the area of existing exterior walls. This standard is intended to conserve the architectural character of a neighborhood when the neighborhood is not designated as an historic district, as is the case in the East University Impacted Area. It is a simple, measurable standard used where detailed design standards have not been developed.

**OPTION NO. 2**: These criteria are the same as those adopted for the West University Impacted Area, except that the Secretary of the Interior's Standards for Rehabilitation (see attached) replaces Criterion "C".

An area will be considered for establishing an Urban Revitalization Area and Plan if one of the properties meets all of the following criteria:

- A. The property includes a former public school building that is no longer used as a school; and,
- B. The National Park Service has determined that one or more of the properties has a structure that meets the National Register Evaluation Criteria; and,
- C. The Secretary of the Interior's Standards for Rehabilitation from the U.S. Department of the Interior, National Park Service, are followed. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

The Secretary of the Interior's Standards are included in Chapter 31 of the *Municipal Code* and <u>must be followed</u> for all historic properties that have been designated as a local historic landmark, or are located in a local historic district. The standards are also <u>required</u> for properties listed on the National Register that receive federal funding and for all properties that receive State or Federal tax credits. They are <u>recommended</u> for all other properties listed on the National Register for all maintenance, repair, replacement, alterations, or additions to the historic structure.

**OPTION NO. 3**: These criteria are the same as those adopted for the West University Impacted Area, except that the City's Performance Standard for Adaptive Reuse that specifically deals with essential architectural features would replace Criterion "C" [see attached Section 29.306(3) for the Adaptive Reuse Performance Standards].

An area will be considered for establishing an Urban Revitalization Area and Plan if one of the properties meets all of the following criteria:

- A. The property includes a former public school building that is no longer used as a school; and,
- B. The National Park Service has determined that one or more of the properties has a structure that meets the National Register Evaluation Criteria; and,
- C. The renovation and remodeling of structures will not destroy or obscure essential architectural features. In addition, such architectural features must be enhanced to the extent that it is feasible and prudent to do so.

**OPTION NO. 4**: These criteria were suggested by the owner of the Roosevelt School property in his letter to City Council requesting the URA designation (see attached).

An area will be considered for establishing an Urban Revitalization Area and Plan if one of the properties meets all of the following criteria:

- A. The building is no longer occupied as a public school, and has not been converted to another use, prior to designation as an Urban Revitalization Area; and,
- B. The building is currently is a blighted condition; and,
- C. The building is listed on the National Register of Historic Places; and,
- D. A maximum of 23 units will be included in conversion of the building from a school to a residential use; and,
- E. A parking structure (garage) will be provided on site; and,
- F. At least 70% of the existing exterior brick walls of the structure will remain and historic materials will be preserved or adaptively reused.

**<u>OPTION NO. 5</u>**: Criteria for this option would be any modification of criteria from the previous four options, as determined by the City Council.

# Process to Establish an Urban Revitalization Area

If the City Council chooses to incentivize the redevelopment of Roosevelt School with tax abatement, following its determination that the site meets the criteria in the Code of lowa and its selection from the options above, the process would be similar to other Urban Revitalization Areas. The developer would prepare a Plan that meets these criteria established by Council and apply to Council to establish an Urban Revitalization Area. City Council, upon finding that the development proposal meets its criteria, would direct staff to prepare an Urban Revitalization Plan and set the date for a public hearing. After the hearing, the Urban Revitalization Plan can be approved by resolution and the Urban Revitalization Area can be created by three approvals of an ordinance. This process may take from 60 to 90 days.

# **City Council Direction Needed**

In order to proceed further with the requested Urban Revitalization Area (URA) for Roosevelt School, staff seeks City Council direction on two key issues:

- City Council direction is needed to determine whether the Roosevelt School site meets the criteria, in the *Code of Iowa Chapter 404.1, to establish a revitalization area.*
- If so, the City Council must establish qualifying criteria for the proposed URA.

In addressing this last issue, the Council has a number of choices.

If the straightforward criteria utilized in the West University Impacted Area is adequate, then Option 1 should be chosen.

If the more extensive criteria listed in the Secretary of the Interior's Standards for Rehabilitation seem appropriate, then Option 2 should be chosen.

If the existing criteria for approval of an Adaptive Reuse Plan seems adequate to also serve as the criteria for tax abatement, then Option 3 should be chosen.

If the criteria proposed by the developer seems appropriate, then Option 4 should be chosen.

Finally, if some combination of the above criteria seems most appropriate, the Council should select Option 5.

Ultimately the Council must decide what criteria it desires to set in order to provide tax abatement within this area.

# **REAL ESTATE SERVICE GROUP, INC.**



May 9, 2013

Ames City Council 515 Clark Ave Ames, IA 50010

RE: Request for Rezoning and Text Amendment

Honorable Mayor and Members of the City Council,

As many of you know we recently purchased the Roosevelt School located at 921 9<sup>th</sup> St. from the Ames Community School District. This landmark structure has faithfully served our community for nearly ninety years. It is our hope that we can extend the usefulness and life of the building for future generations of Ames residents.

Due to the unique nature of this adaptive reuse project, we are requesting Council to consider establishing an Urban Revitalization Area Designation (URAD) for the Roosevelt School site. From our review of other URA's it is clear that there is City interest to "support investments that preserve and reuse historic resources through property tax abatement."

There are many benefits to our community through our proposed project and the benefit of tax relief is crucial to the long term success of getting this project going. The City of Ames has not collected any tax money in the history of this school, when the abatement period expires, there will be a significant tax base increase with the addition of 23 single family condominium units in the Ames Community School District.

Some criteria to be considered:

- Age of building 1923, vacant since 2005
- Currently in blighted condition
- National Historic Registry
- Proposed improvements will increase property value dramatically
- At least 70% of the existing exterior brick walls of the structure will remain and historic materials will be
  preserved or adaptively reused
- Maximum of 23 single family condominium units
- Provided parking structure

Therefore, we respectfully request that the City Council direct City staff to prepare a new URA Designation for the Roosevelt School building.

Thank you for your consideration,

Dean Jensen

2519 CHAMBERLAIN ST, STE 101 AMES, IA 50014 Phone: (515) 268.5485 Fax: (515) 268.8181 Email: info@resgi.com Web: www.resgi.com

# Secretary of the Interior Standards for Rehabilitation

- 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- 2. The historic character of the property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- 3. Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall be undertaken.
- 4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
- 6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- 7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- 8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.
- 10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

# Adaptive Reuse Performance Standards

Section 29.306(3)

- (3) Adaptive Reuse Performance Standards. If the City Council determines that a proposed project qualifies for consideration as an adaptive reuse, then the City Council may waive some or all of the applicable Zone Development Standards and General Development Standards set forth in Article 4, so long as the project conforms to the following:
  - (a) The renovation and remodeling of structures for adaptive reuse may not destroy or obscure essential architectural features. In addition, such architectural features must be enhanced to the extent that it is feasible and prudent to do so.
  - (b) Where landscaping and public space required by Section 29.403 cannot be provided on site, any area on site that is available for landscaping shall be so utilized. When the City grants permission, the owner or operator of the site must also use areas within the public right-of-way and adjacent to the site to satisfy landscaping requirements.
  - (c) Where necessary parking cannot be provided on site, reasonable provision for parking shall be provided off site.

OLD CAF ITEM # 29 06-11-13

ITEM # 24a&b Date 05-28-13

#### COUNCIL ACTION FORM

# <u>SUBJECT</u>: EXTENSION OF DEADLINE FOR VERIFICATION OF RENTAL HOUSING APPROVED NON-COMPLIANT CONDITIONS

#### BACKGROUND:

In the past, the City of Ames has provided property owners with the ability to continue to utilize their rental units without bringing the entire structure into compliance with current codes. To accomplish this objective, the City of Ames has utilized Retroactive Conversion Permits, Board Variances, and Administrative Approvals.

Rental inspections provide the opportunity 1) for the property owner to substantiate these previous approvals for the Inspections staff and 2) for the Inspections staff to document those approvals for future records. Per the City's Municipal Code, a deadline of June 30, 2013 was given for the Retroactive Conversion Approval process. However, due to several factors (e.g., staff turnover, two inspection moratoriums, more time needed to complete inspections for new code, etc.), City staff will have not completed an inspection cycle for all rental units by the established timeframe.

Hence, the Property Maintenance Appeals Board (PMAB) Chair, Al Warren expressed concern at the May 2<sup>nd</sup> PMAB meeting, regarding the specific date identified in Ames *Municipal Code* Section 13.402(3.f) which states the following:

(f) Retroactive Conversion Permits, Board Variances, or Administrative Approvals authorizing specific noncompliant conditions will be reviewed by the Building Official in accord with this procedure at or about the date of the regular periodic inspection performed in conjunction with expiration of the current Letter of Compliance. Retroactive Conversion Permits, Board Variances, or Administrative Approvals meeting the criteria of this Code shall be recorded henceforth as Approved Pre-existing Conditions. This process will occur during the four (4) year period commencing July 1, 2009 and ending **June 30, 2013**. Those conditions not specifically approved by Retroactive Conversion Permits, Board Variances, or Administrative Approvals, and which have not been updated in the Inspection Division records as Approved Pre-existing Conditions must be brought into compliance with this Code by the dates specified in the relevant sections of this Code.

This Section of the Ames *Municipal Code* was discussed during a City Council meeting on June 2, 2009. The following is an excerpt from the June 2, 2009, City Council meeting minutes:

Chief Petersen explained that Retroactive Conversion Permits were used in the 1980's to address the issue of "grandfathering" rental units that were built during periods of no code enforcement or differing codes. He said that those Permits were not well-documented and have caused considerable problems for rental owners as well as City staff. Building Official David Brown further explained that the proposed Rental Code will allow for holders of Retroactive Conversion Permits, Board Variances, and Administrative Approvals to continue non-compliant conditions. They must reapply to the Building Official for permanent exceptions; those will be approved as long as the procedures called for in Section 13.402 are followed and the Building Official verifies that the non-compliant condition has been maintained in a safe and otherwise Code-compliant manner. Staff will then document the approved pre-existing conditions. Mr. Brown named several non-compliant conditions that will be allowed to continue: off-street parking, building numbering, stairway rise and run, handrails, guardrails, minimum ceiling height, natural light and ventilation, minimum room area, minimum site requirements, single furnace servicing multiple units, and egress windows above grade.

It appears that the June 30, 2013 date was included in Ames *Municipal Code* Section 13.402(3.f) to allow time for the City of Ames to provide a complete rental cycle on all of the rental units in Ames after the adoption of the updated Rental Housing Code on July 1, 2009. Rental inspectors have steadily increased the number of inspections that they provide. As of May 14, 2013, the Rental Inspectors have inspected 659 units as compared to 878 units for the entire year in 2012. On May 14, 2013, 7,716 rental units had been inspected under this Code with 4,637 units remaining.

The discussion at the Property Maintenance Appeals Board was primarily supportive of removing the June 30, 2013 date altogether and providing a description that ties the Code section to the initial rental cycle rather than a date certain. Legal staff was present at that meeting and recommended changing the code in that manner. Inspections staff had an opportunity to discuss this item with the Ames Rental Association at their May 15<sup>th</sup> Board meeting. The consensus was again to remove the specific date in favor of the initial rental inspection cycle. Pat Brown was also contacted on May 21, 2013 to discuss this item. Ms. Brown is a Property Maintenance Appeals Board member, representing Neighborhood Resident – Owner-Occupants. Ms. Brown did not express any concerns with a Code revision or with the removal of the date.

Consensus amongst stakeholders regarding Ames *Municipal Code* Section 13.402(3.f) recognizes that the June 30, 2013 date, as currently written in the Code, is not attainable and that rather than arbitrarily choosing another date in the future, that it would be understandable to tie the ability to provide documentation to the first rental inspection cycle from the July 1, 2009 date.

### ALTERNATIVES:

1. Direct staff to draft an ordinance to modify Ames *Municipal Code* Section 13.402(3.f) by removing the June 30, 2013 date and allowing Retroactive Conversion Permits,

Board Variances or Administrative Approvals to continue to be accepted through the first rental inspection cycle.

2. Retain Ames *Municipal Code* Section 13.402(3.f) as it is currently written and direct staff to not accept Retroactive Conversion Permits, Board Variances or Administrative Approvals after June 30, 2013.

#### MANAGER'S RECOMMENDED ACTION:

Due to the consensus reached through staff's discussions with the stakeholders and the apparent intent of Ames *Municipal Code* Section 13.402(3.f) to allow property owners the ability to provide documentation of previously approved Retroactive Conversion Permits, Board Variances or Administrative Approvals, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1.

This alternative will direct the City Attorney to draft a modification to the existing Municipal Code section 13.402(3.f), thereby allowing Retroactive Conversion Permits, Board Variances, or Administrative Approvals to continue to be accepted through the first rental inspection cycle from the Code adoption on July 1, 2009.

#### **ORDINANCE NO.**

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTION 13.402(3)(f) THEREOF, AND ENACTING A NEW SECTION 13.402(3)(f) FOR THE PURPOSE OF REVISING THE TIME PERIOD FOR SEEKING CONTINUED APPROVAL OF RETROACTIVE CONVERSION PERMITS, BOARD VARIANCES OR ADMINISTRATIVE APPROVALS; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by amending Section 13.402(3)(f) as follows:

#### Sec. 13.402 PRIOR APPROVALS SHALL CONTINUE – CONDITIONS

•••

#### "(3) Board Variances.

(f) Retroactive Conversion Permits, Board Variances, or Administrative Approvals authorizing specific noncompliant conditions will be reviewed by the Building Official in accord with this procedure at or about the date of the regular periodic inspection performed in conjunction with expiration of the current Letter of Compliance. Retroactive Conversion Permits, Board Variances, or Administrative Approvals meeting the criteria of this Code shall be recorded henceforth as Approved Pre-existing Conditions. This process will occur during the period following adoption of this ordinance commencing July 1, 2009, and ending for each rental unit when it has been subject to a regular periodic inspection in conjunction with expiration of its Letter of Compliance. Those conditions not specifically approved by Retroactive Conversion Permits, Board Variances, or Administrative Approvals, and which have not been updated in the Inspection Division records as Approved Pre-existing Conditions must be brought into compliance with this Code by the dates specified in the relevant sections of this Code."

•••

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

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

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

Passed this \_\_\_\_\_\_, \_\_\_\_.

Diane R. Voss, City Clerk

### COUNCIL ACTION FORM

### <u>SUBJECT</u>: AMENDMENT TO ZONING CODE SECTION 29.408(7) – ALLOWING FOR CONSTRUCTION OF SHARED COMMON LOT LINE GARAGES

#### BACKGROUND:

In March 2013, City Council referred to staff a letter from Mr. Jeff Bryant requesting that the Council consider an amendment to the zoning code to allow for the construction of shared common lot line garages. On April 23, 2013 Council considered the feasibility of allowing shared common lot line garages. Staff was then directed by Council to prepare an ordinance that would allow shared garage for properties that have existing shared garages or for properties that previously had shared common garages.

At the May 15, 2013 Planning and Zoning Commission meeting, the Commission reviewed and recommended draft language for the proposed zoning code text amendment.

The addendum and attachments to this report provide background information and considerations regarding the request for allowing shared common lot line garages.

#### PROPOSED AMENDMENT:

Based on City Council's direction and the Planning and Zoning Commission recommendation, the text amendment language described below has been prepared for consideration by City Council. If approved, the text amendment would establish regulations for the construction of shared common lot line garages.

Adoption of the regulations for shared common lot line garages would require that Section 29.408(7) of the *Municipal Code* be amended to add section 29.408(7)(d) to include the text shown below:

### Section 29.408(7)(d):

- (d) The following requirements apply to shared common lot line garages and accessory buildings in Agricultural, Residential and Hospital/Medical districts:
  - (i) Location Within Setbacks.
    - a. Shared common lot line garages shall be permitted only on lots where an existing common lot line garage exists, or on lots where substantial proof can be submitted indicating a shared common lot line garage had previously existed.

- b. No detached garage or accessory building is allowed in the front yard, or within the side yard setback adjacent to public right-ofway in the case of corner lots.
- (ii) Height.
  - a. A detached garage or accessory building on the same lot with a one story principal building shall not exceed the height of that principal building.
  - b. Detached garage or accessory buildings on the same lot with a principal building that is taller than one story shall not exceed 80% of the height of the principal building or 20 feet, whichever is lower.

(iii) Size.

- a. Detached garages and accessory buildings in the rear yard shall not occupy more than 25% of the combined rear yard of the two subject lots.
- b. The structure should not exceed a maximum of 1,200 square feet shared between the two properties.
- c. In any Agricultural or Residential district the cumulative garage door width shall not exceed eighteen (18) feet per lot. Doors less than eight feet in width, such as for lawn and garden equipment, are exempted from this requirement.
- (iv) General Requirements.
  - a. Driveways to streets. The driveway leading from a street to the entrance of a detached or attached garage shall be at least 20 feet long measured from the property line.
  - b. Driveways to alleys. The driveway leading from an alley to the entrance of a detached or attached garage shall be at least 8 feet long.
  - c. No detached garage or accessory building shall contain habitable space and/or a bathroom, except for recreational uses requiring plumbing such as a pool house.
  - d. The construction of a detached garage or accessory building shall not precede the construction of the principal building on the same lot.
- (v) Special Setbacks.
  - a. In cases in which the rear yard of a lot abuts the front yard of an adjoining lot, a detached garage or accessory building in the rear yard shall be not less than 6 feet from the adjoining property line for the distance of the required front yard setback on the adjoining lot.
  - b. In no case shall a detached garage or an accessory building in the rear yard be placed closer than 15 feet to any lot line that abuts a street.
- (vi) Agreement. All shared driveways and shared common lot line garages shall be acknowledged as such and the respective owners of the affected lots shall have the right to use such driveways and shared

common lot line garages jointly. Cross easements shall be granted over, across and under that portion of each owners' lot where such shared driveway is located. In addition, the rights and responsibilities for the construction, maintenance, repair and rebuilding of such driveway and shared lot line garage shall be addressed in the cross easement documents and submitted to staff.

## **ALTERNATIVES:**

- 1. The City Council can approve the text amendment to add Section 29.408(7)(d) to the Municipal code allowing for the construction of shared common lot line garages.
- 2. The City Council can deny the text amendment to add Section 29.408(7)(d) to the Municipal code allowing for the construction of shared common lot line garages.
- 3. Action on this request can be postponed and referred back to City staff for additional information.

