

**AGENDA**  
**REGULAR MEETING OF THE AMES CITY COUNCIL**  
**COUNCIL CHAMBERS - CITY HALL**  
**JUNE 24, 2014**

**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.

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

1. Motion approving payment of claims
2. Motion approving minutes of Regular Meeting of June 10, 2014
3. Motion approving Report of Contract Change Orders for June 1-15, 2014
4. Motion approving 5-Day Class B Beer Permit & Outdoor Service for Wheatsfield Cooperative, 409 Northwestern Avenue
5. Motion approving 5-Day Class C Liquor License for Olde Main Brewing Company at Reiman Gardens, 1407 University Boulevard
6. Motion approving 5-Day Class B Beer Permit & Outdoor Service for Bar at Zylstra Harley Davidson, 1219 McCormick Avenue
7. Resolution approving and adopting Supplement No. 2014-3 to *Municipal Code*
8. Resolution approving appointment of Council Member Gloria Betcher to Ames Economic Development Commission Board of Directors
9. Resolution approving 2014/15 Contract for Arts Funding with Good Company
10. Resolution approving renewal of contract with Iowa Communities Assurance Pool (ICAP) for liability insurance for 2014/15
11. Resolution approving rescission of Resolution No. 14-334 and adopting Resolution to accept alternate quotation from Holmes Murphy for Excess Workers' Compensation for 2014/15
12. Resolution approving Commission On The Arts Fall 2014 Special Project Grants
13. Resolution approving carry-over to FY 2014/15 of funds for Historic Preservation Commission
14. Ames Public Library Book Brigade on Sunday, August 17:
  - a. Resolution approving closure of Main Street, from Clark Avenue to Douglas Avenue, and Douglas Avenue, from Main Street to 6<sup>th</sup> Street, from 3:00 to 6:00 p.m.
15. Resolution authorizing Mayor to sign Letter of Agreement among the City, Department of Natural Resources, State Historic Preservation Office, and State Archeologist pertaining to the Drinking Water State Revolving Fund loan for construction of New Water Treatment Plant
16. Resolution approving application for State Recreational Trail Grant for 6<sup>th</sup> Street (Hazel Avenue - Brookside Park entrance) to improve shared use path and bicycle facilities on 6<sup>th</sup> Street from Hazel Avenue to Brookside Park entrance
17. Request from AT&T for cellular antenna to be located on City property northwest of Dog Park:
  - a. Resolution approving Agreement granting temporary entry to site for measurements and testing
  - b. Motion authorizing staff to make Joint Application for Special Use Permit
18. Resolution approving contract and bond for North Growth Area Utility Extension Project

19. Resolution approving Year 2 (FY 2014/15) of Lime Sludge Disposal Contract with Wulfekuhle Injection and Pumping for Water and Pollution Control
20. Resolution approving renewal of software maintenance contract with Sungard/HTE for joint public safety network
21. Resolution approving renewal of software maintenance contract from Sungard/HTE for Information Services
22. Resolution accepting completion of Public Library Renovation and Expansion Abatement Work
23. Resolution accepting completion of 2010/11 Storm Water Facility Rehabilitation Program - Spring Valley Subdivision (Utah Drive/Oklahoma Drive) and 2012/13 Flood Response and Mitigation Program (Clear Creek Landslide - Utah Drive)
24. Resolution accepting completion of 2011/12 Downtown Pavement Improvements Project - Douglas Avenue (Main Street - 7<sup>th</sup> Street)
25. Resolution accepting completion of 2011/12 Asphalt Pavement Improvement Program and 2011/12 Low-Point Drainage Program

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

**HEARINGS:**

26. Hearing on rezoning for 205 South Wilmoth Avenue from Special Government/Airport (S-GA) to Residential Low Density (RL):
  - a. Motion to continue hearing
27. Hearing on rezoning with Master Plan for 601 State Avenue from Special Government/Airport (S-GA) to Residential Low Density (RL) and Floating Suburban Residential Low Density (FS-RL):
  - a. Motion to continue hearing
28. Hearing on South Annexation:
  - a. Resolution approving annexation
  - b. Staff report on capping sanitary and water connection fees
29. Hearing on zoning text amendments to Sections 29.1507(2) and 29.1507(3) pertaining to Petitions for Rezoning and Master Plan Determination, respectively:
  - a. First passage of ordinance
30. Hearing on zoning text amendment pertaining to Floating Suburban Residential District, specifically related to density range, limitation on units per building, changes to setbacks, clarifications to Establishment Sections' references to rezoning and map amendment process, and cleanup of net density terminology:
  - a. First passage of ordinance
31. Hearing on Water Pollution Control Facility Switchgear Control Rehabilitation:
  - a. Resolution approving final plans and specifications and awarding contract to Waldinger Corporation of Des Moines, Iowa, in the amount of \$70,400
32. Hearing on Water Pollution Control Make-Up Air Unit Replacement:
  - a. Resolution approving final plans and specifications and awarding contract to Mechanical Comfort, Inc., of Ames, Iowa, in the amount of \$83,550
33. Hearing on Fleet Services Building Roof Replacement Project - Phase 1:
  - a. Resolution approving final plans and specifications and awarding contract to Ida Grove Roofing and Improvement, Inc., of Ida Grove, Iowa, in the amount of \$89,864