## MANAGER'S RECOMMENDATION:

The proposed text amendment reflects the direction specified in Council's referral of the request for shared common lot line garages. The language provides reasonable regulations to allow shared common lot line garages by way of administrative approval.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the text amendment adding Section 29.408(7)(d) to the City of Ames Municipal Code to allow for the construction of shared common lot line garages.

#### ADDENDUM

#### **ADDITIONAL BACKGROUND INFORMATION:**

At its March 26, 2013 meeting, the City Council referred for report a letter from Mr. Jeff Bryant, dated March 4, 2013, which requested that the City consider a zoning amendment to allow the replacement of existing shared garages with no side yard setbacks. Mr. Bryant noted that he would like to replace an existing common lot line shared garage between two properties that does not meet the current setbacks required for private garages and accessory buildings.

Mr. Bryant's two properties are identified as 220 and 224 S. Riverside Drive (See Attachment 1). They are zoned UCRM Urban Core Residential Medium Density, and the two homes were built in the 1920's. The detached double-wide garage, with two single doors, was built straddling the property line with a single driveway providing access from S. Riverside Drive. The lots are approximately 58' wide by 140' deep and are of typical size for the neighborhood.

Mr. Bryant wishes to remove the existing 18' by 18' garage and replace it with a 26' deep by 30' wide garage. The existing garage is served by a single-wide driveway, which also straddles the property line. Mr. Bryant submitted a proposed site plan showing options for a new shared garage structure over the lot line, as well as two other site plans showing how two separate 15' wide by 26' deep garages could also be accommodated on the two properties within current zoning code allowances (See Attachment 2).

In July of 2009 Mr. Bryant submitted an application to the Zoning Board of Adjustment to request a variation of the side yard setback to allow for the proposed shared garage. At that time Mr. Bryant explained that it would be possible to build two separate garage structures meeting the code setback. However, the construction of the garages would have to be pushed back on the lots to accommodate the driveway expansion needed for access to the structures, and the topography of the lots would have required a considerable amount of fill to create a level space for the garages. After conducting the public hearing, the Board could not find any unique circumstances to the property or hardship to allow for the variation to be granted. The Board also noted that while fire safety could be accomplished through construction techniques in lieu of the required setback, Mr. Bryant had shown that other alternatives could be accommodated on the lot without the variance and in line with the current code.

Recent aerial photographs of the neighborhood show other properties that either have a shared garage or shared driveways. Many of these lots look as though shared garages may have existed previously but over time have been replaced with separate garages while maintaining the shared driveway. Staff has identified on a map the properties in this immediate area which appear to have either a shared garage or a shared driveway (See Attachment 3).

At the April 23, 2013 meeting, City Council directed staff to proceed with drafting a text amendment that would allow for shared common lot line garages. Council also asked that provision be included for documenting a cross access agreement between the owners of the two properties.

On May 15, 2013, the Planning and Zoning Commission recommended approval of the proposed text amendment by a vote of 5 to 0. Mr. Jeffry Bryant, 220-224 S. Riverside Drive, stated he was in agreement with the amendment proposed by staff and was available for any questions from the Commission.

## CURRENT CODES:

The following current requirements for private garages and accessory buildings are found in the Ames <u>Municipal Code</u> Section 29.408(7):

- (a) The following requirements apply to private garages and accessory buildings in Agricultural, Residential and Hospital/Medical districts:
  - (i) Location Within Setbacks.
    - a. No detached garage or accessory building is allowed in the front yard, or within the side yard setback adjacent to public right-of-way in the case of corner lots.
    - b. A detached garage or accessory building wholly or partially within the side yard shall meet all the same side setbacks as required for the principal building except in the case of a corner lot. In the case of a corner lot a garage or accessory building may be placed within 3 feet of the side lot lines, provided the garage is set back a minimum of 25 feet from the abutting streets and provided the garage or accessory building is located in the side yard that does not abut the front yard where the principal building is addressed.
    - c. A detached garage or accessory building wholly within the rear yard shall be a minimum of 3 feet from the abutting property line.
  - (ii) Height.
    - a. A detached garage or accessory building on the same lot with a 1 story principal building shall not exceed the height of that principal building.
    - b. Detached garage or accessory buildings on the same lot with a principal building that is taller than 1 story shall not exceed 80 % of the height of the principal building or 20 feet whichever is lower.
  - (iii) Size.
    - a. Detached garages and accessory buildings in the rear yard shall not occupy more than 25% of the rear yard.
    - b. The maximum gross floor area shall not exceed 900 square feet for a detached garage or accessory building/structure to a Single Family Dwelling or Institutional Use, or 1,200 square feet for accessory uses to a Two Family Dwelling.
    - c. In any Agricultural or Residential district the cumulative garage door width shall not exceed twenty-seven feet for a Single Family Dwelling

or eighteen (18) feet per dwelling unit for a Two Family Dwelling. Doors less than eight feet in width, such as for lawn and garden equipment, are exempt.

In addition to zoning laws, the building and fire code have requirements for structures at the lot line. These codes include the following requirements for constructing a garage or accessory structure at the lot line:

- a. Should a structure be permitted to be placed abutting a lot line the structure will be required to have no openings on the property line.
- b. The structure could not cross the lot line. Each half of the garage would need a one-hour fire-resistance-rated wall on their side at the property line and 4 feet of non combustible material or approved fire-retardant-treated wood at the roof on each side of the wall or walls

### **CONSIDERATIONS:**

The purpose of the Ames Zoning Ordinance is to promote the health, safety and general welfare of the City by, among other things, regulating and restricting the location, size and uses of buildings. This promotes public interest by providing adequate light and air, securing safety from fire, flood and other dangers, and preventing the overcrowding of land. By today's standards, this type of shared structure would seem contrary to the public interest by reducing fire separation distances, by impeding free air circulation between lots, and possibly by the over-massing of structures. There could also be a concern over the maintenance and overall future aesthetics of such a structure shared between two properties.

There are not many attached garages still remaining in Mr. Bryant's neighborhood and it is uncertain if any of the lots with existing shared driveways would like to redevelop this type of structure. There is, however, some desire to allow such a condition to continue as evidenced Mr. Bryant's letter and the Council's decision to proceed with this ordinance amendment. While this condition is not a typical allowance under zoning codes and there are concerns for fire separation, air and light circulation, and potential over massing of the lots, there are also options that could be considered to mitigate the impacts of a single garage structure shared over a lot line. Such options include language to address where such structures could be developed, the size of the overall structure, the height of the structure, the location on the lot, and possibly the aesthetics of the structure to verify that the character of the neighborhood is maintained.

Staff suggested to Council that, <u>at minimum</u>, the following limitations be included as part of a text amendment to regulate shared common lot line garages:

1. Shared common lot line garages and accessory structures should only be permitted for lots in which an existing common lot line garage or accessory structure exists, or on lots where substantial proof can be submitted showing that a shared common lot line garage or accessory structure had previously existed.

- 2. The structure should not be allowed in the front yard or within the side yard setback adjacent to the public right-of-way in the case of corner lots.
- 3. In the case of a corner lot a garage or accessory building should be set back a minimum of 25 feet from the abutting streets.
- 4. A detached garage or accessory building on a lot with a 1 story principal building should not exceed the height of the principal building.
- 5. Detached garage or accessory buildings on a lot with a principal building that is taller than 1 story should not exceed 80% of the height of the principal building or 20 feet, whichever is lower.
- 6. The structure should not exceed a maximum of 1,200 square feet shared between the two properties.
- 7. The cumulative garage door width should not exceed eighteen (18) feet per lot. Doors less than eight feet in width, such as for lawn and garden equipment, would be exempt from this requirement.

Limitations 2 through 5, as noted above, are current regulations for private garages and accessory structures. These can be made applicable for shared common lot garages to maintain consistent setbacks and heights of such structures throughout the city, with the exception of the common lot line. Limitations 6 and 7 were adapted from the current codes for two family dwellings, which allow each lot, or both dwellings, to have a functional garage space while still helping to mitigate the concern for the mass of a shared structure. By the numbers noted, each lot could have a 20' by 30' two car garage with an 18' double door.

Staff recommended to Council that detailed limitations such as those above be put in place to identify the lots on which such structure could be located and the limitations of the structure on the lots. Staff also recommended that applications meeting these criteria be given administrative approval by staff without the need for a special use permit or other site review approval.

Attachment 1 Location Map for 220-224 S. Riverside Drive





Location Map 220-224 S. Riverside Drive



#### Attachment 2 Letter and Example Site Plans

3-09-13 PKts.

March 4, 2013

Madam Mayor and members of the Ames City Council

My name is Jeff Bryant; I am a long time Ames resident and property owner. Several years ago I planned a property improvement project where I live in Ames. Not only did it require the proper building permits, it also required special zoning considerations. City staff guided me through the process for a zoning variance. The request was denied by strict adherence to the zoning code language. Although my individual case is rare, it is not entirely unique in Ames. I believe the case I made was very reasonable and the best approach to a set of physical characteristics that I have at my properties. I feel that you cannot apply the general zoning language to my particular circumstance. Recently I had an informal conversation with City staff regarding my proposed project. It was discussed that a zoning text amendment as it pertains to my exact set of circumstances maybe worth your consideration. Following is a description of my project for you to consider for a text amendment.

I own and reside at 220 S Riverside Dr and also own 224 S Riverside Dr next door. My two properties were built around the 1920s, with a single shared driveway between the 2 houses, which leads to a shared 2 car garage. The garage straddles the lot line, with half of the garage belonging to one property, the other half to the other property. In the 20 years that I have owned these properties, this arrangement has worked well. The existing garage is currently working; however it is to the point where it needs some attention to its physical condition. It makes economic sense to remove the existing garage to build a new garage(s). A new structure would comply with building codes much easier than retrofitting the existing structure. Another factor is a new garage could be a size that would better accommodate modern vehicles.

We first looked at replacing the current shared garage with two separate garages to adhere to side yard setback requirements. Given the narrow width of the driveway between the houses, the new garages would need to be placed much further back on the lots to accommodate the entry angle of a vehicle to get around the houses. It became apparent that two separate garages with driveways leading up to them would dominate the backyards. The space between the garages that would be created by the setbacks to the lot line, becomes a considerable amount of wasted space. Also, the space behind the garages cannot be viewed from the houses or effectively used.

At that point, we started looking at the original design intent of the two properties. Having a shared driveway and a shared garage really works the best. Given the limited amount of distance between the homes and size of back yards, the common drive and garage is an efficient use of the properties lot size that maintains desired green space.

We have proposed a new shared garage to replace the existing shared garage. The design of the new garage would match the character and scale of the property and neighborhood. With modern building materials, fire separation can be achieved, as well as other building code compliance. The concept is similar to shared garages with duplexes and townhomes. The abstracts for the two properties currently contain an agreement for a shared garage and driveway.

#### Attachment 2 (Cont.) Letter and Example Site Plans

We are asking for you to consider a zoning text amendment that would contain the necessary language to allow us to replace an existing common shared garage with a new common shared garage with no side yard setbacks. I have observed other shared driveway situations in other older Ames neighborhoods. One in particular was granted a building permit in 1991 for a shared common garage, much like we are proposing. Our situation is rare, but not totally unique.

Thank you for your consideration,

Jeff Bryant 220 S Riverside Dr Ames

Attachments: elevations and site drawings



220 S Riverside Dr

224 S Riverside Dr

#### Attachment 2 (Cont.) Letter and Example Site Plans





Attachment 2 (Cont.) Letter and Example Site Plans


# Attachment 2 (Cont.)

Letter and Example Site Plans



Attachment 3 Shared Garage and Shared Driveway Map





#### **ORDINANCE NO.**

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 29.408(7)(d) THEREOF, FOR THE PURPOSE OF THE ADDITION OF REGULATIONS TO ALLOW FOR THE CONSTRUCTION OF SHARED COMMON LOT LINE GARAGES; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Section 29.408(7)(d) as follows:

#### Sec. 29.408. OTHER GENERAL DEVELOPMENT STANDARDS. Section 29.408(7)(d):

- (d) The following requirements apply to shared common lot line garages and accessory buildings in Agricultural, Residential and Hospital/Medical districts:
  - (i) Location Within Setbacks.
    - a. Shared common lot line garages shall be permitted only on lots where an existing common lot line garage exists, or on lots where substantial proof can be submitted indicating a shared common lot line garage had previously existed.
    - b. No detached garage or accessory building is allowed in the front yard, or within the side yard setback adjacent to public right-of-way in the case of corner lots.
  - (ii) Height.
    - a. A detached garage or accessory building on the same lot with a one story principal building shall not exceed the height of that principal building.
    - b. Detached garage or accessory buildings on the same lot with a principal building that is taller than one story shall not exceed 80% of the height of the principal building or 20 feet, whichever is lower.

(iii) Size.

- a. Detached garages and accessory buildings in the rear yard shall not occupy more than 25% of the combined rear yard of the two subject lots.
- b. The structure should not exceed a maximum of 1,200 square feet shared between the two properties.
- c. In any Agricultural or Residential district the cumulative garage door width shall not exceed eighteen (18) feet per lot. Doors less than eight feet in width, such as for lawn and garden equipment, are exempted from this requirement.
- (iv) General Requirements.
  - a. Driveways to streets. The driveway leading from a street to the entrance of a detached or attached garage shall be at least 20 feet long measured from the property line.
  - b. Driveways to alleys. The driveway leading from an alley to the entrance of a detached or attached garage shall be at least 8 feet long.
  - c. No detached garage or accessory building shall contain habitable space and/or a bathroom, except for recreational uses requiring plumbing such as a pool house.
  - d. The construction of a detached garage or accessory building shall not precede the construction of the principal building on the same lot.
- (v) Special Setbacks.

- a. In cases in which the rear yard of a lot abuts the front yard of an adjoining lot, a detached garage or accessory building in the rear yard shall be not less than 6 feet from the adjoining property line for the distance of the required front yard setback on the adjoining lot.
- b. In no case shall a detached garage or an accessory building in the rear yard be placed closer than 15 feet to any lot line that abuts a street.
- (vi) Agreement. All shared driveways and shared common lot line garages shall be acknowledged as such and the respective owners of the affected lots shall have the right to use such driveways and shared common lot line garages jointly. Cross easements shall be granted over, across and under that portion of each owner's lot where such shared driveway is located. In addition, the rights and responsibilities for the construction, maintenance, repair and rebuilding of such driveway and shared lot line garage shall be addressed in the cross easement documents and submitted to staff."

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

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

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

Passed this \_\_\_\_\_\_ day of \_\_\_\_\_\_, \_\_\_\_\_.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

# COUNCIL ACTION FORM

#### SUBJECT: RINGGENBERG PARK SUBDIVISION REVISED MASTER PLAN

#### BACKGROUND:

On July 12, 2005, the City Council approved rezoning and a Master Plan for property located at the southwest corner of Cedar Lane and Oakwood Road, which became Lot 79 of the Ringgenberg Park Subdivision. The approved zoning designation is FS-RM (Suburban Residential Medium Density) and the Master Plan provided for 130 multi-family dwelling units on the 17.4-acre site. (See Location Map and current approved Master Plan attached.) The current zoning of surrounding properties is shown on an attached map.

Friedrich Development recently submitted a revised Master Plan for the property which generally differs from the approved Master Plan in the following elements (See Proposed Master Plan attached):

- The size of the subject property is reduced from 17.4 to 16.14 acres, due to dedication of street right-of-way along Oakwood Road.
- The number of proposed multi-family buildings is reduced from 13 to 12.
- The maximum number of proposed dwelling units is increased from 130 units to a maximum of 144 units (12 per building), an 11 percent increase.
- The net density of the proposed development is increased from 10.12 units per acre to 11 units per acre, a 9% increase
- Setback of buildings from the centerline of Oakwood Road is changed from 150 feet to a range of approximately 120 feet to 170 feet.
- All access from Suncrest Drive is removed and one access from Oakwood Road is added.
- Parking is moved from the perimeter to the interior.
- The landscape area is reduced slightly, but a significant portion of the open space is moved from the interior to the perimeter of the site.
- The width of landscape buffers is not specified.
- Mid-block walks are added connecting to walks to the south.
- The buildings change from 10 units in the two-story, 'big house' design concept to more conventional two-story, 12-unit multi-family buildings.

The proposed uses are permitted in the FS-RM zoning district with City Council approval of the revised Master Plan. The Master Plan is intended to be a general conceptual plan, recognizing that other codes and standards of the City will need to be met and that further detail will be provided in later steps of the process, including the required Preliminary Plat and Major Site Development Plan. Both of these plans also require City Council approval.

Staff has reviewed the proposed Master Plan in the context of the attached goals and objectives of the Land Use Policy Plan relevant to this project. Staff concludes that the proposed plan is compatible with the City's Land Use Policy Plan.

Staff also concludes that the proposal is consistent with the purpose of the Suburban Residential zoning district, which is to accommodate contemporary development patterns similar to development in the past 20 to 30 years. (Ames Municipal Code Section. 29.1202)

The Master Plan must also be consistent with the Suburban Residential Development Principles and Regulations. From the attached analysis of the proposal relative to these principles and regulations, staff has made the following conclusions and recommends the following conditions:

- Various Development Agreements provide for the bike path along the west side of Cedar Lane and the south side of Oakwood Road from the northeast corner of the site to the northwest corner of the site, including the frontage of the Ringgenberg farmstead.
- As traffic in this southwest part of Ames increases, a turn lane on Oakwood Road may be needed, for which Developer will deposit \$80,000 into an escrow account. The deposit will be made on a pro-rated basis as the dwelling units on the north side of this property are completed.
- In order to meet net density requirements, Outlot A should be designated both as Common Open Space and Future Development. It can be developed at a later time only after City Council approves a Master Plan and/or Plat documents that remove the Common Open Space Designation.
- The revised Master Plan should include the following landscape buffers of trees and shrubs, which are shown on the current approved Master Plan. All are to be installed with occupancy of the first residential units. These include the following buffers:
  - 50 feet on the north outside of the area planned for future utility line installation
  - 60 feet on the west
  - 20 feet on the east and south
- The proposed revised Master Plan shows building footprints with the shorter façade of each building facing either Oakwood Road or Sunset Drive, which should be a requirement of the Plan.
- The developer proposes to build two-story buildings. Making this a requirement of the Master Plan will better meet the standard for compatibility with surrounding development.

# With these conditions, staff concludes that the proposed Master Plan complies with Suburban Residential Development Principles and Regulations.

**Planning and Zoning Commission.** On May 15, 2013 the Planning and Zoning Commission considered the proposed revised Master Plan. Members of the Commission raised the following questions and concerns:

- Potential traffic impacts and whether previous studies need to be updated
- Timing of completing the bike path along Oakwood Road
- Liability for ponds
- Why the plan has changed
- Storm water issues

Five people spoke in opposition to the revisions or identified the following concerns:

- Future number of units if farmstead parcel is redeveloped
- Increase in number of buildings fronting Suncrest Drive
- Connectivity of pedestrian and bike paths
- Existing plan is better fit in the community
- Storm water drainage and erosion
- Developing rental apartments rather owner-occupied condominiums
- Traffic safety due to offset intersections
- Need for new traffic study
- Need for completion of the Oakwood bike path
- Light pollution
- Style and fit of the proposed conventionally designed apartment buildings compared to the approved design of "Big House" concept condominiums, with specific reference to how the roofs, building materials and shape of the buildings fit with existing surrounding homes

Warren Madden, speaking for Iowa State University, neighboring property owner to the west, supported the proposed 60-ft landscape buffer along the west side of the project because the use of the University property will be agricultural for the foreseeable future. The University supports the completion of the bike trail from Christofferson Park to State Street early in the development process and is prepared to install the segment along the frontage of University property. The University also supports a new traffic study.

With a vote of four in favor, none against and one abstention, the Planning and Zoning Commission recommended that the City Council approve the revised Master Plan with the following recommended modifications to the Plan:

- a. Outlot A to be designated both as Common Open Space and Future Development;
- b. Add the following widths to the landscape buffers:
  - i. 50 feet south of the Oakwood Road right-of-way
  - ii. 60 feet on the west
  - iii. 20 feet on the east and south
- c. Add note that all landscape buffers are to be installed with occupancy of the first residential units;
- d. Add note that no buildings will exceed two stories;
- e. Add note that a shorter façade of each building shall face either Oakwood Road or Sunset Drive;
- f. Consideration be given to concerns that were raised relative to the bike path, traffic impact, drainage issues, and intersection locations.

In response to item "f" in the above recommendation of the Planning and Zoning Commission, staff has prepared the following additional information for Council's consideration.

**Bike Path.** Representatives of the City, the University and the developer have met several times since that meeting and have made progress on determining where and how the bike path can be constructed. Design will be proceeding on the entire remaining Oakwood Road section. The cooperation of Iowa State University in implementing this project has been instrumental in the progress that is being made.

**Traffic Impact.** Before the rezoning of this property in 2005, a traffic impact study was completed. Based on that study, Cedar Lane has been constructed and a Development Agreement is in place providing funding for a turning lane at Cedar Lane if it is needed in the future. In 2010, the Long Range Transportation Plan was approved. As part of the basis for future transportation planning, it included the residential development of the subject property and the other property planned for future Urban Residential land use between Ringgenberg Park subdivision and University Boulevard. Other than the planned extension of Cottonwood Road connecting to University Boulevard as properties develop, the Plan did not identify any future roadway projects needed in this area. In the meantime, the quantity of residences planned in this area has been reduced by about 100 units.

**Drainage Issues.** The drainage pattern of the subject property is from south to north. It is a separate drainage area than the south portion of Ringgenberg Park subdivision that has been developed with single family detached homes. A portion of the property drains to the existing storm sewer on the south side of Oakwood Road. Due to localized flooding in this area during the severe storm events of 2010, federal funding was sought to improve this system but was not received. During the platting process, plans will be developed and presented for City Council approval to manage the storm water consistent with the ordinances, codes and standards of the City. These require that the rate that storm water leaves the site after it is developed may not exceed the rate it leaves the site in its pre-developed condition. The rate of storm water flow to existing storm drainage systems also may not exceed the capacity of those systems. These requirements must be met for various kinds of rainfall events.

**Intersection Locations.** One new intersection is proposed, a drive to Oakwood Road at the northwest corner of the site. City staff proposed this location as the least likely to have traffic conflicts, since across Oakwood Road is a narrow frontage of a large residential lot that already has access from Oakwood Road at a point further to the east.

# ALTERNATIVES:

- 1. The City Council can approve the revised Master Plan with the following modifications to the Plan:
  - a. Outlot A to be designated both as Common Open Space and Future Development;
  - b. Add the following widths to the landscape buffers:
    - i. 50 feet south of the Oakwood Road right-of-way
    - ii. 60 feet on the west
    - iii. 20 feet on the east and south
  - c. Add note that all landscape buffers are to be installed with occupancy of the first residential units;
  - d. Add note that no buildings will exceed two stories: and
  - e. Add note that a shorter façade of each building shall face either Oakwood Road or Sunset Drive.
- 2. The City Council can approve the revised Master Plan without conditions or modifications.

- 3. The City Council can approve the revised Master Plan with other conditions or modifications.
- 4. The City Council can deny the revised Master Plan.
- 5. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information.

# MANAGER'S RECOMMENDATION:

At the May 15 Planning and Zoning Commission meeting, neighboring property owners expressed a number of concerns about the revised Master Plan. The Commission recommended that consideration be given to concerns that were raised about the bike path, traffic impact, drainage issues, and intersection locations. Additional information has been provided above to describe how these issues have been considered and will continue to be considered during subsequent steps of City Council approval required for this project to continue.

The developer has submitted a Master Plan for this site that is consistent with the Land Use Policy Plan and the purpose, principle and regulations of the Suburban Residential zone with certain modifications made.

Therefore, it is the City Manager's recommendation that Alternative #1 be adopted, thereby approving the revised Master Plan with the following modifications:

- a) Designate Outlot A both as Common Open Space and Future Development;
- b) Add the following widths to the landscape buffers:
  - i. 50 feet south of the Oakwood Road right-of-way
  - ii. 60 feet on the west
  - iii. 20 feet on the east and south
- c) Add note that all landscape buffers are to be installed with occupancy of the first residential units;
- d) Add note that no buildings will exceed two stories: and
- e) Add note that a shorter façade of each building shall face either Oakwood Road or Sunset Drive.

This action will allow the developer to move forward with the project and to prepare the Preliminary Plat and Major Site Development Plan for future Council consideration.

**Location Map** 



# **Current Approved Master Plan**



# Proposed Revised Master Plan Sheet 1



# Proposed Revised Master Plan Sheet 2



# **Existing Zoning**





#### Suburban Residential Development Principles.

From Ames Municipal Code Section 29.1202(2)

Property that is developed according to the Suburban Residential requirements shall create a development pattern that adheres to the following development principles:

- (a) A development pattern that contains generally distinct and homogeneous land uses. This development is to occur in the remaining in-fill areas and the targeted growth areas where the property owner does not select Village Residential development.
  - The developer intends to develop this site with multi-family dwelling units in 12unit buildings. This development pattern will establish a distinct and homogeneous medium density residential use in an infill area of low density residential use within the Southwest II Allowable Growth Area.
- (b) An economic and efficient subdivision design with respect to the provision of streets, utilities, and community facilities with limited focus on building and development design integration and greater emphasis on vehicular mobility.
  - The developer has submitted a Master Plan that represents an economic and efficient design, using existing streets and existing and future walks and shared use paths. The proposed project maintains the previously approved land use and dwelling type, multi-family (apartment) residential units, with condominium ownership regime.

# (c) Effective landscape buffers between distinctly different land uses.

The FS-RM zoning standards require a landscape buffer of at least 10 feet width in the setback area of a lot where it is adjacent to a lot zoned FS-RL. The proposed Master Plan illustrates landscaping around the site perimeter. The current approved Master Plan includes the following specific landscape buffers, consisting of a mixture of overstory, understory, and evergreen trees and shrubs:

- On the north, a landscape buffer with 50 feet outside the area of existing and future utilities. The land to the north of the subject site, on the north side of Oakwood Road, is zoned "RL" (Residential Low Density) and consists of detached single-family residences on large lots.
- On the west, a 60-foot landscape buffer adjacent to land owned by Iowa State University and in agricultural use.
- On the east and south, a 20-foot wide landscape buffer, where adjoining uses are a church and existing and proposed suburban style development of single-family detached residences.

- (d) The provision of common open space in residential areas, where the maintenance of the open space is the responsibility of those directly benefiting.
  - The zoning standards for the FS-RM zoning district require common open space to comprise a minimum of 10% of the gross area of the property. This common open space may not include land within required setback areas. The developer is proposing to provide approximately 57 percent of the site in open space. Walking trails will be extended throughout the provided open space. These walking trails will also connect to public bike paths that will be constructed on Cedar Lane and Oakwood Road, as well as to the public sidewalks in the proposed development to the south of the subject site.
  - The developer will establish a property owners association to maintain the open space on the site.
- (e) A development pattern that ensures compatibility in the design of buildings with respect to placement along the street, spacing, and building height; and provides for spaciousness and effective vehicular and pedestrian circulation.
  - The surrounding neighborhood is comprised of a variety of housing/building types, including a church, multi-family buildings, agricultural buildings, and one and two-story single-family residential homes. Therefore, in order to meet this standard, the current approved Master Plan restricts building height to two-stories and requires buildings to be set back a minimum of 50 feet from the perimeter of the site. The FS-RM zoning standards require multi-family buildings to be no more than 50 feet or four stories in height, whichever is lower, and require the buildings to be set back at least 25 feet from any of the street rights-of-way and 8 feet to 20 feet from the west property line, depending on the building height. Landscaping will be provided around the perimeter of the site.

# (f) A development pattern that is compatible with the surrounding neighborhoods and is consistent with the Goals and Objectives of the Land Use Policy Plan.

- As mentioned previously, the surrounding neighborhood is comprised of a variety of housing/building types, including a church, multi-family buildings, agricultural buildings, and one and two-story single-family residential homes.
- The goals and objectives of the Land Use Policy Plan (LUPP) that are relevant to this proposal are attached.

# Suburban Residential Regulations From Ames Municipal Code Section 29.1202(6)

Suburban Reside	ntial Floating Zone Suburban Regulations
SUBURBAN REGULATIONS	F-S ZONE
Minimum Density	*The minimum average density for one and two-family
Suburban Residential Low	dwelling units, two-family dwelling units, and single family
Density	attached dwelling units in areas zoned FS-RL shall be 3.75
(FS-RL)	dwelling units per net acre. Net acres shall be determined by
	subtracting from the gross acreage of a subdivision the land
	area devoted to the following uses or containing the following
	characteristics:
	<ol> <li>Public or private right-of-way:</li> </ol>
	2. Common open space owned by the City of Ames or
	owned by property owners in common through a
	Homeowner's Association or a similar private entity
	3. Areas of severe slope where the topography exceeds 10%
	as determined by the Story County Soil Survey;
	4. Areas containing natural resources as identified in the
	Natural Areas Inventory of the City of Ames dated 1994.
	5. Areas reserved as an outlot or by easement to the city for
	planting as woodland, prairie, wetland or other native plant
	community.
	6. Stormwater detention areas and stormwater retention
	ponds required by the Ames Municipal Code or as a condition
	of a permit or other City approval.
	7. Areas reserved as an outlot or by easement to the city to
	protect natural archeological and/or historic features.
Minimum Density	The minimum density for monorty developed in the EC DM
Minimum Density Suburban Residential Medium	The minimum density for property developed in the FS-RM
	zone shall be 10 units per acre.
Density (FS-RM)	Disable restriction of 660 fast in length on a black fast
Lot and Block Design	Block lengths that exceed 660 feet in length on a block face
Requirements	shall contain a mid-block cut through or cross walk to enable
	effective pedestrian movement through the block. From one
One of Control Promised and	street to another street on the opposite block face.
Open Space Requirement	A minimum of 10% of the gross area shall be devoted to
	common open space. A minimum of 15% of the gross area
	shall be devoted to common open space for back-to-back single family attached dwellings. Common open space shall
	be owned and maintained by the City of Ames or by a Homeowner's Association or a similar private entity.
Landscape Buffer Requirement	A landscaped buffer of 10 feet in width shall be provided in
Landscape Burlet Requirement	
	the setback area of any lot zoned FS-RM where the lot is
	adjacent to any lot zoned FS-RL. The landscaping shall
	adhere to the L.3 Standards as provided for in Section 29.403
n ti n	of the ordinance.
Parking Requirements	Parking shall be provided to meet the requirement as set forth
ļ	in Section 29.406 of this ordinance.

Table 29.1202(6) Suburban Residential Floating Zone Suburban Regulations

**Goal No. 1.** Recognizing that additional population and economic growth is likely, it is the goal of Ames to plan for and manage growth within the context of the community's capacity and preferences. It is the further goal of the community to manage its growth so that it is more sustainable, predictable and assures quality of life.

Objectives. In managing growth, Ames seeks the following objectives.

- 1.A. Ames seeks to diversify the economy and create a more regional employment and market base. While continuing to support its existing economic activities, the community seeks to broaden the range of private and public investment.
- 1.B. Ames seeks to integrate its growth with an economic development strategy for the Central Iowa region.
- 1.C Ames seeks to manage a population and employment base that can be supported by the community's capacity for growth. A population base of 61,000-73,000 and an employment base of up to 34,000 is targeted within the City. Additionally, it is estimated that the population in the combined City and unincorporated Planning Area could be as much as 67,000 and the employment base could be as much as 38,000 by the year 2030.

**Goal No. 2**. In preparing for the target population and employment growth, it is the goal of Ames to assure the adequate provision and availability of developable land. It is the further goal of the community to guide the character, location and compatibility of growth with the area's natural resources and rural areas.

<u>Objectives</u>. In assuring and guiding areas for growth, Ames seeks the following objectives.

- 2.A. Ames seeks to provide at least 600 to 2,500 acres of additional developable land within the present City and Planning Area by the year 2030. Since the potential demand exceeds the supply within the current corporate limits, alternate sources shall be sought by the community through limited intensification of existing areas while concentrating on the annexation and development of new areas. The use of existing and new areas should be selective rather than general.
- 2.B. Ames seeks to assure the availability of sufficient suitable land resources to accommodate the range of land uses that are planned to meet growth. Sufficient land resources shall be sought to eliminate market constraints.
- 2.C. Ames seeks a development process that achieves greater compatibility among new and existing development.

- 2.D. Ames seeks a development process that achieves greater conservation of natural resources and compatibility between development and the environment.
- 2.E. Ames seeks to integrate its planning with that of Story County and surrounding counties in assuring an efficient and compatible development pattern, and in assuring that there are adequate agricultural resources to serve the region.

**Goal No. 3.** It is the goal of Ames to assure that it is an "environmentally-friendly" community and that all goals and objectives are integrated with this common goal. In continuing to serve as a concentrated area for human habitat and economic activity, Ames seeks to be compatible with its ecological systems in creating an environmentally sustainable community.

<u>Objectives</u>. In assuring the community's "environmental-friendliness", Ames seeks the following objectives.

- 3.A. Ames seeks to provide biodiversity through the inclusion of plant and animal habitats. Their inclusion shall be provided through such methods as conservation management, protection, replacement, etc.
- 3.B. Ames seeks to maintain and enhance the value of its stream corridors as drainageways and flood management areas, plant and animal habitats, recreational and scenic areas and pathways for linking the overall community.
- 3.C. Ames seeks to protect and conserve its water resources for the following purposes: aquifer protection; water quality protection; user conservation management; plant and animal life support; water-borne recreation; scenic open space; and, provision of a long-term/reliable/safe source of water for human consumption and economic activities.
- 3.D. Ames seeks to protect and conserve its energy sources for the following purposes: energy consumption reduction through provision of an integrated multimodal transportation system, and through land use practices that minimize vehicular trips; user conservation management; material recycling; and, long-term/reliable/safe source for the support of human and economic activities.
- 3.E. Ames seeks to protect and enhance its air quality and sky access for the following purposes: maintaining an atmosphere that is free of foreign particles and undesirable odors; oxygen enrichment through plant life; glare and ambient light management for night sky viewing; noise transmission management; and, provision of a long-term/reliable/safe source of clean air for the support of human and economic activities.

**Goal No. 4.** It is the goal of Ames to create a greater sense of place and connectivity, physically and psychologically, in building a neighborhood and overall community identity and spirit. It is the further goal of the community to assure a more healthy, safe and attractive environment.

<u>Objectives</u>. In achieving an integrated community and more desirable environment, Ames seeks the following objectives.

- 4.A. Ames seeks to establish more integrated and compact living/activity areas (i.e. neighborhoods, villages) wherein daily living requirements and amenities are provided in a readily identifiable and accessible area. Greater emphasis is placed on the pedestrian and related activities.
- 4.B. Ames seeks to physically connect existing and new residential and commercial areas through the association of related land uses and provision of an intermodal transportation system.
- 4.C. Ames seeks to psychologically connect the various living/activity areas through closer proximity of residential areas and supporting commercial uses, common design elements and inclusion of community amenities such as parks and schools. The connections should promote community identity.

**Goal No. 5**. It is the goal of Ames to establish a cost-effective and efficient growth pattern for development in new areas and in a limited number of existing areas for intensification. It is a further goal of the community to link the timing of development with the installation of public infrastructure including utilities, multi-modal transportation system, parks and open space.

<u>Objectives</u>. In defining the growth pattern and timing of development, Ames seeks the following objectives.

- 5.A. Ames seeks to establish priority areas for growth in which there are adequate and available land resources and infrastructure to meet the major development requirements through the year 2030.
- 5.B. Ames seeks to attract public and private capital investment in the priority areas for growth on a concurrency basis (i.e. having infrastructure available at the time of development approval). Public capital improvements (e.g. trunk lines and a major street system) could be used to leverage the location of development a the availability of land.
- 5.C. Ames seeks the continuance of development in emerging and infill areas where there is existing public infrastructure and where capacity permits.
- 5.D. Ames seeks to have the real costs of development borne by the initiating agent when it occurs outside of priority areas for growth and areas served by existing infrastructure.
- 5.E. Ames seeks to integrate its planning with that of Story County and regional planning agencies.

**Goal No. 6.** It is the goal of Ames to increase the supply of housing and to provide a wider range of housing choices.

Objectives. In increasing housing opportunities, Ames seeks the following objectives.