**ADMINISTRATION:**

34. Update from Main Street Cultural District pertaining to usage of funding allocation:
  - a. Motion providing direction to staff
35. Request from Young Professionals of Ames for Permit for fireworks display on July 3, 2014, with rain date of July 5, 2014:
  - a. Motion providing direction regarding funding shortfall
  - b. Motion approving/denying Fireworks Permit from ISU Lot G7

**PUBLIC WORKS:**

36. Resolution approving/motion denying extension of temporary change to three metered parking stalls in front of 119 Stanton Avenue for First National Bank

**FIRE:**

37. Staff follow-up report on Rental Housing Code concerns expressed by Ames Rental Association

**ORDINANCES:**

38. First passage of ordinance amending Chapter 21 to allow for multiple-family development entrance signs
39. Third passage and adoption of Airport Obstruction ORDINANCE NO. 4186

**COUNCIL COMMENTS:**

**CLOSED SESSION:**

40. Motion to hold Closed Session as provided by Section 21.5c, *Code of Iowa*, to discuss matters in litigation

**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 REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JUNE 10, 2014

The Regular Meeting of the Ames City Council was called to order at 7:00 p.m. on June 10, 2014, in the City Council Chambers in City Hall, 515 Clark Avenue pursuant to law with Mayor Ann Campbell presiding and the following City Council members present: Gloria Betcher, Amber Corrieri, Tim Gartin, Matthew Goodman, Chris Nelson, and Peter Orazem. *Ex officio* Member Lissandra Villa was also present.

Mayor Campbell noted that the Agenda had been amended to include a Closed Session; however, it has now been learned that a Closed Session would not be needed at this meeting.

**CONSENT AGENDA:** Council Member Betcher asked to pull Consent Item Nos.7 and 8, Movie Night and Paint Bash events in Campustown, respectively, for separate discussion.

Moved by Goodman, seconded by Corrieri, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving minutes of Regular Meeting of May 27, 2014
3. Motion approving Report of Contract Change Orders for May 16-31, 2014
4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
  - a. Class B Beer – King Buffet of IA, 1311 Buckeye, Suite B
  - b. Class A Liquor w/ Outdoor Service – Green Hills Residents' Association, 2200 Hamilton Drive, #100
  - c. Class E Liquor, C Beer, and B Wine – AJ's Liquor, 4518 Mortensen Road, #109
  - d. Class E Liquor, C Beer, & B Wine – Kum & Go #200, 4510 Mortensen Road
  - e. Class E Liquor, C Beer, & B Wine – Kum & Go #214, 111 Duff Avenue
  - f. Class E Liquor, C Beer, & B Wine – Kum & Go #215, 4506 Lincoln Way
  - g. Class E Liquor, C Beer, & B Wine – Kum & Go #216, 203 Welch Avenue
  - h. Class E Liquor – MMDG Spirits, 126A Welch Avenue
  - i. Class C Liquor – Texas Roadhouse, 519 South Duff Avenue
  - j. Special Class C Liquor – Hickory Park, 1404 South Duff Avenue
5. Motion approving 5-Day Special Class C Liquor License for Gateway Hotel & Conference Center at Reiman Gardens, 1407 University Boulevard
6. Motion approving Outdoor Service Privilege for Corner Pocket/DG's Taphouse from July 3 - 6, 2014, for Sesquicentennial beer garden
7. RESOLUTION NO. 14-330 adopting new and revised fees to be effective July 1, 2014
8. RESOLUTION NO. 14-331 approving amendment to Agreement with Ames Community School District pertaining to elementary school playgrounds used as neighborhood parks
9. RESOLUTION NO. 14-332 approving second request for time extension to submit City's Consolidated and Action Plans to HUD
10. RESOLUTION NO. 14-333 approving renewal of contract with Willis for FY 2014/15 property insurance
11. RESOLUTION NO. 14-334 approving contract with Holmes Murphy for Excess Workers' Compensation Insurance at an annual cost of \$88,845
12. RESOLUTION NO. 14-335 approving contract with Iowa Association of Municipal Utilities (IAMU) for 2014/15 Safety and Training Professional Services in an amount not to exceed \$134,000
13. RESOLUTION NO. 14-336 approving 2014-2034 Intergovernmental Agreements for Resource Recovery System