- 6.A. Ames seeks to increase the overall supply of low and moderate-income housing through the following means: (1) conservation of such units in existing areas that are not designated for redevelopment or intensification; and, (2) inclusion of such units in new market-driven housing developments through zoning incentives.
- 6.B. Ames seeks to establish densities of a net average 5.6 dwelling units per acre in maximizing the number of housing units in new areas.
- 6.C. Ames seeks to establish higher densities in existing areas where residential intensification is designated with the further objective that there shall be use and appearance compatibility among existing and new development.
- 6.D. Ames seeks to make housing ownership and rental more available and accessible through relieving the current constraints to land supply/availability. Relief is sought through increasing the supply of land by the following means: (1) releasing lands for development that are currently controlled by institutions; (2) annexing new lands; and (3) expediting development by targeting areas for public and private cooperative efforts.



June 4, 2013

Mayor Ann Campbell City of Ames 515 Clark Ave. Ames, IA 50010

RE: Ringgenberg Executive Apartment Condominiums project

Dear Mayor Campbell:

The purpose of this memo is to provide support for the proposed project being brought forward by Kurt Friedrich relative to a new apartment complex in south central Ames. As proposed, this project will provide multi-family units for working professionals and young families. This is an obvious need in our community as evidenced by the work of the Chamber and Iowa State University to attract businesses to the industrial park and Dayton Avenue

The effort to increase multi-family housing would be a great start to attract new young families and workers to live in our community and has been a serious need for a long time. The fact that the project is very close to the research park can only serve to attract the target population and enhance the continued growth of Ames.

My support for this project centers on advocating for the Ames Community Schools and the possibility that young families will mean increased student enrollment, the basis in the public education funding formula and in the programming possibilities for kids.

Ames has lots to offer and this project has the potential to keep us vibrant and growing. Please give the project your strongest consideration.

Sincerely,

Tim E. Taylor, Ph.D. Supt. Ames Community Schools

415 Stanton Avenue 515.268.6600 telephone 515.268.6633 facsimile

#### COUNCIL ACTION FORM

# SUBJECT: 2012/13 CYRIDE ROUTE PAVEMENT IMPROVEMENTS (TODD DRIVE/ SOUTH DAKOTA AVENUE TO ALCOTT AVENUE)

#### BACKGROUND:

This is the annual program for pavement improvements to streets that are or were bus routes. These streets were originally designed and built for lighter residential traffic. With these streets designated as bus routes, accelerated deterioration of the street pavement occurred. Pavement improvements will now restore or improve these street sections to carry projected traffic volumes.

The 2012/13 project locations are Todd Drive (South Dakota Avenue to Alcott Avenue) and Lincoln Way (Franklin Avenue to Hayward Avenue). The work involves a mill and asphalt overlay of the existing pavement, as well as a section of full-depth pavement replacement. Council previously awarded the Lincoln Way project to Manatt's, Inc. in the amount of \$649,697.97.

On June 5, 2013, bids on this project were received as follows:

Engineers Estimate	\$221,355.00
Manatt's, Inc.	\$201,992.08

A table with the estimated funding and cost breakdown, including estimated engineering and administrative costs between the different locations, is shown below:

Engineering/Admin (estimated – overall program)	\$	200,000.00
Todd Drive – South Dakota to Alcott (this project)	\$	201,992.08
Lincoln Way – Franklin to Hayward (under contract)		649,698.00
	\$1	.051.690.08

This program is financed in the amount of \$1,420,000 with General Obligation Bonds.

Staff has coordinated with CyRide and City of Ames Electric regarding the timing and impact of this project.

#### ALTERNATIVES:

- 1a. Accept the report of bids for the 2012/13 CyRide Route Pavement Improvements (Todd Drive from South Dakota Avenue to Alcott Avenue).
  - b. Approve the final plans and specifications for this project.

- c. Award the 2012/13 CyRide Route Pavement Improvements (Todd Drive from South Dakota Avenue to Alcott Avenue) to Manatt's, Inc. of Ames, Iowa, in the amount of 201,992.08.
- 2. Do not proceed with the project at this time.

#### MANAGER'S RECOMMENDED ACTION:

By approving this project, the structural integrity of the designated streets will be restored during the 2013 construction season.

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 2012/13 CyRide Route Pavement Improvements (Todd Drive from South Dakota Avenue to Alcott Avenue) to Manatt's, Inc. of Ames, Iowa, in the amount of \$201,992.08.

### COUNCIL ACTION FORM

#### SUBJECT: 2013/14 RESOURCE RECOVERY PRIMARY SHREDDER REPLACEMENT (PHASE II)

#### BACKGROUND:

On March 26, 2013, City Council originally approved plans and specifications for the replacement of the existing primary shredder and discharge conveyor, along with associated electrical and chute work. This project is planned to be completed in 14 days and to coincide with the Power Plant fall maintenance outage in October / November 2013. On April 18, 2013, one bid was received for the project. However, this bid was deemed non-responsive because a bid bond was not submitted with the proposal form, as required. The project was approved for rebid by City Council on May 14, 2013.

On June 5, 2013, bids on this project were received as follows:

\$1,310,100
\$1,473,900
\$1,414,900
\$1,718,550

Renewable Resource Consultants (RRC) of Maple Grove, Minnesota, completed the plans and specifications with a cost estimate for the project of \$1,154,700. With the low bid of \$1,310,100 and estimated engineering/administration of \$99,400, total estimated costs are \$1,409,500.

Installation is programmed in the 2013/14 Capital Improvements Plan (CIP) with funding in the amount of \$1,000,000 from Resource Recovery revenue abated General Obligation Bonds. On January 8, 2013, Council also approved funding of \$130,000 from the Resource Recovery Fund for qualified engineering design services, bringing programmed funding to **\$1,130,000**.

In order to fund this project at the lowest bid amount, additional funding must be identified. This funding is available from previously approved capital improvement projects. In the 2013/14 CIP there is **\$60,000** programmed for energy efficiency equipment to meet Electric Service Power Factor requirements. However, staff has been able to make energy improvements at the Plant that accomplished the power factor goal. Next, **\$94,000** is programmed for maintenance of the secondary shredder motor. This activity was able to be accomplished within the current operating budget. Phase 1 of the current Process Area Sprinkler System Replacement is funded at \$270,370, but was awarded at \$194,300. This, along with estimated engineering of \$24,700, provides for a savings of **\$51,370**. Additional louvers for the tipping floor are also programmed in the amount of **\$22,000**. Given the priority of replacing this shredder, staff feels that the current air flow is sufficient and this project is no longer necessary. Finally, there were two painting projects (roof equipment and a plant wall)

scheduled in the 2012/13 CIP in the amount of **\$60,000.** These are cosmetic in nature and will not be performed.

With these cumulative additional savings, the total available funding to complete this shredder project is \$1,417,370.

# ALTERNATIVES:

- 1a. Accept the report of bids for the 2013/14 Resource Recovery Primary Shredder Replacement (Phase II).
  - b. Approve the final plans and specifications for the 2013/14 Resource Recovery Primary Shredder Replacement (Phase II).
  - c. Approve reallocation of programmed funding, as noted above.
  - d. Award the 2013/14 Resource Recovery Plant Primary Shredder Replacement (Phase II) to A-Lert Construction Services, Fredonia, KS in the amount of \$1,310,100.
- 2. Reject the project.

# MANAGER'S RECOMMENDED ACTION:

This is a very important project for the long-term success of the Resource Recovery System. By awarding this project at this time, Phase II of the shredder replacement can be made during the Power Plant's fall maintenance outage.

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, approving reallocation of programmed funding as noted above, and awarding the 2013/14 Resource Recovery Primary Shredder Replacement (Phase II) to A-Lert Construction Services, Fredonia, KS in the amount of \$1,310,100.

#### Staff Report

# FOLLOW UP ON ANNEXATION OF 2212 OAKWOOD ROAD (CHRISTOFFERSON PROPERTY)

#### June 11, 2013

On May 28, the City Council held a public hearing regarding the voluntary annexation of properties at 2212 Oakwood Road (see Location Map). The properties are owned by Floyd and Anna Christofferson.

After the public hearing, the Council approved Resolution 13-228 approving this voluntary annexation. Having heard concerns from neighbors regarding stormwater run-off in the area, Council also directed staff "to work with the developer and neighbors to explore going beyond existing Codes with regard to storm water management and to look at additional expectations to protect future and adjacent properties."

#### Owners' Withdrawal of Annexation Application

Three days following the Council's approval of the annexation, on May 31<sup>st</sup> a letter was delivered to the City Manager's Office by Floyd and Anna Christofferson withdrawing their application for annexation of those properties.

lowa Code allows either the property owner or the applicant to withdraw a voluntary annexation application within three days of the public hearing. On May 28, 2013 Kurt Friedrich, the applicant, waived this right to withdraw the application. However, Floyd and Anna Christofferson, the property owners, did not waive this right. In their letter withdrawing the application, the Christoffersons did not state any reasons for their action.

#### Drainage Discussion with Developer and Neighborhood

As directed by City Council, on June 6<sup>th</sup> Public Works staff held a meeting to discuss stormwater management concepts of the proposed Christofferson development as they relate to concerns from the adjoining existing subdivisions. In addition to staff, those in attendance included Kurt Friedrich, Scott Renaud (developer's engineer), Steve Jones (engineer hired by Chris Williams), Mark Stephenson (Oakwood Church), Marty Martinez (2311 Suncrest), and Brian Birkland (2914 White Oak). Chris Williams, who spoke before City Council regarding the annexation, was invited but was unavailable to meet on this subject before July. Floyd Christofferson had accepted the invitation, but at the last minute was unable to attend.

Scott Renaud gave an overview of the previous land developments and current land ownership in the area. Mr. Renaud had previously met with Mr. Jones to discuss the proposed Christofferson development stormwater management plan and its interactions with other developed areas, current and future. While it was previously mentioned to Council that Mr. Jones had prepared a report regarding concerns with the proposed plan, he said no such report has yet been written. However, he will be preparing a written synopsis for the neighborhood.

The neighbors were asked about their experience with water problems in the area. They commented that **they have not heard of any surface water damage to area homes**, but that **damage had occurred based on sump pump failure**. This happened because of pumps malfunctioning or the power going out (Alliant Energy territory). It was mentioned that water flows southeast from the church property and ponds in the back yards and in White Oak Drive, immediately to the east. However, this water is temporary and has not caused damage to any homes.

Mr. Renaud then explained the stormwater management plans for the existing subdivisions and gave details of the proposed stormwater management approach planned for the Christofferson development. Major planned components include:

- The existing drainage way south of Cottonwood Road will be regraded, deepened by 6' to 8', a low flow meandering channel will be created, and native plantings will be established. Mr. Jones felt this would greatly help groundwater issues for the homes along Cottonwood Road.
- The new storm sewer along the general area of the Cottonwood Road extension would be sized to carry greater than a 100 year storm (current standard is a 5-year design storm). This sewer will be extended to the current flow connection in Wessex or will be released into a new open channel. Mr. Jones felt this was a reasonable plan.
- The Christofferson development will include a 40' detention and stormwater flow area along the western boundary with Suncrest Subdivision along subdrain tiles through this area. Mr. Jones thought this would help alleviate groundwater issues for those Suncrest homes along White Oak Drive. An 80' detention area with subdrain tiles will also be installed along the eastern boundary of the development.
- Improvements are planned for the southeast corner of Oakwood Church. An additional intake will be installed on the existing line to help alleviate the temporary ponding in that area. Additionally, a subdrain tile will be installed along the south line of the church abutting the rear yards of homes along Suncrest Drive. These improvements should mitigate the issues in this area.
- The developer is also working with the Parks and Recreation Commission to install new berming and storm sewer in the northeast corner of Christofferson Park. This is to mitigate the garage flooding previously experienced in Wessex.

The issues noted above have mainly been groundwater related, and damages have been caused by sump pump failures and power outages. The improvements that are previously mentioned are generally above, or in addition to, what is normally required for stormwater management in new subdivisions. In general, Mr. Jones and the neighbors felt that the proposed plan was reasonable and should address many of the current water issues. Mr. Jones will take a more detailed look at the proposal and prepare a written response for the neighborhood.

Staff will continue to work with all interested stakeholders to identify ways to address the storm water concerns in this area. Should the owners of the Christofferson property again desire to seek annexation, a new application will need to be submitted and the full annexation process will again need to be followed.



# Christofferson Stormwater Meeting Minutes Thursday, June 6, 2013

### Attendees:

Kurt Friedrich Scott Renaud Marty Martinez (2311 Suncrest – lived there 1 year; south of church) Brian Birkland (2914 White Oak Dr. – lived there 12 years) Steve Jones (hired by Chris Williams) Eric Cowles Tracy Warner John Joiner Mark Stephenson (helped church build in county)

\*Floyd Christofferson & Chris Williams were also invited but unable to attend

- Steve Jones met with Chris Williams & walked the subdivision to analyze drainage issues
- Steve met with Scott Renaud last Friday for 2 hours to better understand drainage plan
- Steve has identified a couple of technical issues that we can talk about today & he will issue a written synopsis to homeowner's association
- Scott gave an overview of land ownership in the area, history of storm sewer system, pre-development ponds, planned/developed ponds, and existing tile
- Suncrest 1 is standard subdivision
- Suncrest 2 had drainage easements in backyards; however, private utilities put utilities in these areas and homeowners built fences that block flow
- Ringgenberg 1 has green space with biorention areas in backyards with drainage tiles that lead to storm sewer and then to pond
  - o ISU farm land run-off passes through site
  - o 20 ft. deep forebay, 12 acres +/- wetlands, and then detention/retention basin
  - Twin 24" storm sewers under Cedar Lane to act as overflow for very large storms (overtopped in 2010)
- Ringgenberg RM in 2 drainage areas (part to north across Oakwood and part to storm sewer in Oakwood Rd.)
- Ringgenberg 1 W.S.E. was set with 2 ft of freeboard to lowest egress window of adjacent homes (elevations provided to realtors)
- Sump pump connections to storm pipe (not surface into biorention) in accordance with COA plumbing code
- > Check valves are required to prevent backflow from subdrain
- In Suncrest, sump pumps are connected to subdrain/storm sewer in the street (not tile in back yards)

- > Who owns tiles in backyards COA has within easements?
- Do homeowners know there's an easement in their backyard, and there are designs to have a wet area in their yard?
- Church site: south drainage area of church there's a berm system and the area is flat; there's a beehive grate in the corner
  - Surcharging of pipes at Suncrest/White Oak and backyard (18" and 15" near church lot) in large 2010 flood events (for ½ hour +/-)
- Poor electrical, in smaller rain events even; about once a month Mr. Birkland's power goes out
- Ringgenberg RM:
  - Church ponds runoff in their parking lot (within 1ft of door in 2010 flood events)
  - o RM development will tie into the existing 12" pipe
- Does City have plans to lower Oakwood Road?
  - When church was built they were trying to figure out elevations and flood storage; these will need to be considered if Oakwood Rd. is improved
- > "New" / Proposed development with Christofferson property
  - Connect to Cottonwood have 100' open channel flow behind; would include removal of existing tile
  - New channel will lower grade 6-8 feet (this will help lessen ground water issues for homes on Cottonwood)
  - 80' open space on east side of development (near park) would include a drainage swale (with tile)
  - Having discussions with Parks Commission re: open channel vs. closed pipe flow in 2 areas through park
  - Large storm sewer min. 48" pipe (sized in excess of 100-yr storm) through Cottonwood to park
  - Drainage swale with tile in 40' along west portion of new development in open space (against existing homes with White Oak Dr. address)
  - Are there any recent soil reports that would tell existing water (ground water) elevations?
  - 2403 Cottonwood has continued to do drainage improvements and was wet even last year – COA will test for potable water (resident has talked to Chris Williams but not COA)
  - Steve's opinion is that work south of Cottonwood will really help drainage in the area, as well as large pipe; routing and double-check Wessex pond can handle flows; is there a max release from Wessex pond?
  - Back of church groundwater issues year-round (on/off cycle is hard on them and burns them out)
  - Install additional intake 20' north of existing intake, plus add tile west of intake along church property

#### **COUNCIL ACTION FORM**

# **SUBJECT:** PROPOSED REVISIONS TO THE MUNICIPAL AIRPORT'S FIXED BASE OPERATOR (FBO) CONTRACT

#### BACKGROUND:

On March 27, 2012, City Council approved a one year extension to the Fixed Base Operator (FBO) lease with Hap's Air Service, the current FBO. That lease extension will expire on June 30, 2013. Typically, the City would proceed to solicit proposals from prospective FBO's to determine the best firm to perform critical services at our airport and to establish a specific expiration date for the contract. However, the first change that is being proposed involves an addendum to the existing contract to extend the current FBO lease until such time that the new Ames Airport Terminal is constructed, which is planned in the 2015/16 year of the Capital Improvement Plan (CIP). In the case of unforeseen circumstances, the addendum will also provide an option for 30 days written notice of contract termination.

Given the current vision for the future of the Ames Airport as a gateway to the community, it will be in the City's best interest for the creation of a new FBO lease contract to coincide with the construction of those identified airport improvements. Improvements such as a new Terminal Building and Runway Extension will call for additional and enhanced services that will need to be included in the Minimum Operating Standards of a new FBO lease; one that will reflect the new and growing status of the Ames Airport.

Staff has met with Diana Holden, President of Hap's Air Service, to discuss the terms of the proposed extension. She has agreed to the change that modifies the expiration of the lease to be an event (the construction of the new terminal building) rather than a fixed date.

In discussion with Hap's Air Service, they expressed their desire to reinvest in their business in order to stay current with the growing needs of the airport. Part of this discussion focused on the impact that past and current infrastructure projects, including the recent West Apron Rehabilitation project, has had and is having on their revenues - mainly due to lost fuel sales. Therefore, as part of the lease extension, Hap's Air Service is requesting a second change to the contract for a 50% reduction in their lease payments (excluding fuel flowage fees) for the months of July, August, and September while the West Apron Rehabilitation project is under construction to help mitigate these losses.

Currently, Hap's Air Service pays \$29,000 per year for the FBO lease and \$12,000 per year to lease the T-hangars, which equates to approximately \$3,416.67 per month. A 50% reduction over the first 3 month of FY 2013/14 will equate to a total impact of \$5,125.

It should be noted that, after the completion of the West Apron Rehabilitation project, there are no planned surface improvements that could potentially affect revenues of the FBO until the extension of Runway 01/19. In addition, it is estimated that, over the next five years of the current CIP, only \$30,000 will be needed from the Airport Construction Fund for the Master Plan update.

Equally significant is the fact that after the construction of the terminal building, which is anticipated to have an attached hangar, there will be several new revenue opportunities associated with the new terminal building that will potentially offset impacts to the FBO from future improvement projects. Therefore, this requested reduction by the FBO is only applicable in the three month period during the West Apron Rehabilitation and should not serve as a precedent for future improvements.