14. RESOLUTION NO. 14-337 approving preliminary plans and specifications for Unit No. 7 Crane Repair; setting July 9, 2014, as bid due date and July 22, 2014, as date of public hearing
  15. RESOLUTION NO. 14-338 approving contract and bond for Specialized Wet Dry Vacuum, Hydro Blast, and Related Cleaning Services for Power Plant
  16. RESOLUTION NO. 14-339 approving Change Order with NESCO, LLC, of Bluffton, Indiana, to extend Rental Contract for Aerial Bucket Truck for Electric Services
  17. RESOLUTION NO. 14-340 renewing contract with Klean Rite of Ames, Iowa, for Custodial Services for City Hall in the amount of \$57,224.70, plus \$20.10 per hour for emergency callback and additional work as authorized
  18. RESOLUTION NO. 14-341 renewing contract with Asplundh Tree Expert Company of Fairfax, Iowa, for Line Clearance Program for Electric Distribution in an amount not to exceed \$301,420 for FY 2014/15
  19. RESOLUTION NO. 14-342 renewing contract with Fletcher Reinhardt Company of Cedar Rapids, Iowa, in accordance with unit prices bid for Electric Meters for Electric Services Department
  20. RESOLUTION NO. 14-343 approving renewal of contract with Metering Technology and Elster AMCO for water meters and related parts for Water and Pollution Control
- Roll Call Vote: 6-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**REQUESTS FROM CAMPUSTOWN ACTION ASSOCIATION FOR MOVIE NIGHT ON JULY 11:** Council Member Betcher asked for more information on this event. Kim Hanna, Director of Campustown Action Association (CAA), 200 Stanton, Ste. 102, Ames, stated that *The Lego Movie* will be shown at approximately 8:30 p.m. and be preceded by an acoustic music concert at 7:00 p.m. The CAA is partnering with Cyclone Cinema from Iowa State on this event. These events are free to the public.

Ms. Betcher asked how this event will benefit Campustown. Ms. Hanna said that the event is keeping with a goal of the CAA, i.e., bringing people of all ages into Campustown for fun family activities.

Moved by Betcher, seconded by Nelson, to approve a Blanket Temporary Obstruction Permit for Welch Lot T, adopt RESOLUTION NO. 14-327 approving closure of Welch Lot T from 12:00 p.m. to midnight, and adopt RESOLUTION NO. 14-328 approving waiver of parking meter fees for Movie Night in Campustown on July 11, 2014.

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

**REQUEST FROM SEEK ENTERTAINMENT FOR PAINT BASH:** Additional information on this event was requested by Council Member Betcher. She noted that this event was being hosted by the CAA, but was not specifically created by it.

Anthony Secord, 6080 Mill Street, Excelsior, MN, representing SEEK Entertainment, provided a brief overview of the Paint Bash. This event is designed to bring the music scene and culture of Iowa State University “upwards.” It will allow people under 21 to come to the Campustown area and take people away from the party scene; there will be no alcohol allowed.

Director of CAA Kim Hanna advised that she and the CAA Board are excited to host this event. They believe that it is a unique thing for Campustown.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 14-329 approving closure of Stanton Lot Z from 2:00 p.m. on September 5 until 12:00 p.m. on September 6, 2014, for the Paint Bash being requested by SEEK Entertainment.

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

**PUBLIC FORUM:** No one came forward to speak, and the Mayor closed Public Forum.

**CONSISTENCY WITH KINGLAND DEVELOPMENT AGREEMENT FOR BUILDING MATERIALS:** Planning and Housing Director Kelly Diekmann recalled that the City Council had agreed to provide incentives to Kingland on December 10, 2013, by adopting an Urban Renewal Area and Plan with a tax increment financing (TIF) rebate of property taxes for up to ten years or \$2,064,530, whichever occurs first. The City Council also had, at that meeting, entered into a Development Agreement with Kingland Systems that described mandatory development requirements for Kingland to receive the agreed upon TIF rebate, which included a condition for substantial conformance to the site and architectural plan that was attached to the Agreement. Kingland Systems' project is to construct a three-story commercial building that will include one level of retail on the ground floor and two floors of office above it. To be eligible for the TIF rebate, one requirement is that the architecture and design is in substantial conformance with that shown to the City Council in December 2013.

Director Diekmann gave a project update, explaining the changes to the conceptual plan. He noted that during the Minor Site Plan review, staff had identified three significant changes in the look of the building: window glazing and fenestration, exterior materials of brick and metal panels, and building material colors. Conceptual building and elevation renderings from November/December 2013 and June 2014 were shown to point out the changes. Mr. Diekmann advised that the City Council is being asked to decide if the progress made by the applicant towards final design is in substantial conformance with the elements that were included as part of the exhibit from the December Agreement.

Todd Rogness, President of Kingland Systems Corporation, presented a time line showing significant milestones completed and those pending. He highlighted the primary elements of the project, which had not changed. Mr. Rogness advised that the project has now gone to the bid phase.

Andy Meyer of Bergland & Cram Architects, Mason City Office, identified himself as the Project Architect. Mr. Meyer explained to the Council the evolution from the schematic design phase to the construction documents phase. The facade remains composed of masonry, metal panel, and glass. The glass adjustments were described in detail as were the metal panels and colors of brick and masonry.

Council Member Betcher cited her concerns over the schematic provided to the Council as "Attachment 2" to the Action Form. She noted that it was not the same rendering that had been attached to the TIF Agreement. Director Diekmann noted that the Council in Fall 2013 wanted different facades. Answering a question asked by Council Member Betcher, Mr. Meyer reported that the design had moved more towards verticality, rather than having a mainly horizontal orientation.

Ms. Betcher questioned why this was coming back to the City Council when staff could have approved the design. Director Diekmann answered that the design of the project in question had evolved since first presented to the City Council. Many of the architectural details that are now

being shown were not well-defined at the time of Development Agreement approval. Because of the substantial tax incentive for the project that is tied to the architectural design of the building, Mr. Diekmann said it was important for the City Council to be aware of the design changes and determine if they were in substantial conformance with the intended architectural design referenced in the Development Agreement before construction begins.

It was asked by Council Member Betcher how the changes impacted the costs. Mr. Meyer pointed out that the changes were made to provide a more cohesive look for the project. There has been an increased cost since the project had to be redesigned; however, the new design would not have cost any more than the original one had it been initially designed that way.

Director Diekmann noted that the metal panels with their vertical orientation and dark charcoal color are the most significant change since the original representation of the project. This material is prominently featured on the corner of the building surrounding the office window, the primary material of an individual façade along Lincoln Way, and as accent treatments to all of the facades. The change of the pattern to narrower rectangles and vertical orientation reinforces the design approach of vertically oriented building facades and a modern appearance. With darkening these metal elements of the façade, the applicant has lightened one of the brick colors to champagne. He also noted that the most significant evolution in the fenestration design is the addition of black spandrel glass to shroud the internal structural elements of the building that had previously been represented as transparent in the office floors of the building. Two prominent glass features of the original concept were the large transparent expanses for the Kingland lobby near the center of the Lincoln Way façade and the corner office window. The Kingland lobby has been updated with a variegated mullion pattern similar to the metal panels. The upper level office windows now have a more traditional appearance with the individual panels and spandrel glass. Council Member Goodman asked to know the cost difference just for the glass. Mr. Meyer reported that the cost difference per square foot was nearly double for frameless verses framed.

Moved by Nelson, seconded by Orazem, finding the proposed final details of window systems, colors, and building materials to be in substantial conformance with the intended architectural design referenced within the Development Agreement.

Council Member Betcher shared her concerns about the way the City holds people to agreements and how the agreements are written. She would have preferred that specifics had been included at the time that the TIF Agreement offering over \$2 million was entered into.

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

**PRELIMINARY PLAT FOR 3699 GEORGE WASHINGTON CARVER AVENUE:** Planner Charlie Kuester explained that Hunziker Development Co., LLC, owns 121 acres at 3699 George Washington Carver Avenue. The City approved a LUPP change, annexed that land in December 2013, approved rezoning it to Suburban Residential Low-Density (FS-RL), and approved the Master Plan. The proposed Scenic Valley Subdivision comprises 116 lots for single-family detached homes and 34 homes for single-family attached homes. The Subdivision would have a net density of 3.84 units/net acre. There are also seven outlots proposed for various purposes, including storm water management, subdivision signage, and public walkways.

Mr. Kuester stated that there is a high-pressure natural gas line that runs north and south about equal distance between the borders of the Subdivision. The developer has had conversation with the gas company regarding crossing the gas line and what they may place on, within, or adjacent to it. They

are restricted to two crossings of the gas line: one would be at Weston Drive where it connects to Northridge Heights and the other one would be north of there at a new street. The crossings at those two streets leave some rather long blocks and also will result in some cul-de-sacs. All streets on all sides are interlaced with sidewalks. According to Mr. Kuester, the project includes two points of access to George Washington Carver and stubs two street connections to undeveloped land outside of the City to the north and west. It was stated by Planner Kuester that the number of dwelling units and their locations are consistent with the Master Plan, which identifies a range of 85-145 detached units and 24-45 attached units.