Typically, Airport revenues from leases, farming, flowage fees, and other sources far exceed yearly operational costs. This surplus is saved to be used as matching funds for federally funded grant projects through the Federal Aviation Administration. City Finance staff performed an analysis of the Airport Fund and determined that the year-end balance for FY 2013/14 will be approximately \$168,000. Given the current airport budget, there should be little impact seen from reducing the FBO contract in the amount of \$5,125.

# ALTERNATIVES:

- a) Direct the City Attorney to draft an addendum to the FBO lease with Hap's Air Service to extend the contract to such time that the new Ames Terminal Building is constructed or upon 30 days written notice of a newly established termination date.
  - b) Include a 50% reduction in the FBO lease for the months of July, August, and September 2013 only, totaling \$5,125.
- 2. Direct the City Attorney to draft a one-year extension to the existing FBO lease agreement with Hap's Air Service, thereby setting a new lease expiration date of June 30, 2014.
- 3. Reject the proposed extension and direct staff to proceed to solicit FBO proposals.

#### MANAGER'S RECOMMENDED ACTION:

With the creation of the new Ames Terminal Building, there will be a significant change in the way the Ames Airport is seen and used compared to current conditions. Along with this improvement will come the need to change the way the airport is operated. Therefore, the best course of action at this time is to extend the existing FBO contract until the new Terminal is under construction. A new FBO contract would then be solicited and negotiated in advance of the opening of the Terminal Building.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby directing the City Attorney to draft an addendum to the FBO lease with Hap's Air Service to extend the contract to such time that the new Ames Terminal Building is constructed or upon 30 days written notice of a newly established termination date, and include a 50% reduction in the FBO lease for the months of July, August, and September 2013 only, totaling \$5,125.

ITEM #	36
DATE:	06-11-13

#### COUNCIL ACTION FORM

#### **SUBJECT:** SANITARY SEWER SERVICE INSTALLATION (125 HYLAND AVENUE)

#### BACKGROUND:

The property owner at 125 Hyland Avenue is currently in the process of constructing a new apartment building in place of the old Triangle Fraternity House. Based on a condition survey of the existing service, it has been determined that the owner's intention to re-use the existing sanitary sewer service is no longer viable, and that a new, larger service will be required.

*The Municipal Code* requires that City Council approve temporary closures of those streets that are classified as arterials or are active CyRide routes, which is the case with Hyland Avenue.

The sanitary sewer main is located in the center line of Hyland Avenue and will require the closure of Hyland Avenue for approximately 7 days to safely accommodate the new sanitary sewer service installation.

Staff has posted notification of potential closure dates at all affected property locations along this street, giving staff contact information should there be questions or concerns related to the closure. Access to <u>all</u> adjacent properties will be maintained during the street closure.

Staff has coordinated with CyRide to re-route bus service along Sheldon Avenue during the street closure.

#### ALTERNATIVES:

- 1. Delegate to staff the ability to administratively approve the closure of Hyland Avenue to facilitate the safe installation of the new sanitary sewer service.
- 2. Direct staff to work with the property owner to determine exact alternate dates to conduct the sanitary sewer service installation.

#### MANAGER'S RECOMMENDED ACTION:

By granting staff the ability to administratively close Hyland Avenue, City Council would be facilitating the best possible coordination between the City and the property owner for this project. It will provide the flexibility needed to minimize the potential impacts to the citizens of Ames through up-to-date, accurate traffic information during the closure.
Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby delegating to staff the ability to administratively approve the closure of Hyland Avenue to facilitate the safe installation of the new sanitary sewer service.

# COUNCIL ACTION FORM

## **SUBJECT:** WOODVIEW DRIVE WATER AND SEWER PROJECT

#### BACKGROUND:

In September of 2009, property owners on Woodview Drive asked City Council to investigate the costs associated with installation of sanitary sewer and water main to serve those property owners who are not currently served by City utilities. A concept design and preliminary cost estimate were prepared, and it was determined that a Special Assessment District could be set up for all benefited properties.

Staff has completed plans and specifications for the utilities installation with estimated construction costs as shown below:

Sanitary Sewer Main	\$ 126,696.65
Water Main	\$ 152,213.60
Engineering	<u>\$ 37,354.05</u>
Total	\$ 316,264.30

All property owners have agreed to the Special Assessment and have also agreed on how the costs are to be split between each property. The formula they have agreed upon involves half the cost of the assessment be split equally amongst the owners and the remaining half to be split based on property area and frontage. There will be no City funding contribution to this project.

It should be noted that in an effort to keep costs down, the property owners have agreed to complete the restoration of any disturbed areas on their respective properties, which would normally be the responsibility of the project contractor. The above costs do not include service connections to the individual properties. These costs will be propertydependant and the residents are agreeable to this. Staff has encouraged the residents to coordinate with the contractor at the time of the utility installation or to hire a plumber of their choice at a later date to provide the connection to their homes.

This project is shown in the 2012/13 Capital Improvements Plan with funding in the amount of \$357,000 from Assessment Abated General Obligation Bonds.

#### ALTERNATIVES:

1a. Approve the preliminary resolution pursuant to the Iowa Code covering the Woodview Drive Water and Sewer project.

- Adopt the plat (Exhibit A), schedule (Exhibit B), and Engineer's estimate (Exhibit C) pursuant to *lowa Code* covering the Woodview Drive Water and Sewer project.
- c. Adopt a resolution of necessity in accordance with the *lowa Code* covering the Woodview Drive Water and Sewer project and setting July 9, 2013 as the date of public hearing.
- d. Approve the Woodview Drive Water and Sewer project by establishing July 17, 2013 as the date of letting and July 23, 2013 as the date for report of bids.
- e. Approve the Woodview Drive Water and Sewer project Covenant for Assessment of Costs of Improvements (Exhibit D).
- 2. Direct staff to pursue modifications to the project.

# MANAGER'S RECOMMENDED ACTION:

By approving this project, these utilities will be able to be installed during the 2013 construction season. This will help the residents avoid the impact of failure to aging private wells and septic systems.

It should be noted that the property owners reached agreement amongst themselves before they contacted the City to initiate this project, and all have contractually committed to a voluntary assessment process. To that end, they have all signed a Contract and Waiver agreement in which there is language that essentially has the property owners waiving rights to notice, to object to boundaries, to object to the formula for assessment, and to waive assessment valuation limitations as well as other rights that state law establishes for non-voluntary public improvement assessment situations.

Their agreement allows the City to assess the actual costs, no matter what they are. However, when the bids come in, the property owners will be contacted and asked for concurrence as to whether they still want to move forward. The recommendation to Council upon report of bids will be based on their desire whether or not to proceed with award of contract. If the neighbors reject moving forward, the City would still be able to recover the cost of staff engineering time.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 (a through e), thereby approving the Woodview Drive Water and Sewer project.



# Exhibit A Woodview Drive Sanitary Sewer and Water Main Installation PRELIMINARY SCHEDULE OF ASSESSMENT

City of Ames, June 11, 2013

	OWNER NAMES PROPERTY ADDRESS	PARCEL DESCRIPTIONS	ASSESSMENT	TOTAL COST %
1	Gary and Cathy Smelser 2309 Woodview Drive Ames, IA 50010	Commencing at the Northeast Corner of Lot Seven (7), Christofferson's First Subdivision of a part of the Northwest Quarter of the Southeast Quarter of Section Sixteen (16) Township Eighty- Three (83) North, Range Twenty-Four (24) West of the 5th P.M., Iowa thence East, along the Quarter Section line, Two Hundred Seventeen (217) Feet, thence South Two Hundred (200) Feet, then West, along the North line of William Road extended, Two Hundred Seventeen (217) Feet, thence North Two Hundred (200) Feet to the point of beginning. <u>Tax Parcel #:</u> 09-16-400-170	Sanitary Sewer \$11,558.89 Water Main \$15,505.67 Total \$27,064.56	8.56%
2	Michael W Schmidt 2325 Woodview Ames, IA 50010	Lot 7, Christofferson's First Subdivision of part of the NW 1/4 of the SE 1/4 of 16, Township 83 North, Range 24 West of the 5th P.M., Iowa. <u>Tax Parcel #:</u> 09-16-400-160	Sanitary Sewer \$12,288.54 Water Main \$16,488.09 Total \$28,776.63	9.10%
3	John D Corbett 2337 Woodview Drive Ames, IA 50010	Lot 6, Christofferson's First Subdivision of part of the NW 1/4 of the SE 1/4 of 16, Township 83 North, Range 24 West of the 5th P.M., Iowa. <u>Tax Parcel #:</u> 09-16-400-150	Sanitary Sewer \$12,605.88 Water Main \$16,891.21 Total \$29,497.09	9.33%
4	David W & Carol A Gieseke 2343 Woodview Drive Ames, IA 50010	Lot Five (5), Christofferson's First Subdivision of part of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section Sixteen (16), Township Eighty-Three (83) North, Range Twenty-Four (24) west of the 5th P.M., Iowa. <u>Tax Parcel #:</u> 09-16-400-140	Sanitary Sewer \$11,998.55 Water Main \$16,097.91 Total \$28,096.45	8.88%

	OWNER NAMES PROPERTY ADDRESS	PARCEL DESCRIPTIONS	ASSESSMENT	TOTAL COST %
5	James K & Elizabeth A. Wilt-Cable 2407 Woodview Drive Ames, IA 50010	Lot 4, Christofferson's First Subdivision, Ames in Story County, Iowa. <u>Tax Parcel #:</u> <b>09-16-400-130</b>	Sanitary Sewer \$13,056.27 Water Main \$17,519.72 Total \$30,575.99	9.67%
6	James A & Cheryl A Davis 2501 Woodview Drive Ames, IA 50010	Lot 3, Christofferson's First Subdivision of part of the NW 1/4 of the SE 1/4 of 16, Township 83 North, Range 24 West of the 5th P.M., Iowa. <u>Tax Parcel #:</u> <b>09-16-400-120</b>	Sanitary Sewer \$13,056.27 Water Main \$17,519.72 Total \$30,575.99	9.67%
7	Richard E & Elise W Mull 2515 Woodview Drive Ames, IA 50010	Lot Two (2) in Christofferson's First Subdivision, a Subdivision of a part of the Northwest Quarter (NW1/4) of the Southeast Quarter (SE 1/4) of Section 16, Township 83 North, Range 24 West of the 5th P.M., Iowa. <u>Tax Parcel #:</u> <b>09-16-400-110</b>	Sanitary Sewer \$12,993.03 Water Main \$17,435.99 Total \$30,429.02	9.62%
8	David L & Dawn M Bovenmyer 2611 Woodview Drive Ames, IA 50010	Lot 1, Christofferson's First Subdivision, Ames in Story County, Iowa. <u>Tax Parcel #:</u> 09-12-400-100	Sanitary Sewer \$13,048.39 Water Main \$17,509.11 Total \$30,557.50	9.66%
9	Ephram I & Arian J Hadley 2612 Woodview Drive Ames, IA 50010	Lot Eleven (11), except the South Seven (7) Feet thereof, Christofferson's First Subdivision of a part of the Northwest Quarter (NW 1/4) of the Southeast (SE1/4) of Section 16, Township 83 North, Range 24 West of the 5th P.M., Iowa, subject to easements and restrictions on record. <u>Tax Parcel #:</u> 09-16-400-210	Sanitary Sewer \$12,234.94 Water Main \$0.00 Total \$12,234.94	3.87%

	OWNER NAMES PROPERTY ADDRESS	PARCEL DESCRIPTIONS	ASSESSMENT	TOTAL COST %
10	Michael S & Janice L Bryant 2516 Woodview Drive Ames, IA 50010	S 1/2 of Lot 9 and all of Lot 10 in Christofferson's First Subdivision of a part of the NW 1/4 of the SE 1/4 of Section 16, Township 83 North, Range 24 West of the 5th P.M., of Iowa. <u>Tax Parcel #:</u> 09-16-400-195	Sanitary Sewer \$15,313.01 Water Main \$20,537.06 Total \$35,850.07	11.34%
11	Douglas W & Gwenna Sue Jacobson 2500 Woodview Drive Ames, IA 50010	Lot Eight (8) and the North Half (N 1/2) of Lot Nine (9) in Christofferson's First Subdivision of a part on the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section Sixteen (16), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5th P.M., Iowa, Except Beginning at the Northeast (NE) Comer of Lot Eight (8), Christofferson's First Subdivision in Section Sixteen (16), Township Eighty- three (83) North, Range Twenty-four (24) West of the 5-P.M., Story County, Iowa; thence S 19° 41'19"E, Eighty-two and Twenty-two Hundredths (82.22) Feet along the Northeasterly line of said Lot Eight (8); thence N 31° 40' 39"W, Sixty- two and Sixty Hundredths (62.60)Feet; thence N 67° 8' 03" W, Thirty-one and Nineteen Hundredths (31.19) Feet; thence Northeasterly along the Northerly line of Lot Eight (8) and along a 31 I foot radius curve concave Northwesterly, an arc distance of Thirty-six (36.00) Feet (the long chord bears N 70° 27' 43" E, Thirty- five and Ninety-eight Hundredths (35.98) Feet to the point of beginning; AND Beginning at the SW Comer of Lot 1, Oakwood First Addition in the City of Ames, Story County, Iowa; thence N 35° 37' 15" E, 22.00 Feet along the Southeasterly line of said Lot 1; thence N 31° 40' 39" W, 87.06 Feet; thence S 19° 41' 19" E, 97.68 Feet along the Southwesterly line of Lot I, to the point of beginning. <u>Tax Parcel #:</u> 09-16-400-185	Sanitary Sewer \$13,917.72 Water Main \$18,688.32 Total \$32,606.04	10.31%

# TOTAL ASSESSMENTS

\$316,264.30

#### ENGINEER'S ESTIMATE WOODVIEW SANITARY SEWER PUBLIC WORKS DEPT.- ENGINEERING DIV. CITY OF AMES, IA Rev 02/022/2012

<u>ltem</u>	Description	Est <u>Quant</u>	<u>Unit</u>	Unit <u>Price</u>	<u>Amount</u>
1.1 1.2	Division 1 - General Traffic Control Mobilization	1 1	ls Is	5000.00 10000.00	5,000.00 10,000.00
2.1	<i>Division 2 - Earthwork</i> Pavement Removal, Full-Depth	21.7	sy	10.00	217.00
3.1	<i>Division 3 - Trench, Backfill and Tunnelling</i> Tunnel under Drives/Trees	163	lf	65.00	10,595.00
4.1	<i>Division 4 - Sewers and Drains</i> 8" Sanitary Sewer Pipe	1199.5	lf	60.00	71,970.00
	<i>Division 5 - Water Mains and Appurtenances</i> (Not Used)				
6.1	Division 6 - Structures for Sanitary and Storm Sewer Sanitary Sewer Manhole, 48" dia.	5	ea	3000.00	15,000.00
7.1	<i>Division 7 - Streets and Related Work</i> HMA Surface, 1/2" Mix, 3" Depth	4	ton	85.00	340.00
	Division 8 - Traffic Signals (Not Used)				
9.1	<i>Division 9 - Sitework and Landscaping</i> Sod	0	sq	135	0.00
	SUBTOTAL ESTIMATED COST			-	113,122.00
	ENGINEERING (15%)				16,968.30
	CONTINGENCY (12%)				13,574.64
	TOTAL ESTIMATED COST			-	143,664.94 *

\* Does not include cost of installing service to property line, which is the property owner's responsibility. Services would be estimated at \$2,500

# ENGINEER'S ESTIMATE

WOODVIEW WATER MAIN

PUBLIC WORKS DEPT.- ENGINEERING DIV. CITY OF AMES, IA Rev 02/22/12

<u>ltem</u>	Description	Est <u>Quant</u>	<u>Unit</u>	Unit <u>Price</u>	<u>Amount</u>
1.1 1.2	Division 1 - General Traffic Control Mobilization	1 1	ls Is	5000.00 10000.00	5,000.00 10,000.00
2.1	<i>Division 2 - Earthwork</i> Pavement Removal, Full-Depth	0	sy	10.00	0.00
3.1	<i>Division 3 - Trench, Backfill and Tunnelling</i> Tunnel under Drives/Trees	487	lf	65.00	31,655.00
	<i>Division 4 - Sewers and Drains</i> (Not Used)				
	Division 5 - Water Mains and Appurtenances				
5.1	8" Water Main Pipe	1667.5	lf	40.00	66,700.00
5.2	8"x8"x8" Tee	1	ea	350.00	350.00
5.3	8"x6"x8" Tee	3	ea	350.00	1,050.00
5.4	8" Gate Valve	4	ea	1500.00	6,000.00
5.5	8" 90 deg Bend	1	ea	350.00	350.00
5.6	8" 45 deg Bend	5	ea	350.00	1,750.00
5.7	8" 22-1/2 deg Bend	2 1	ea	350.00	700.00
5.8 5.9	8" 11-1/4 deg Bend 6"x8" Increaser		ea	350.00	350.00
	Hydrant Run & Assembly	3 3	ea ea	500.00 3500.00	1,500.00 10,500.00
0.10	Division 6 - Structures for Sanitary and Storm Sewer (Not Used)	Ū	u	0000.00	10,000.00
7.1	<i>Division 7 - Streets and Related Work</i> HMA Surface, 1/2" Mix, 3" Depth	0	ton	85.00	0.00
	<i>Division 8 - Traffic Signals</i> (Not Used)				
9.1	<i>Division 9 - Sitework and Landscaping</i> Sod	0	sq	135	0.00
	SUBTOTAL ESTIMATED COST				135,905.00
	ENGINEERING (15%)				20,385.75
	CONTINGENCY (12%)				16,308.60
	TOTAL ESTIMATED COST				172,599.35 *

\* Does not include cost of installing service to property line, which is the property owner's responsibility. Services would be estimated at \$2,500

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

## SPECIAL ASSESSMENT CONTRACT AND WAIVER WOODVIEW DRIVE PROJECT AMES, IOWA

THIS AGREEMENT made and entered into by and between the City of Ames, Iowa (hereinafter referred to as the "City"), and the undersigned property owners in the City (hereinafter referred to as the "Property Owners") and the undersigned Lienholders (hereinafter referred to as the "Lienholders") who hold liens on certain property of the Property Owners;

WITNESSETH THAT:

WHEREAS, each of the Property Owners is respectively the owner of the tracts of real estate set opposite their name; and

WHEREAS, the undersigned Property Owners desire that the public improvements (hereinafter referred to as the "Project") described in the Appendix hereto be accomplished; and

WHEREAS, such construction or repair will specifically benefit the respective properties of the Property Owners; and

WHEREAS, the City has the power to accomplish such Project and assess the cost thereof to the Property Owners pursuant to Chapter 384 of the Iowa Code; and

WHEREAS, a Proposed Schedule of Assessments has been prepared for the Project listing the proposing amount of assessments to be levied against the below listed properties for the Project.