According to Planner Kuester, staff recommended approval of the proposed Preliminary Plat with two conditions: (1) restrictions on tree removal and slope protection within the area of LUPP Environmentally Sensitive Overlay designation that are consistent with the Master Plan, and (2) coordination of street improvements and driveway access to the attached single-family homes to ensure there is on-street parking along Aldrin Avenue. Mr. Kuester also advised that the Planning and Zoning Commission reviewed the preliminary plat on June 4, 2014, and recommended approval by a vote of 5-0.

Katherine Fromm, 3531 George Washington Carver, Ames, said her family had owned 45 acres of land in the area in question since 1972. Ms. Fromm referenced a creek that drains from her property all the way down to Squaw Creek. She told the Council that her property has been subjected to drainage from Northridge Heights and a portion of Northridge Subdivisions. Ms. Fromm said that one developer had estimated that they would be draining about 1,200 acres. She stated that finally the City gave them an easement, which meant that the City was to maintain the creek; however, according to Ms. Fromm, the City has not been doing that. The Council was told by Ms. Fromm that Squaw Creek has a lot of problems, such that the Squaw Creek Watershed Authority has been formed; however, that body has very little power. Ms. Fromm told the Council that the creek needs attention. She noted that the City must be diligent about all the properties being incorporated around its watershed. Ms. Fromm pointed out that there are conservation concerns and asked that the Council be more attentive as to what it can do, as “political animals,” to affect decisions in the state of Iowa to make such bodies as the Squaw Creek Watershed Authority have more power - either taxing or regulatory - which they currently do not have.

Council Member Gartin asked what kind of maintenance of the creek was needed. Ms. Fromm answered that there was all kind of debris in the creek. She noted that the volatility of the water is stronger when there is more run-off, which is what is occurring. The creek also increases somewhat in size. It is not a natural creek; the creek makes a right angle, and the City created, with cement pieces, a buffer around the bend. That means that it should not erode any more than it already has; however, there are still maintenance issues. Ms. Fromm pointed out that the City is expanding in all directions, and it is going to have to have more people taking care of all the issues.

Council Member Gartin asked for a response from staff to Ms. Fromm’s concerns. Mayor Campbell asked Mr. Gartin to bring those up under Council Comments.

Moved by Gartin, seconded by Goodman, to adopt RESOLUTION NO. 14-344 approving the Preliminary Plat for Scenic Valley Subdivision at 3699 George Washington Carver Avenue with two conditions:

1. Prior to Final Plat approval, the street light and street planting plan for the attached single-family home portion of Aldrin Avenue south of Weston Drive will be prepared and presented to the



Planning and Housing Department for review and approval to ensure appropriate space is reserved for off-street parking coordinated with driveway placement.

2. Prior to Final Plat approval, an easement document or similar restriction will be prepared for City staff review and approval that contains specific language regarding the protection of streets and slopes as described in the Master Plan.

Council Member Goodman, recommended that, at some point, when new streets are constructed, the Council should have a conversation about how multiple modes can operate in the City of Ames; it should consider on-street bike conveyance as a serious way to get bikers to where they need to go, rather than using one side of the road or sidewalks.

**DOWNTOWN FACADE GRANTS:** Planner Jeff Benson explained that there was still \$9,423 in 2013/14 funding in the Downtown Facade Grant Program. For FY 2014/15, \$50,000 has again been budgeted. The typical application process for FY 2014/15 is to accept applications in May and bring applications to City Council for award in July or August. Due to the late April timing of requesting Grant applications, staff was recommending that Grant awards be made for both the remaining FY 2013/14 Facade Grant funds and for the FY 2014/15 Grant funds. The available combined funds total \$59,423. A total of \$64,000 has been requested with total project costs equaling \$229,300.

Mr. Benson explained, in detail, the four Grant applications that had been received by staff, as follows:

1. 413 Northwestern - Wheatsfield Cooperative  
Requested Amount: \$15,000 for facade renovation and \$1,000 for design fees  
Project Costs: \$85,000 and design fees of \$5,000

Planner Benson noted that Wheatsfield Cooperative had formerly received a facade grant, and the current Program preference is to not approve second grants in the first round. According to Mr. Benson, the proposed area of work is for a portion of the building that was not part of the Wheatsfield Cooperative at that time and is a different facade.

2. 400 Main - Lucullan's  
Requested Amount: \$15,000 for facade renovation and \$1,000 for design fees  
Project Costs: \$30,000 and design fees of \$6,500

Mr. Benson reported that the windows that are proposed to be added will be in the same location and of the same type as the original construction. The existing mural will remain and the repair work and painting will not affect it.

It was also pointed out by Planner Benson that the Council's policy has been to award grants only for improvements to the front of the buildings, although buildings on the corner of two streets have been considered as having two front facades. However, since the east facade is on a frequently used public plaza, staff believes that this facade should be eligible as a second front facade of the building.

3. 323-5<sup>th</sup> - Triplett Building  
Requested Amount: \$15,000 for facade renovation and \$1,000 for design fees  
Project Costs: \$57,000 and design fees of \$5,000

4. 537 Main - Ames Insurance Center

Requested Amount: \$15,000 for facade renovation and \$1,000 for design fees

Project Costs: \$37,000 and design fees of \$3,800

Planner Benson advised that the building at 537 Main Street proposed improvements are intended to facilitate the use of the second floor for offices by moving the second floor entrance to the front and expanding and updating the entrance porch and canopy. Although improvements would be made to the building, staff does not feel that the project would have a great impact on the facade, which is the purpose of the Program.

Randy Pyle said that he was the owner of 400 Main Street, which is over 100 years old. He purchased the building two years ago. Mr. Pyle described the proposed changes to his building, which houses Lucullan's.

Mike Stott, 1421 South Bell Avenue, Ames, explained that Wheatsfield hopes to expand its business by 5,000 square feet. The owners would like to create a facade on the east portion of the building where it is expanding that is consistent with the north facade and entrance.

Mr. Stott also described the grant request for 323-5th for the Triplett Building and showed a conceptual drawing of the building with the facade improvements being proposed.

Moved by Corrieri, seconded by Nelson, to adopt RESOLUTION NO. 14-345 approving the facade grants for 400 Main Street (Lucullan's) and 323-5th Street (Triplett Building).

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

Moved by Corrieri, seconded by Nelson, to adopt RESOLUTION NO. 14-348 approving the facade grant for 413 Northwestern (Wheatsfield Cooperative).

Roll Call Vote: 5-0-1. Voting aye: Betcher, Corrieri, Gartin, Nelson, Orazem. Voting nay: None. Abstaining due to a conflict of interest: Goodman. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

At the inquiry of Council Member Goodman, Planner Benson replied that staff would not recommend funding a project if it feels that it does not provide enough impact.

**4710 MORTENSEN ROAD:** Planning Director Diekmann advised that Cyclone Conference Center, LLC, owns a 1.71-acre undeveloped parcel between Mortensen Road and Highway 30. It is located west of Hilton Garden Inn at the southeast corner of the West Towne Condominiums. The site is currently zoned Community Commercial Residential (CCR), which allows for mixed use. The CCR zoning district requires development of commercial on the ground floor in order to have residential uses on the upper levels. The owner of this property is seeking to rezone the parcel in question to Suburban Medium Density Residential (FS-RM) in order to do an exclusively residential development. According to Mr. Diekmann, if it were to be rezoned to FS-RM, individual apartment buildings up to a maximum of 12 units would be allowed. The lot size would support up to two 12-plex apartments and one 11-plex when accounting for lot area and parking requirements. Mr. Diekmann noted that the *Municipal Code* requires that the City Council determine whether it wishes to have a Master Plan prepared to accompany the rezoning request.

Mr. Diekmann said that, based on an examination of the site and the preliminary conversations with the owner's representative, staff determined that:

1. The owner proposes only one housing type.
2. The site in question contains no wetlands, flood plain, or other documented sensitive conditions or natural resources.
3. No public improvements will be required.
4. Staff has found no specific situations that would require more careful consideration.

It was also noted by Director Diekmann that City Council would still need to review and approve a Major Site Development Plan if the rezoning is approved. He also pointed out that Section 29.1507(3) describes the factors that are reviewed by staff before making a recommendation on whether a Master Plan should be required.

Moved by Goodman, seconded by Orazem, to not require a Master Plan for FS-RM Rezoning for 4710 Mortensen Road.

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

**CDBG ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE STUDY:** Housing Coordinator Vanessa Baker-Latimer presented the 2013 Update to CDBG Analysis of Impediments to Fair Housing Choice Study. She noted that, as a requirement of the federal Community Development Block Grant (CDBG) Program, each entitlement community is required to conduct an Analysis of Impediments to Fair Housing Study for its jurisdiction at least once during its 3- or 5-Year Consolidated Plan period. The purpose of the Analysis is to identify impediments and barriers to Fair Housing within the respective entitlement community. That information is then utilized to create a “working document” for how the barriers and impediments can be addressed and/or eliminated within the programs and projects outlined in the Annual Action Plan.

The Council was told of the major differences between the 2008 and 2013 Study. In 2013, renters were separated from homeowners. “Listening Sessions” were held in both 2008 and 2013. The main barrier cited by renters in the 2008 survey was the lack of available decent rental units in affordable price ranges was the No. 1 impediment; that is still the case for 2013. The cost of housing was cited in 2013 as a huge impediment for renters. The requirement for an excessive down payment was cited as the No.1 impediment for people wanting to get into home ownership. According to Ms. Baker-Latimer, there were 4,335 Low- to Moderate-Income households in 2006-2010 with only 965 rental units (that does include students). Also, per Ms. Baker-Latimer, it appeared that there was not a gap in housing for families as there were 740 LMI families with 965 rental units; however, the accuracy of that data could not be verified. Until staff can get more information regarding that, that data have been removed until the Final Study is published.