## NOW, THEREFORE, IN CONSIDERATION OF THE AFORESAID, IT IS AGREED AMONG THE PARTIES HERETO AS FOLLOWS:

The Property Owners, City and Lienholders, by execution of this Agreement, agree and intend that this Agreement shall constitute a written contract as provided for in section 384.41 of the Iowa Code for a public improvement to be paid in whole by special assessments to be levied against the below listed properties of the undersigned Property Owners.

**FURTHER,** it is understood and agreed that the costs of the Project may be financed by the issuance and sale of general obligation bonds of the city, payment of the principal and interest thereon, and all costs of issuance, interim borrowing, legal fees, engineering or whatever to be included in and fully abated by the aforesaid assessment as provided for herein.

**FURTHER,** the City, by execution of this Agreement, agrees, as soon as practicable, to proceed to take any and all action required by Chapter 384 of the Iowa Code or any and all other actions required by law to be taken in order to complete the Project.

**FURTHER,** Property Owners and Lienholders agree that in consideration of the City proceeding to complete the project, the Property Owners and Lienholders each, by execution of this Agreement:

- 1. Waive notice to Property Owners by publication and mailing as provided by section 384.50 of the Iowa Code.
- 2. Waive the right to a hearing on the making of the improvement, the boundaries of the special assessment district, the cost of the Project, the assessment against any lot or the final adoption of the resolution of necessity as provided for in section 384.51 of the Iowa Code.
- 3. Consent to the adoption of a preliminary resolution, a plat, schedule of assessments and cost estimate, and resolution of necessity by the City for the Project.
- 4. Waive any objections to the Project, the boundaries of the district, the cost of the Project, the valuation of any lot, the assessment against any lot or the final adoption of the resolution of necessity.
- 5. Agree that the amount and proportion of the cost of the construction or repair of the above-described improvement to be paid by the Property Owners, as ascertained and determined by the Council of the City, shall constitute assessments against the respective properties described in the attached appendix and that said assessments shall be paid by the undersigned Property Owners within the time provided by law for the payment of special assessments for such improvement.
- 6. The right to request deferment for agricultural land is hereby waived.

- 7. Waive the limitation provided in section 384.62 of the Iowa Code that an assessment may not exceed twenty-five percent (25%) of the value of his lot as defined in section 384.37(5) of the Iowa Code.
- 8. Waive notice to Property Owners by publication and mailing as provided by section 384.60 of the Iowa Code (relating to notice of certification to County Auditor of final schedule of assessments).
- 9. Warrant that the real estate described below is free and clear of all liens and encumbrances other than for ordinary taxes, except for such liens as are held by the Lienholders hereinafter listed and designated as signatories of this Agreement.
- 10. Agree to subordinate the sale of any part of the property listed below to the terms of this Agreement.
- 11. If the project in this Agreement or the assessment is declared in whole or in part invalid or beyond the City's authority, the parties agree to nevertheless pay the assessed amounts stated pursuant to this Agreement.

FURTHER, each of the Lienholders, by execution of this Agreement, individually:

- 1. Agrees and consents to the initiation of this public improvement as authorized by section 384.41(1) of the Iowa Code in order that the special assessments for the cost of the Project shall be liens on the below listed properties to the same extent as provided in section 384.65(5) of the Iowa Code.
- 2. Agrees and consents that their lien or liens shall be junior and inferior to the lien of the assessment levied pursuant to this Agreement.
- 3. That all the foregoing covenants, agreements, waivers and consents shall be binding on and inure to the heirs, devisees, executors, administrators, successors and assigns of any and all said Lienholders.

**FURTHER,** as provided by the second unnumbered paragraph of section 384.61 of the Code of Iowa, if a Property Owner divides the property subject to assessment (as described in the appendix hereto) into two or more lots, and if the plan of division is approved by the City Council, the lien on the property assessed may be partially released and discharged, with respect to any such lot, by payment of the amount calculated as determined by the City Council.

PROPERTY OWNERS – 2309 Woodview

1001	,
Gary A/Smelser	Cathy & Smelser Cathy A. Smelser
STATE OF IOWA, COUNTY OF STORY, ss:	STATE OF IOWA, COUNTY OF STORY, ss:
On this 23° day of May, 2013, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Gary A. Smelser, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.	On this 23 day of May, 2013, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Cathy A. Smelser, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.
2 VERONICA VAUGHN Commission Number 131800 My Commission Expires April 11, 2014	VERONICA VAUGHN Commission Number 131800 My Commission Expires April 11, 2014

LEGAL DESCRIPTION - 2309 Woodview (Parcel ID 0916-40-170)

Commencing at the Northeast Corner of Lot Seven (7), Christofferson's First Subdivision of a part of the Northwest Quarter of the Southeast Quarter of Section Sixteen (16) Township Eighty-Three (83) North, Range Twenty-Four (24) West of the 5th P.M., Iowa thence East, along the Quarter Section line, Two Hundred Seventeen (217) Feet, thence South Two Hundred (200) Feet, then West, along the North line of William Road extended, Two Hundred Seventeen (217) Feet, thence North Two Hundred (200) Feet, the point of beginning.

## PROPERTY OWNER - 2325 Woodview

Muhol W. Schmidt Michael W. Schmidt	
STATE OF IOWA, COUNTY OF STORY, ss: On this day of here and for the State of Iowa, personally appeared Michael W. Schmidt, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.	MELISSA M RIDONDO Commission Number 754668 My Commission Expires September 9, 2014

LEGAL DESCRIPTION - 2325 Woodview (Parcel ID 0916-40-160)

Lot 7, Christofferson's First Subdivision of part of the NW 1/4 of the SE 1/4 of 16, Township 83 North, Range 24 West of the 5th P.M., Iowa.

PROPERTY OWNER – 2337 Woodview

John D. Corbett STATE OF IOWA, COUNTY OF STORY, ss: On this  $315^{+}$  day of May, 2012, before me, the undersigned, a Notary Public in and for the State of Iowa, JAN QUARNSTROM Notarial Seal - Iowa Commission # 189264 personally appeared John D. Corbett, to me known to be the My Commission Expires 03-19 person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed. Notary Public in and for the State of Iowa

LEGAL DESCRIPTION - 2337 Woodview (Parcel ID 0916-40-150)

Lot 6, Christofferson's First Subdivision of part of the NW 1/4 of the SE 1/4 of 16, Township 83 North, Range 24 West of the 5th P.M., Iowa.

#### PROPERTY OWNERS - 2343 Woodview

and David W. Gieseke Carol A. Gieseke STATE OF IOWA, COUNTY OF STORY, ss: STATE OF IOWA, COUNTY OF STORY, ss: day of May, 2013, before me, the They On this <u>9</u> day of <u>7724</u>, 2013, before me, the undersigned, a Notary Public in and for the State of Iowa, On this undersigned, a Notary Public in and for the State of Iowa, personally appeared Carol A. Gieseke, to me known to be the personally appeared David W. Gieseke, to me known to be the person named in and who executed the foregoing instrument, person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary and acknowledged that she executed the same as her voluntary act and deed. act and deed. alle une Smul Notary Public in and for the State of Iowa Notary Public in and for the State of Iowa SMUCK ELAINE Commission Number 715134 Commission Number 71513 My Sommission Expires αE

LEGAL DESCRIPTION - 2343 Woodview (Parcel ID 0916-40-140)

Lot Five (5), Christofferson's First Subdivision of part of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section Sixteen (16), Township Eighty-Three (83) North, Range Twenty-Four (24) west of the 5th P.M., Iowa.

# PROPERTY OWNERS – 2407 Woodview

James K. Cable	Elizabeth A. Wilt-Cable
STATE OF IOWA, COUNTY OF STORY, ss:	STATE OF IOWA, COUNTY OF STORY, ss:
On this $3D$ day of $Hpri/L$ , 2013, before me, the	On this $3O_{day}$ of $Hpnd/$ , 2013, before me, the
undersigned, a Notary Public in and for the State of Iowa,	undersigned, a Notary Public in and for the State of Iowa,
personally appeared Jamés K. Cable, to me known to be the	personally appeared Elizabeth A. Wilt-Cable, to me known to
person named in and who executed the foregoing instrument,	be the person named in and who executed the foregoing
and acknowledged that he executed the same as his voluntary	instrument, and acknowledged that she executed the same as
act and deed.	her voluntary act and deed.
CAROLYN A. TOFTEY	CAROLYN A. TOFTEY
Commission Number 718707	Commission Number 718707
My Commission Expires	My Commission Expires

LEGAL DESCRIPTION - 2407 Woodview (Parcel ID 0916-40-130)

Lot 4, Christofferson's First Subdivision, Ames in Story County, Iowa.

## PROPERTY OWNERS - 2501 Woodview

James A. Davis Cheryl A. Davis STATE OF IOWA, COUNTY OF STORY, ss: STATE OF IOWA, COUNTY OF STORY, ss: On this day of **Decluber**, 2012, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared James A. Davis, to me known to be the On this 21 day of December 2012, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Cheryl A. Davis, to me known to be the person named in and who executed the faceooing instrument, and acknowledged that he executed the same a his voluntary person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed. act and deed. otary Pub Notary Public in and for the State of Iowa AMBER FOLEY COMMISSION NO. 766115 MY COMMISSION EXPIRES 10W

LEGAL DESCRIPTION - 2501 Woodview (Parcel ID 0916-40-120)

Lot 3, Christofferson's First Subdivision of part of the NW 1/4 of the SE 1/4 of 16, Township 83 North, Range 24 West of the 5th P.M., Iowa.

#### PROPERTY OWNERS - 2515 Woodview

Richard E. Mull Elise W. Mull STATE OF IOWA, COUNTY OF STORY, ss: STATE OF IOWA, COUNTY OF STORY, ss: Unc, 2012, before me, the ( day of UWL, 2012, before me, the On this / day of On this undersigned, a Notary Public in and for the State of Iowa, undersigned, a Notary Public in and for the State of Iowa, personally appeared Elise W. Mull, to me known to be the personally appeared Richard E. Mull, to me known to be the person named in and who executed the foregoing instrument, person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary and acknowledged that he executed the same as his voluntary act and deed. act and deed. ary Public in and for the State of Iowa Notary Public in and for the State of Iowa ARIAL SARAH C. SWANSON SARAH C. SWANSON S Commission No. 719832 Commission No. 719832 My Commission Expires My Commission Expires December 4, 2014 December 4, 2014

LEGAL DESCRIPTION -2515 Woodview (Parcel ID 0916-40-110)

Lot Two (2) in Christofferson's First Subdivision, a Subdivision of a part of the Northwest Quarter (NW1/4) of the Southeast Quarter (SE 1/4) of Section 16, Township 83 North, Range 24 West of the 5th P.M., Iowa.

Great Western Bank, Lienholder for 2515 Woodview P.O. Box 3828 Omaha, NE 68103

wone

#### PROPERTY OWNERS - 2611 Woodview

ovennesse Dawn M. Bovenmyer David L. Bovenmyer STATE OF IOWA, COUNTY OF STORY, ss: STATE OF IOWA, COUNTY OF STORY, ss: On this 25 day of <u>May</u>, 2012, before me, the undersigned, a Notary Public in and for the State of Iowa, On this 25 day of <u>MCU</u>, 2012, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Dawn M. Bovenmyer, to me known to be personally appeared David L. Bovenmyer, to me known to be the person named in and who executed the foregoing the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as instrument, and acknowledged that he executed the same as his voluntary act and deed her voluntary act and deed. Notary Public in and for the State of Iowa Notary Public in and for the State of Iowa TIFFANY A. KLATT Commission Number 769099 My Commission Expire UST C

LEGAL DESCRIPTION -2611 Woodview (Parcel ID 0916-40-100)

Lot 1, Christofferson's First Subdivision, Ames in Story County, Iowa.

PROPERTY OWNERS – 2612 Woodview (assessment for sanitary sewer only)

Ephram I. Hadley Arian J. Hadley STATE OF IOWA, COUNTY OF STORY, ss: STATE OF IOWA, COUNTY OF STORY, ss: On this 21 day of MARCH, 2012, before me, the On this . 2012, before me, the \_\_\_\_ day\_of \_\_ undersigned, a Notary Public in and for the State of Iowa, undersigned, a Notary Public in and for the State of Iowa, personally appeared Ephram I. Hadley, to me known to be the personally appeared Arian J. Hadley, to me known to be the person named in and who executed the foregoing instrument, person named in and who executed the foregoing instrument. and acknowledged that he executed the same as his voluntary and acknowledged that she executed the same as her voluntary act and deed. act and deed. ablic in and for the State of Iowa ublic in and for the State of Iowa MICHELLE FULLERTON MICHELLE FULLERTON Notarial Seal - State of Iowa Notarial Seal - State of Iowa Commission Number 704973 Commission Number 704973 My Commission Expires \_09-01-1 My Commission Expires 09-01-

#### LEGAL DESCRIPTION - 2612 Woodview (Parcel ID 0916-40-210)

Lot Eleven (11), except the South Seven (7) Feet thereof, Christofferson's First Subdivision of a part of the Northwest Quarter (NW 1/4) of the Southeast (SE1/4) of Section 16, Township 83 North, Range 24 West of the 5th P.M., Iowa, subject to easements and restrictions on record.

By

Corey Finch Assistant Vice-President Post Closing US Bank 1550 American Boulevard East Bloomington MN 55425

#### PROPERTY OWNERS – 2516 Woodview

Inno CIC 11/100 Janice L. Bryant Michael S. Bryant STATE OF IOWA, COUNTY OF STORY, ss: STATE OF IOWA, COUNTY OF STORY, ss: On this 10 day of June, 2012, before me, the On this 12 day of June, 2012, before me, the undersigned, a Notary Public in and for the State of Iowa, undersigned, a Notary Public in and for the State of Iowa, personally appeared Michael S. Bryant, to me known to be the personally appeared Janice L. Bryant, to me known to be the person named in and who executed the foregoing instrument, person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary and acknowledged that she executed the same as her voluntary act and deed. act and deed. Notary Public in and for the State of Iowa Joan Co. Liming Notary Public in and for the State of Iowa Joan E. Liming STARIAL SE Joan E. Liming Commission Number 705022 Commission Number 705022 My Commission Expires My Commission Expires September 6, 2012 10WN September 6, 2012

LEGAL DESCRIPTION - 2516 Woodview (Parcel ID 0916-40-195)

S 1/2 of Lot 9 and all of Lot 10 in Christofferson's First Subdivision of a part of the NW 1/4 of the SE 1/4 of Section 16, Township 83 North, Range 24 West of the 5th P.M., of Iowa.

Nationwide Advantage Mortgage Compay P.O. Box 919000 Des Moines, IA 50319

By PR ESIDEM

#### PROPERTY OWNERS – 2500 Woodview

	l l
Douglas W. Jacobson	Gwenna Sue Jacobson
STATE OF IOWA, COUNTY OF STORY, ss:	STATE OF IOWA, COUNTY OF STORY, ss:
On this $24$ day of $MA_{\gamma}$ , 2012, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Douglas W. Jacobson, to me known to be the person named in and who executed the foregoing	On this <u>24</u> day of <u>May</u> , 2012, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Gwenna Sue Jacobson, to me known to be the person named in and who executed the foregoing
instrument, and acknowledged that he executed the same as his voluntary act and deed.	instrument, and acknowledged that she executed the same as her voluntary act and deed.
Notary Public in and for the State of Lowa Miss	Notary Public in and for the State of Iowa
75- 31M	1508.33
LEGAL DESCRIPTION - 2500 Woodview	0916-40-185)

Lot Eight (8) and the North Half (N 1/2) of Lot Nine (9) in Christofferson's First Subdivision of a part on the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section Sixteen (16), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Iowa, Except Beginning at the Northeast (NE) Comer of Lot Eight (8), Christofferson's First Subdivision in Section Sixteen (16), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5·P.M., Story County, Iowa; thence S 19° 41'19"E, Eighty-two and Twenty-two Hundredths (82.22) Feet along the Northeasterly line of said Lot Eight (8); thence N 31° 40' 39"W, Sixty-two and Sixty Hundredths (62.60)Feet; thence N 67° 8' 03" W, Thirty-one and Nineteen Hundredths (31.19) Feet; thence Northeasterly along the Northerly line of Lot Eight (8) and along a 31 I foot radius curve concave Northwesterly, an arc distance of Thirty-six (36.00) Feet (the long chord bears N 70° 27' 43" E, Thirty-five and Ninety-eight Hundredths (35.98) Feet to the point of beginning; AND Beginning at the SW Comer ofLot 1, Oakwood First Addition in the City of Ames, Story County, Iowa; thence N 35° 37' 15" E, 22.00 Feet along the Southeasterly line of said Lot1; thence N 31° 40' 39" W, 87.06 Feet; thence S 19° 41' 19" E, 97.68 Feet along the Southwesterly line of Lot I, to the point of beginning.

Greater Iowa Credit Union, Lienholder for 2500 Woodview 801 Lincoln Way P. O. Box 665 Ames, IA 50010

By Mal Duf IP 5-24-12

# COUNCIL ACTION FORM

# **SUBJECT:** REQUEST FROM MCFARLAND CLINIC FOR 12<sup>TH</sup> STREET AND DUFF AVENUE PEDESTRIAN CROSSING ENHANCEMENTS

## BACKGROUND:

Since the opening of a new office-medical building located on the northwest corner of 12<sup>th</sup> Street and Carroll Avenue, McFarland Clinic, Mary Greeley Medical Center, and staff within the Public Works Department have been working to improve the safety of the east-west pedestrian crossing on the north side of the intersection at Duff Avenue and 12<sup>th</sup> Street. The concern is due to the high number of McFarland and MGMC staff who walk back and forth to the main clinic building during the day, versus the high number of vehicles seen along Duff Avenue; approximately 12,000 vehicles per day.