At the inquiry of Council Member Orazem, Ms. Baker-Latimer advised that the CHAS data is what HUD puts together in partnership with the American Communities Service Bureau; it is an acronym for Comprehensive Housing Affordable Strategy information. HUD provides that data to cities to prepare their Consolidated Plans and other information needed.

Council Member Goodman asked to know what the cost was (e.g., 30% of LMI) and whether it was a qualitative idea that they are too expensive or that there are not enough units over a cost/bedroom. Ms. Baker-Latimer introduced Nora Lasahasana, who is with Iowa State University and with whom the City contracted to perform the Impediment Study. According to Ms. Lasahasana, it is a specific number (household size) germane to each county. It was clarified that the number is broken down by size of family household and income; not by price per bedroom or price per unit. HUD sets the income limits.

Council Member Gartin questioned the definition of “decent” rental housing. He inquired how HUD’s definition of “decent” housing differs from the City’s Rental Code definition of habitable housing. Ms. Baker-Latimer said she could provide information to the City Council as to what the differences are, e.g., the presence of chipping or peeling lead paint. Council Member Goodman pointed out that the City Council could not use the results of the Study as a policy document for the City; it is what HUD wants to know, but doesn’t help the Council to achieve its goals.

Mr. Gartin asked if, in terms of the population being served, there had been some thought to expanding the survey to include the people who work in Ames, but because of the cost of housing in Ames, they had to make a decision to live in other communities. He suggested that perhaps Ames employers could survey those employees. Ms. Lasahasana advised that the data, as required by HUD, pertain to Ames residents. Ms. Baker-Latimer said that HUD requires data from Ames residents only. It would be possible to survey people as desired by Council Member Gartin; however, HUD would not require or receive that data, and there would be extra costs.

Ms. Baker-Latimer noted that the top impediments were incorporated into the CDBG Action Plan as an attempt to address those needs. The needs that came out in the Impediment Study matched the CHAS data from the City’s Consolidated Plan. Pertaining to the impediment of cost of housing, staff recommended that a rehab program for single-family home owners, public facilities for non-profit organizations, and continuing the rental affordability programs be included in the Action Plan.

It was noted by Ms. Baker-Latimer that one of the impediments noted in 2008 that is no longer listed in 2013 is discrimination complaints. It appeared that an effort to educate the public on fair housing proved successful.

Council Member Orazem asked if it would be possible to locally offer tax abatement for housing construction as a way to leverage the City’s own assets if it is felt that the state or federal government was not going to provide adequate funding. Ms. Baker-Latimer said that it would be possible if the Council made the decision to do that and would allocate funding for that purpose. She noted that the City had lost several affordable housing units that had tax credits, as those tax credits had been paid-off or expired, and the units have gone to market rate. City Manager Schainker asked if Mr. Orazem was referring to new construction or existing housing. Mr. Orazem answered he was thinking new construction, but existing could be a possibility. Mr. Schainker said that staff would have to study the possibility of taking an existing unit and giving it tax credits versus building a new unit.

Council Member pointed out that there was a large number of apartments that would be opening up in the near future, naming specifically, Copper Beech. He asked if the fact that the available supply of housing in Ames was about to increase substantially was considered in the recommendations. Ms. Baker-Latimer said it was not. Mr. Gartin then questioned whether that fact would be relevant to the analysis of the availability of rental housing in Ames. Ms. Baker-Latimer said that, from what staff had been told, those units were not conducive to families as they were more like studios and the common areas would be shared. If the units were more like apartments and the owners would be interested in making the units available to the Section 8 Program, the units might be affordable by the low- to moderate-income families. Council Member Gartin relayed his opinion that the more units available, the lower the price should go. He felt this would have an impact on the overall pool of housing units. Ms. Lasahasana noted, however, that more and more landlords are choosing not to participate in the Section 8 Program.

The meeting recessed at 9:22 p.m. and reconvened at 9:30 p.m.

**SOUTH DUFF AVENUE TRAFFIC ACCESS STUDY:** Transportation Engineer Damion Pregitzer noted that this project began after the City Council referred a letter dated June 11, 2013, from developer Chuck Winkleblack regarding access management on South Duff Avenue from South 5<sup>th</sup> Street to approximately Squaw Creek. That letter asked the City Council to direct staff to conduct a study of the South Duff Corridor and to evaluate the consolidation of several access drives along both the east and west sides of the street into a single signalized intersection. Staff then held several meetings with numerous property and business owners along the affected portion of South Duff Avenue. The report on those meetings was presented to the City Council at its December 10, 2013, meeting. Mr. Pregitzer summarized the findings of that report.