There has been a progression of treatments applied to the crossing. The first treatment was the placement of in-street "State Law - Yield to Pedestrian within Crosswalk" signs that were mounted on heavy rubber bases and placed in the crossing at the lane-lines between the north and south bound through lanes. Initially this treatment yielded great results. However, it also quickly became a significant maintenance problem due to the high volume of traffic in the area, in which the signs were often hit by passing vehicles and have been replaced a number of times since their installation. The signs have since been moved to the center of the roadway to avoid being hit as often. However, this has also greatly reduced their effectiveness in slowing traffic and increasing drivers' awareness of pedestrians within the crosswalks.

The second treatment planned was to add high visibility crosswalk markings ("International Style") and advance warning signs. This application is new and is still under observation and evaluation by staff. The concern is that this treatment is still a "static" application and may not get the attention of distracted drivers.

**McFarland Clinic leadership, working with the City's Traffic Engineer, has looked into the possibility of adding push-button activated warning lights to the existing crossing.** These lights would be a new style of warning light called Rectangular Rapid Flash Beacon (RRFB) which has been given interim approval by the Federal Highway Administration (FHWA). Their studies have shown an increase in yielding to pedestrians from 18% to 81% percent as compared to crossings without flashers.

Therefore, McFarland Clinic sent a request to City staff proposing that the Clinic pay to install a crossing treatment meeting all the current standards required for a RRFB installation. At that point, staff reviewed their proposal for liability issues and found that if McFarland Clinic were to pay for and install the RRFB crossing they would need to 1) secure professional engineering services, 2) submit the plans and

specifications, and 3) have the crossing inspected prior to the City being able to accept the crossing. This in essence would be treating the crossing installation like a public improvement project, which is due to the fact that McFarland Clinic does not have staff with the correct professional engineering credentials and expertise, like those engineers within the City's Public Works Department.

Staff recognizes the impacts of having McFarland Clinic go to the extent of paying for professional design and construction services for an improvement that is estimated to cost approximately \$9,000. An alternate approach would be for City Council to direct staff to design and install the RRFB crossing treatment, similar to other installations that staff has conducted in the past. This would leverage existing City staff resources and result in a significant cost savings to the overall project. It is estimated that this design would involve 10 hours of Traffic Engineering staff time.

Either approach will require that the City Attorney draft a Memorandum of Understanding (MOU) to be signed by McFarland Clinic, thereby agreeing 1) to an amount to be paid to reimburse the City for the costs associated with the improvement, 2) that the City reserves the right to modify or remove the equipment after it is activated if it is found for some reason to have a negative impact on safety or maintenance, and 3) that upon failure of the equipment, the replacement will be at the City's discretion.

# ALTERNATIVES:

- a) Direct the City Attorney to draft a Memorandum of Understanding stating that McFarland Clinic agrees 1) to an amount to be paid to reimburse the City for the costs associated with the improvement (excluding engineering), 2) that the City reserves the right to modify or remove the equipment after it is activated if it is found for some reason to have a negative impact on safety or maintenance, and 3) that upon failure of the equipment, the replacement will be at the City's discretion.
  - b) Approve the installation of the Rectangular Rapid Flash Beacon treatment, thereby directing <u>City staff to design and install</u> push-button activated RRFB at the north side east-west pedestrian crossing of Duff Avenue and 12<sup>th</sup> Street.
- 2. a) Approve the installation of the Rectangular Rapid Flash Beacon treatment, whereby <u>McFarland Clinic will design and install</u> a push-button activated RRFB at the north side east-west pedestrian crossing of Duff Avenue at 12th Street; with City approval of plans and specification, and inspection of the installation.
  - b) Direct the City Attorney to draft a Memorandum of Understanding as outlined under Alternative 1(b).
- 3. Reject the proposed installation of a Rectangular Rapid Flash Beacon treatment at the north side east-west pedestrian crossing of Duff Avenue at 12th Street and continue with the traffic advisory treatments currently in place.

# MANAGER'S RECOMMENDED ACTION:

The section of Duff Avenue from 13th Street south to the southern extent of the Hospital-Medical district presents unique challenges for pedestrian safety. The very nature of a Hospital-Medical district attaches a high number of trips and, therefore, needs to be positioned along an Arterial Street to handle these traffic volumes. At the same time, the streets need to facilitate the movement of McFarland Clinic and Mary Greeley Medical Center staff and patients throughout the district. Crossing treatments like the RRFB have been designed as a low-cost alternative to signalized crossings along higher volume roads.

Given the less than satisfactory nature of our experience with previous crossing enhancements, the installation of this Rectangular Rapid Flash Beacon is a next logical step for this area. Since the RRFB will largely serve McFarland Clinic and Hospital staff, it is appropriate for the Clinic to finance this improvement. However, it appears to be a good partnership to utilize City staff expertise to provide the design.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, directing the City Attorney to draft a Memorandum of Understanding stating that McFarland Clinic agrees 1) to an amount to be paid to reimburse the City for the costs associated with the improvement (excluding engineering), 2) that the City reserves the right to modify or remove the equipment after it is activated if it is found for some reason to have a negative impact on safety or maintenance, and, 3) that upon failure of the equipment, the replacement will be at the City's discretion, thereby approving the installation of the Rectangular Rapid Flash Beacon treatment, directing City staff to design and install push-button activated RRFB at the north side east-west pedestrian crossing of Duff Avenue at 12th Street.

# COUNCIL ACTION FORM

## **SUBJECT:** POWER PLANT MAINTENANCE SERVICES CONTRACT

#### BACKGROUND:

On March 5, 2013, City Council approved preliminary plans and specifications for the Power Plant maintenance services contract. The Electric Utility has two coal-fired, high-pressure steam generation units within the City's Power Plant, referred to as Units No. 7 and 8. These units require regular professional maintenance and repair. This consists of both emergency and planned repairs and service. Services include a large variety of boiler and pressure vessel maintenance and repairs, structural steel, pump and piping work, coal handling system, coal pulverizer work, and other miscellaneous mechanical Power Plant work.

The repair of the equipment on these generation units requires professional trade crafts such as boilermakers, steam/pipe fitters, and millwrights. The crafts are certified to install and repair high-pressure vessel and piping systems and other apparatus of the generation units. One of the most important aspects of this work is to provide the dependable, high pressure certified repairs and documentation required by State Code.

This contract is to provide maintenance services for the period from July 1, 2013 through June 30, 2014. The contract includes a provision that would allow the City to renew the contract for up to four additional one-year terms.

Bid documents were issued to twenty-nine potential bidders. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage and a Legal Notice was published in the Ames Tribune. The bid was also sent to four plan rooms.

On May 1, 2013, nine bids with hourly rates were received as shown on the attached report.

At the May 14, 2013 City Council meeting when bids were reported, staff determined that the bid submitted by NAES Power Contractors, Inc. was found to be non-responsive because the bids they submitted for five of the crafts were not valid after July 1, 2013 which is when this services contract will begin.

Staff reviewed the remaining eight bids and concluded, based on time and material rates submitted, that the apparent low bid from ProEnergy Services LLC, Sedalia, MO, is acceptable. The rates bid by ProEnergy are far less than the other bidders, and staff has gained an assurance that ProEnergy will indeed be able to fulfill the City's needs.

Staff recommends that these services continue to be outsourced on an annual renewable contract basis. The benefits of having a contract for these services in place include the following:

- 1) Consistency of work and quality from a single contractor.
- 2) Reduction in the City's exposure to market forces regarding prices and availability for labor, travel, and supplies in preparation for a scheduled outage.
- 3) Rapid contractor mobilization to start emergency repairs, thus reducing generation downtime.
- 4) Saved City staff time obtaining quotes, evaluating bids and preparing specifications and other procurement documentation.

The approved FY 2013/14 Power Plant operating budget includes \$550,000 for this contract. Invoices will be based on contract rates for time and materials for services actually received.

## ALTERNATIVES:

1. Award the contract for the Power Plant maintenance services contract to ProEnergy Services LLC, Sedalia, MO, for hourly rates and unit prices bid, in an amount not-to-exceed \$550,000.

This contract includes a provision that would allow the City to renew the contract for up to four additional one-year terms at stated rates.

2. Reject all bids and purchase maintenance services on an as-needed basis.

#### MANAGER'S RECOMMENDED ACTION:

This work is necessary to ensure that a qualified professional firm will respond to both scheduled and emergency needs for boiler repair and maintenance, and will also control costs by having established billing rates. Funds will be expended only as work is required and in accordance with approved invoices.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 as stated above.

	AMES Smart Choice	ProEnergy Services LLC Sedalia MO					Energy Se arceline. M		Hayes Mechanical Omaha NE			AZCO, INC, Menasha, WI			Plibrico Company, LLC, Omaha, NE			Scheck Industrial Corporation				ted Mecha Olathe, K	,	NAES Power Contractors, Inc North Kansas City, MO				
BOR:			,	-		s Moines,			,	_					,					1	nd Rapids			,	-			Sity, NO
	MAKER - 2/31/13	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	-	Hourly ate (OT)	Hourly Rat
y	Journeyman	\$40.50	\$60.75	NA	\$60.00	\$86.00	\$110.00	\$62.50	\$81.50	\$125.00	\$74.61	\$106.78	\$138.95	\$76.35	\$111.33	\$146.34	\$76.61	\$111.86	\$147.10	\$80.58	\$113.41	\$146.26	\$92.93	\$137.52	\$182.11		n-Resp	onsive
	Foreman	\$45.00	\$67.50	NA	\$60.00	\$86.00	\$110.00	\$74.00	\$97.50	\$148.00	\$78.25	\$111.90	\$145.55	\$79.94	\$116.52	\$153.13	\$80.12	\$117.08	\$154.04	\$84.48	\$118.82	\$153.18	\$87.08	\$128.74	\$170.41	Bricklayer bio		
	General Foreman	\$49.50	\$74.25	NA	\$65.00	\$86.00	\$133.92	\$83.00	\$115.50	\$166.00	\$80.44	\$114.97	\$149.51	\$82.09	\$119.63	\$157.20	\$82.23	\$120.22	\$158.20	\$86.81	\$122.06	\$157.31	\$84.88	\$125.45	\$166.02	Pipefitter bid	s provided	valid until
ht	Superintendent Journeyman	\$55.45 \$40.50	\$83.18 \$60.75	NA NA	\$65.00 \$65.00	\$86.00 \$86.00	\$133.92 \$110.00	\$95.00 \$62.50	\$135.00 \$81.50	\$190.00 \$125.00	\$90.25 \$77.52	\$132.50 \$110.88	\$174.80 \$144.23	\$89.26 \$79.22	\$130.00 \$115.48	\$170.77 \$151.77	\$90.65 \$76.96	\$132.75 \$112.38	\$174.85 \$147.80	\$83.70	\$117.75	\$151.79	\$81.23 \$93.29	\$119.97 \$138.07	\$158.71 \$182.84	Millwright bids	s provided	valid until
,	Foreman	\$45.00	\$67.50	NA	\$70.00	\$86.00	\$110.00	\$74.00	\$97.50	\$148.00	\$81.17	\$116.00	\$150.83	\$80.30	\$117.04	\$153.81	\$80.47	\$117.60	\$154.73	\$87.58	\$123.14	\$158.68	\$87.44	\$129.29	\$171.14			
	General Foreman	\$49.50 \$55.45	\$74.25 \$83.18	NA NA	\$70.00 \$70.00	\$86.00	\$133.92 \$133.92	\$83.00	\$115.50	\$166.00 \$190.00	\$83.36 \$93.15	\$119.07	\$154.79	\$82.45 \$89.62	\$120.15 \$130.52	\$157.88 \$171.45	\$82.58 \$91.01	\$120.74	\$163.68 \$175.55	\$89.94	\$126.39	\$162.85	\$85.25 \$81.59	\$126.00	\$166.76	Ironworker bio		
	Superintendent	φ00.40	φ <b>0</b> 3.10	INA	φ70.00	\$86.00	φ133.9Z	\$95.00	\$135.00	\$190.00		\$136.75 d until 12/3			tes valid fro			\$133.28 tes valid fro						\$120.52 id until 12/3	\$159.44 1/14. Union	Operator bids	provided	alid until 4
	NOTE:											ct renews J			12/31/13			12/31/13						ct renews J				
	MAKER -	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly Rate	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly Rate	Hourly	Hourly	Hourly	Hourly Rate			
/14 - 0 y	5/30/14 Journeyman	Rate (ST) \$40.50	Rate (OT) \$60.75	NA	Rate (ST) \$60.00	Rate (OT) \$86.00	Rate (DT) \$110.00	Rate (ST) \$62.50	Rate (OT) \$81.50	(DT) \$125.00	Rate (ST)	Rate (OT)	NA	Rate (ST) \$78.64	Rate (OT) \$114.67	Rate (DT) \$150.73	Rate (ST) \$78.01	Rate (OT) \$113.95	\$149.88	Rate (ST) \$80.58	(OT) \$113.41	Rate (DT) \$146.26	Rate (ST) NA	Rate (OT) NA	(DT) NA			
,	Foreman	\$45.00	\$67.50	NA	\$60.00	\$86.00	\$110.00	\$74.00	\$97.50	\$148.00	NA	NA	NA	\$82.34	\$120.02	\$157.72	\$81.53	\$119.17	\$156.82	\$84.48	\$118.82	\$153.18	NA	NA	NA			
	General Foreman	\$49.50	\$74.25	NA	\$65.00	\$86.00	\$133.92	\$83.00	\$115.50	\$166.00	NA	NA	NA	\$84.55	\$123.22	\$161.92	\$83.63	\$122.30	\$160.98	\$86.81	\$122.06	\$157.31	NA	NA	NA	_		
ht	Superintendent Journeyman	\$55.45 \$40.50	\$83.18 \$60.75	NA NA	\$65.00 \$65.00	\$86.00 \$86.00	\$133.92 \$110.00	\$95.00 \$62.50	\$135.00 \$81.50	\$190.00 \$125.00	NA NA	NA NA	NA NA	\$91.94 \$81.60	\$133.90 \$118.94	\$175.89 \$156.32	\$92.06 \$78.37	\$134.84 \$114.47	\$177.63 \$150.57	\$83.70	\$117.75	\$151.79	NA NA	NA NA	NA NA			
<b>.</b>	Foreman	\$45.00	\$67.50	NA	\$70.00	\$86.00	\$110.00	\$74.00	\$97.50	\$148.00	NA	NA	NA	\$82.71	\$120.55	\$158.42	\$81.88	\$119.69	\$157.51	\$87.58	\$123.14	\$158.68	NA	NA	NA	-		
	General Foreman Superintendent	\$49.50 \$55.45	\$74.25 \$83.18	NA NA	\$70.00 \$70.00	\$86.00 \$86.00	\$133.92 \$133.92	\$83.00 \$95.00	\$115.50 \$135.00	\$166.00 \$190.00	NA NA	NA NA	NA NA	\$84.92 \$92.31	\$123.75 \$134.44	\$162.62 \$176.59	\$83.98 \$92.41	\$122.83 \$135.37	\$161.67 \$178.32	\$89.94	\$126.39	\$162.85	NA NA	NA NA	NA NA	4		
	Superintendent NOTE:	ψυυ.4υ	ψ00.10		ψι 0.00	ψ00.00	ψ100.9Z	ψ33.00	ψ133.00	ψ130.00		tract renew			tes valid fro			tes valid fro		1	<u> </u>	l		ntract renew		1		
	-											currently ur			6/30/14			6/30/14						currently u	-			
RICKL	AYER 1/30/14	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)			
iy iy	Journeyman	\$39.00	\$58.50	NA	\$60.00	\$80.00	\$100.00	\$54.00	\$67.50	\$108.00	NA	NA	NA	\$58.66	\$78.32	\$97.97	\$52.05	\$69.98	\$87.91	\$75.66	\$100.57	\$119.87	\$87.08	\$128.74				
	Foreman	\$45.00 \$49.50	\$67.50	NA	\$60.00	\$80.00	\$100.00	\$60.50	\$77.50	\$121.00 \$125.00	NA	NA	NA	\$61.97 \$62.80	\$83.19	\$104.41 \$106.05	\$55.05	\$74.44	\$93.80 \$95.30	\$80.30	\$106.01	\$129.27 \$128.45	\$84.88	\$125.45 \$119.97				
	General Foreman Superintendent	\$49.50 \$55.45	\$74.25 \$83.18	NA NA	\$60.00 \$60.00	\$85.00 \$85.00	\$105.00 \$105.00	\$67.50 \$79.75	\$88.85 \$107.00	\$135.00 \$159.50	NA NA	NA NA	NA NA	\$62.80 \$62.80	\$84.43 \$84.43	\$106.05 \$106.05	\$55.84	\$75.57	\$95.30	\$82.41	\$112.90	\$138.45	\$81.23	\$119.97	\$158.71			
ght	Journeyman	\$39.00	\$58.50	NA	\$65.00	\$85.00	\$105.00	\$54.00	\$67.50	\$108.00	NA	NA	NA	\$58.66	\$78.32	\$97.97	\$52.05	\$69.98	\$87.91	\$78.51	\$104.85	\$125.27	\$87.44	\$129.29	\$171.14			
	Foreman General Foreman	\$45.00 \$49.50	\$67.50 \$74.25	NA NA	\$65.00 \$65.00	\$85.00 \$90.00	\$105.00 \$110.00	\$60.50 \$67.50	\$77.55 \$88.85	\$121.00 \$135.00	NA NA	NA NA	NA NA	\$61.97 \$62.80	\$83.19 \$84.43	\$104.41 \$106.05	\$55.07 \$55.84	\$74.44 \$75.57	\$93.80 \$95.30	\$83.15 \$85.26	\$110.31 \$117.20	\$134.67 \$143.85	\$85.25 \$81.59	\$126.00 \$120.52	\$166.76 \$159.44	-		
	Superintendent	\$55.45	\$83.18	NA	\$65.00	\$90.00	\$110.00	\$79.75	\$107.00	\$159.50	NA	NA	NA	\$62.80	\$84.43	\$106.05	φ00.01	<i><i><i>ψ</i>/0.07</i></i>	<b>\$00.00</b>	φ00.20	ψ117.20	ψ110.00	φ01.00	ψ120.02	φ100.11			
	NOTE:								-			e subcontra												id until 12/3				
RICKL	AYER	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly Rate	Hourly	not provided Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly Rate	Hourly	Hourly	ct renews J Hourly	Hourly Rate			
	30/14	Rate (ST)	Rate (OT)	Rate (DT)	Rate (ST)	Rate (OT)	Rate (DT)	Rate (ST)	Rate (OT)	(DT)	Rate (ST)	Rate (OT)	. /	Rate (ST)	Rate (OT)	Rate (DT)	Rate (ST)	Rate (OT)	Rate (DT)	Rate (ST)	(OT)	Rate (DT)	Rate (ST)	Rate (OT)	(DT)			
ıy	Journeyman Foreman	\$39.00 \$45.00	\$58.50 \$67.50	NA NA	\$60.00 \$60.00	\$80.00 \$80.00	\$100.00 \$100.00	\$54.00 \$60.50	\$67.50 \$77.50	\$108.00 \$121.00	NA NA	NA NA	NA NA	\$71.81 \$76.63	\$91.50 \$97.11	\$107.39 \$114.21	\$52.05 \$55.05	\$69.98 \$74.44	\$87.91 \$93.80	\$75.66 \$80.30	\$100.57 \$106.01	\$119.87 \$129.27	NA NA	NA NA	NA NA			
	General Foreman	\$49.50	\$74.25	NA	\$60.00	\$85.00	\$105.00	\$67.50	\$88.85	\$135.00	NA	NA	NA	\$83.38	\$104.58	\$121.45	\$55.84	\$75.57	\$95.30	\$82.41	\$112.90	\$138.45	NA	NA	NA	-		
ght	Superintendent	\$55.45 \$39.00	\$83.18 \$58.50	NA NA	\$60.00 \$65.00	\$85.00 \$85.00	\$105.00 \$105.00	\$79.75 \$54.00	\$107.00 \$67.50	\$159.50 \$108.00	NA NA	NA NA	NA NA	\$83.38 \$71.81	\$104.58 \$91.50	\$121.45 \$107.39	\$52.05	\$69.98	\$87.91	\$78.51	\$104.85	\$125.27	NA NA	NA NA	NA NA			
ym	Journeyman Foreman	\$45.00	\$67.50	NA	\$65.00	\$85.00	\$105.00	\$60.50	\$77.55	\$108.00	NA	NA	NA	\$76.63	\$97.11	\$114.21	\$55.07	\$74.44	\$93.80	\$83.15	\$104.85	\$125.27 \$134.67	NA	NA	NA	-		
	General Foreman		\$74.25	NA	\$65.00	\$90.00	\$110.00	\$67.50	\$88.85	\$135.00	NA	NA	NA	\$83.38	\$104.58	\$121.45	\$55.84	\$75.57	\$95.30	\$85.26	\$117.20	\$143.85	NA	NA	NA			
	Superintendent	\$55.45	\$83.18	NA	\$65.00	\$90.00	\$110.00	\$79.75	\$107.00	\$159.50	NA	NA	NA	\$83.38	\$104.58	\$121.45						<u> </u>	NA	NA	NA	_		
	NOTE:											e subcontra not provide												ntract renew currently u				
POP	D	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly Rate	Hourly	Hourly		Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly Rate	Hourly	Hourly		Hourly Rate			
BORE		Rate (ST)	Rate (OT)	Rate (DT)	Rate (ST)	Rate (OT)	Rate (DT)	Rate (ST)	Rate (OT)	(DT)	Rate (ST)	Rate (OT)	Rate (DT)	Rate (ST)	Rate (OT)	Rate (DT)	Rate (ST)	Rate (OT)	Rate (DT)	Rate (ST)	(OT)	Rate (DT)	Rate (ST)	Rate (OT)	(DT)			
ıy	Journeyman Foreman	\$30.00 \$45.00	\$45.00 \$67.50	NA NA	\$50.00 \$60.00	\$66.95 \$66.95	\$86.08 \$86.08	\$43.00 \$49.75	\$54.50 \$60.50	\$86.00 \$99.50	\$42.06 \$42.78	\$55.56 \$56.57	\$69.05 \$70.36	\$44.23 \$44.95	\$59.28 \$60.33	\$74.32 \$75.71	\$38.04 \$39.49		\$64.40 \$67.22	\$46.40 \$48.16	\$60.33 \$62.50	\$74.07 \$76.84	\$49.47 \$48.00	\$67.25 \$65.06	\$85.04 \$82.11	1		
	General Foreman	\$49.50	\$74.25	NA	\$60.00	\$66.95	\$86.08	\$56.50	\$71.00	\$113.00	\$44.21	\$58.59	\$72.97	\$48.55	\$65.58	\$82.62	\$40.21	\$54.42	\$68.63	\$48.94	\$63.58	\$78.22	\$47.27	\$63.96	\$80.65	1		
ght	Superintendent Journeyman	\$55.45 \$30.00	\$83.18 \$45.00	NA NA	\$60.00 \$55.00	\$66.95 \$76.95	\$86.08 \$86.08	\$63.00 \$43.00	\$81.50 \$54.50	\$126.00 \$86.00	\$90.25 \$44.93	\$132.50 \$59.60	\$174.80 \$74.27	\$55.76 \$47.11	\$76.10 \$63.48	\$96.42 \$79.86	\$38.04	\$51.22	\$64.40	\$49.72	\$64.67	\$79.60	\$49.47	\$67.25	\$85.04	-		
9""	Foreman	\$45.00	\$45.00 \$67.50	NA	\$65.00 \$65.00	\$76.95	\$86.08	\$49.75	\$60.50	\$99.50	\$45.64	\$60.61	\$75.58	\$48.46	\$65.35	\$79.86	\$39.49	\$53.35	\$67.22	\$49.72 \$51.28	\$66.82	\$79.60 \$82.37	\$48.00	\$65.06	\$82.11	1		
	General Foreman	\$49.50	\$74.25	NA	\$70.00	\$84.95	\$100.08	\$56.50	\$71.00	\$113.00	\$47.07	\$62.63	\$78.19	\$48.55	\$65.58	\$82.62	\$40.21	\$54.42	\$68.63	\$52.05	\$67.90	\$83.74	\$47.27	\$63.96	\$80.65	]		
	Superintendent	\$55.45	\$83.18	NA	\$70.00	\$84.95	\$100.08	\$63.00	\$81.50	\$126.00	\$93.15 Rates val	\$136.75 id until Apri	\$180.40	\$55.76	\$76.10	\$96.42	}		l	ł		l	Rates va	lid until Apr	il 30, 2014	1		
	NOTE:											tract renew	s May 2014										Union cor	ntract renew	s May 2014			
LLWRI	GHT	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	-	Hourly Rate	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly Rate	-	Hourly		Hourly Rate	;		
ıy	Journeyman	Rate (ST) \$36.00	Rate (OT) \$54.00	Rate (DT) NA	<b>Rate (ST)</b> \$52.74		Rate (DT) \$96.08	Rate (ST) \$59.50	Rate (OT) \$77.00	<b>(DT)</b> \$119.00	<b>Rate (ST)</b> \$48.91	Rate (OT) \$64.16	Rate (DT) \$79.40	<b>Rate (ST)</b> \$50.46	Rate (OT) \$67.47	Rate (DT) \$84.46	Rate (ST) \$50.94	<b>Rate (OT)</b> \$57.10	Rate (DT) \$86.87	<b>Rate (ST)</b> \$53.15	(OT) \$68.65	Rate (DT) \$84.16	Rate (ST) \$55.50	Rate (OT) \$75.29	(DT) \$95.09			
,	Foreman	\$45.00	\$67.50	NA	\$58.62	\$76.95	\$96.08	\$66.25	\$86.50	\$132.50	\$50.21	\$65.99	\$81.77	\$51.76	\$69.36	\$56.05	\$52.36	\$71.01	\$89.67	\$54.54	\$70.60	\$86.66	\$54.93	\$74.45	\$93.96	1		
	General Foreman Superintendent	\$49.50 \$55.45	\$74.25 \$83.18	NA NA	\$60.43 \$60.43	\$80.00 \$80.00	\$100.00 \$100.00	\$72.50 \$80.00	\$96.50 \$106.50	\$145.00 \$160.00	\$50.77 \$90.25	\$66.78 \$132.50	\$82.78 \$174.80	\$52.32 \$59.53	\$70.17 \$80.68	\$88.02 \$101.84	\$54.50	\$74.18	\$93.86	\$55.14	\$71.43	\$87.72	\$53.61	\$72.47	\$91.32	-		
ght	Journeyman	\$36.00	\$54.00	NA	\$56.74	\$79.95	\$99.08	\$59.50	\$77.00	\$119.00	\$51.80	\$68.22	\$84.65	\$53.34	\$71.67	\$89.99	\$50.94	\$57.10	\$86.87	\$56.25	\$72.97	\$89.70	\$55.50	\$75.29	\$95.09	1		
	Foreman	\$45.00 \$40.50	\$67.50 \$74.25	NA	\$66.74	\$87.95	\$106.08 \$106.08	\$66.25 \$72.50	\$86.50	\$132.50 \$145.00	\$53.10 \$52.65	\$70.05 \$70.84	\$87.01	\$54.64 \$55.21	\$73.56 \$74.29	\$92.48 \$92.54	\$52.36	\$71.01 \$74.19	\$89.67	\$57.66 \$58.25	\$74.92 \$75.75	\$92.20 \$92.24	\$54.93	\$74.45 \$72.47	\$93.96 \$01.22	4		
	General Foreman Superintendent	\$49.50	\$74.25	NA	\$66.74		\$106.08	\$72.50	\$96.50	\$145.00	\$53.65	\$70.84	\$88.03	\$55.21	\$74.38	\$93.54	\$54.50	\$74.18	\$93.86	\$58.25	\$75.75	\$93.24	\$53.61	\$72.47	\$91.32			
		\$55.45	\$83.18	NA	\$66.74	\$87.95	\$106.08	\$80.00	\$106.50	\$160.00	\$93.15	\$136.75	\$180.40	\$62.42	\$84.88	\$107.36			I			I	_			-		
	NOTE:											id until Apri tract renew												id until 12/3 Ict renews J				
											J	LIGULICIEW	S may ∠014										L CONTRA					