According to Mr. Pregitzer, the discussion at the December 10, 2013, meeting focused on how the proposed project could improve traffic flow and safety along South Duff Avenue as a response to increased congestion caused by recent and future redevelopment. Most of the property owners who were present at that Council meeting emphasized that a raised median would have a negative impact on their businesses and property values. Mr. Pregitzer reported that the Iowa DOT, however, has indicated that it will not authorize the installation of a new traffic signal without a raised median to address safety concerns. At the December 10, 2013, meeting, the City Council directed staff to meet with affected property owners to determine their willingness to provide cross-access easements and to determine the willingness of property owners to participate in the local match for the project if it moved forward. Staff then contacted all of the property owners who would be affected by a raised median. All of the property owners except Chuck Winkleblack and the Area Management of WalMart were opposed to any project containing a raised median.

The Council's attention was brought to the frequency of accidents along the corridor. The crash rates along the South Duff Corridor are 148% (all crash types) and 155% (just injury crashes) as compared to similar arterials in Iowa. The appropriate mitigation technique to reduce the crash rate was found to be a raised median.

Mr. Pregitzer reported that WalMart is willing to grant an unconditional access easement across its property. A second group appears to be willing to grant access easements, but desires to negotiate terms with the neighboring properties that would cover items such as maintenance and/or damages to their property. A third group of property owners with undeveloped properties feel unable to commit to access easements at this time. A fourth group is so opposed to the project that they are unwilling to consider access easements. According to Mr. Pregitzer, City staff recently updated the Iowa DOT on the progress of the project and confirmed two outstanding issues: the City is still eligible to receive the U-STEP funding, and (2) the Iowa DOT will not approve a new traffic signal without a raised median.

The estimated project cost of a new traffic signal and raised median along South Duff Avenue from South 5<sup>th</sup> Street to the Squaw Creek Bridge, according to Mr. Pregitzer, is \$325,000. Approximately 55% of the funds could come from an Iowa DOT U-STEP grant, leaving the remaining \$150,000 to be funded from local private and public resources. Chuck Winkleblack, representing Hunziker Development, and WalMart have expressed a willingness to share the cost of the improvements. Under that scenario, \$175,000 of the cost for installing both a signal and a median would come from an Iowa U-STEP grant, and the remaining cost would be split three ways among the City, WalMart, and Hunziker (\$50,000 each). The City's portion could be funded from the Road Use Tax fund available balance. It was pointed out by Mr. Pregitzer, the willingness of the development to incorporate a traffic signal into its site design presents a unique opportunity for Council to address South Duff traffic congestion. However, implementing traffic control and safety measures would significantly change traffic access to individual business sites along the corridor. According to Mr.

Pregitzer, the basic question before City Council is whether or not to pursue at this time the safety and congestion project or to maintain the status quo in the South Duff Corridor.

Mr. Pregitzer described the next steps to be taken if staff were directed to move forward. Also, the Iowa DOT Grant would have to be approved and easements secured.

Council Member Nelson pointed out that some traffic congestion would be relieved when the Grand Avenue Extension has been completed.

Jeff Bundy, representing the Bundy Family, who owns the properties at the corner of South Duff and South 5<sup>th</sup> Street, told the Council that he wants to keep the configuration as it is. Mr. Bundy added that safety was not the origin of the new concept. Mayor Campbell referenced the number of accidents continuing to occur on South Duff. Mr. Bundy acknowledged the frequency of accidents, but said that he did not believe a raised median and traffic signal was the answer. He said he would like to see the number of accidents from South 5<sup>th</sup> to Lincoln Way and from Squaw Creek Bridge to S. 16<sup>th</sup> Street. Council Member Gartin asked Mr. Bundy how his property potentially would be impacted. Mr. Bundy said that there had been at least two potential tenants who had indicated that they would not be interested in the property if a median was installed on South Duff. Mr. Gartin noted that that was two potential buyers, but that didn't mean that no one was interested in that property. Mr. Bundy said that he had heard from other building owners in similar situations that their tenants did not renew their leases. Mr. Gartin noted that in this circumstance, motorists would not be asked to drive a long way out of their way; it would be a fairly short stretch of road.

Discussion ensued on the need to secure connecting cross-access easements behind all of the businesses. City Manager Schainker advised that the way it has been planned is that there would be a temporary road in the back to handle traffic for three businesses. Before any deal is finalized, however, staff would have to work with Hunziker to get an easement to allow vehicles to drive through its development. Jeff Bundy noted that to go north from the Hunziker