																									1
STEAMFI	TTER	Hourly Rate (ST)		Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	
-	Journeyman	\$39.00	\$58.50	NA	\$60.00	\$80.00	\$100.00	\$59.50	\$77.00	\$119.00	\$60.51	\$77.84	\$95.17	\$62.97	\$82.31	\$101.64	\$62.56	\$89.79	\$117.92	\$65.95	\$83.59	\$101.23	\$73.43	\$98.36	\$123.28
-	Foreman	\$45.00	\$67.50	NA	\$60.00	\$80.00	\$100.00	\$66.25	\$86.50	\$132.50	\$63.88	\$82.59	\$101.31	\$66.35	\$87.22	\$108.10	\$67.14	\$96.58	\$126.93	\$69.60	\$88.65	\$107.70	\$71.23	\$95.05	\$118.87
	General Foreman Superintendent	\$49.50 \$55.45	\$74.25 \$83.18	NA NA	\$65.00 \$65.00	\$85.00 \$85.00	\$105.00 \$105.00	\$72.50 \$80.00	\$96.50 \$106.50	\$145.00 \$160.00	\$65.98 \$90.25	\$85.56 \$132.50	\$105.15 \$174.80	\$68.45 \$75.64	\$90.30 \$100.79	\$112.15 \$125.93	\$71.72	\$103.38	\$135.94	\$71.89	\$91.82	\$111.76	\$67.70	\$89.76	\$111.81
	Journeyman	\$39.00	\$58.50	NA	\$65.00	\$85.00	\$105.00	\$59.50	\$77.00	\$119.00	\$63.38	\$81.89	\$100.41	\$65.85	\$86.50	\$107.15	\$62.56	\$89.79	\$117.92	\$69.06	\$87.90	\$106.75	\$78.42	\$105.84	\$133.25
	Foreman	\$45.00	\$67.50	NA	\$65.00	\$85.00	\$105.00	\$66.25	\$86.50	\$132.50	\$66.75	\$86.65	\$106.55	\$69.23	\$91.42	\$113.62	\$67.14	\$96.58	\$126.93	\$72.72	\$92.98	\$113.23	\$75.99	\$102.20	\$128.40
	General Foreman	\$49.50	\$74.25	NA	\$70.00	\$90.00	\$110.00	\$72.50	\$96.50	\$145.00	\$68.85	\$89.62	\$110.38	\$71.33	\$94.49	\$117.66	\$71.72	\$103.38	\$135.94	\$75.00	\$96.14	\$117.28	\$72.11	\$96.37	\$120.64
	Superintendent	\$55.45	\$83.18	NA	\$70.00	\$90.00	\$110.00	\$80.00	\$106.50	\$160.00	\$93.15	\$136.75	\$180.40	\$78.52	\$104.98	\$131.44									
	NOTE:											id until May	,										Rates valid until May 31, 2014 Union contract renews June 20		
TRAVEL	& SUBSISTENCE																								
Descripti	on		Rate			Rate			Rate			Rate			Rate			Rate			Rate			Rate	
Subsiste	nce:																								
Supervisors \$100.00 per day			lay	\$	80.00 per da	ay	\$1	25.00 per d	ау	\$	100.00 per da	ay	\$1	100.00 per o	day	\$	75.00 per da	у	9	\$100.00 per da	ıy	\$	110.00 per	day	
Craft \$85.00 per day			ау	\$	80.00 per da	ay	\$1	25.00 per d	ay	\$	40.00 per da	у	\$	50.00 per d	lay	\$	50.00 per da	у		\$0 per day		<del>9</del> 7	110.00 per	day	
Travel &	Mileage																								
Superviso	rvisor travel ST rate per hour			our	\$	50.00 per ho	our	\$7	75.00 per ho	our	\$300.00	per mobe & (each)	de-mobe	\$	86.58 per h	our	\$7	6.61 per ho	ur		\$0.00		S	T rate per h	our
Supervisor mileage IRS rate per mile unless PES vehicle			less PES	\$	1.00 per mil	e	\$.59 per mile			\$100.00 per mobe & de-mobe			\$0 (pick-up to be billed at attached equipment rental rates, and fuel to be billed at cost +5%)			e \$.75 per mile					\$.45 per hour		ur		
Craft trav	ft travel \$125.00 mobe / \$125.00 de-mobe			00 de-mobe	\$	50.00 per ho	our	\$4	\$45.00 per hour					To be billed applicable)	at craft rate	s provided (if	f Only if applicable at craft journeyman rate								
Craft mile	age	IR	S rate per ho	our	\$1.00 per mile			\$.59 per mile					\$.62/mile (if applicable)		Boilermakers do not receive travel or mileage unless hauling tools or equipment. All other crafts, if local (within 50 miles) do not receive travel or mileage.										
Deliverie	S																								
Travel		S	rate per ho	our	\$5	50.00 per ho	our	NA			\$85.00 per hr ST / \$115.00 per hr OT / \$140.00 per hr. DT		To be billed as 3rd party trucking per subcontract rates		\$38.04 per hour			Per invoice if any							
Mileage		IRS rate	per mile unl vehicle	less PES	\$	1.00 per mil	e	\$	3.50 per mi	e		\$0.00		To be billed subcontract		/ trucking per	\$	1.00 per mil	9	F	er invoice if a	ny			
MISC.																									
Descripti			Rate			Rate			Rate			Rate			Rate			Rate			Rate			Rate	
Safety su	pplies &		Cost + 10%	)		Cost + 5%			Cost + 10%		N/A Pro	ovided by Co	ntractor		Cost + 5%	1		Cost + 10%			Included in rate	е		Cost + 10%	6
Miscellan consumal	eous materials & bles		Cost + 10%	)		Cost + 12%			Cost + 10%			Cost + 8%			Cost + 7%	,		Cost + 10%			Included in rate	е		Cost + 10%	6
					8						Consu	imables Cost	t + 8%				•								
										Subcon	ractor servic	es + 8%													
											Third Party	Rental Equip	oment + 8%												
Travel &	Subsistence				2	to 3% per ye	ar		3% per year			ar (fixed thro enegotiated			5% per yea	ır		5% per year		0%	per renewal pe	eriod		3% per yea	ar
Equipmer	nt & Tools		2 to 3% per year			ar	3% per year				3% per year 0% per year			r	0% per year			0% per renewal period			3% per year				
	Performance/Payment Bond: 2.5% for first \$100k,																								

Bond: 2.5% for first \$100k, 1.5% for next \$400k, 1% for next \$2m (invoiced at cost)



# COUNCIL ACTION FORM

# SUBJECT: SPEED LIMIT ON STATE AVENUE

# **BACKGROUND:**

The recently designed 2012/13 Arterial Street Pavement Improvements is part of the annual program in the Capital Improvements Plan is for reconstruction or rehabilitation of arterial streets. Locations are chosen in accordance with the most current street condition inventory. The 2012/13 program location is State Avenue (Oakwood Road – just north of US Highway 30 Overpass). The City has secured engineering design services from WHKS & Co., a local civil engineering firm to design this project.

The speed limit along State Avenue is currently posted as a mix of both 45 mph and 35 mph. During the design of State Avenue, it was determined that the section from approximately 250 feet south of Oakwood Road to 250 feet north of Meadow Glen Road would need to be posted at 35 mph in order to meet current design standards based on the existing roadway geometry. The design also determined that lowering the speed limit was critical for safety in providing the appropriate sight distances along State Avenue. During the public meeting for the project, local residents expressed support in lowering the 45 mph zone to 35 mph. (See Attachment 1)

# ALTERNATIVES:

- 1. Direct the City Attorney to develop an ordinance to establish a speed limit of 35 MPH along State Avenue from a point 250 feet north Meadow Glen Road to a point 250 feet south of Oakwood Road.
- 2. Reject the project.

# MANAGER'S RECOMMENDED ACTION:

By lowering the speed limit along State Avenue to 35 MPH, it will not only bring speeds down to a safe and appropriate range for the roadway as required by the design, but is also consistent with the desired speed of local residents affected by this project.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby directing the City Attorney to develop an ordinance to establish a speed limit of 35 MPH along State Avenue from a point 250 feet north Meadow Glen Road to a point 250 feet south of Oakwood Road.

Attachments (1)



#### **ORDINANCE NO.**

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 26.39 (gg) THEREOF, FOR THE PURPOSE OF ESTABLISHING A SPEED LIMIT ON STATE AVENUE; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Section 26.39(gg) as follows:

#### Sec. 26.39. SPECIFICALLY DESIGNATED SPEED LIMITS ON CERTAIN STREETS.

"(gg) **State Avenue:** Thirty-five (35) miles per hour along State Avenue from a point 250 feet north Meadow Glen Road to a point 250 feet south of Oakwood Road."

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

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

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

Passed this \_\_\_\_\_\_ day of \_\_\_\_\_\_, \_\_\_\_.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor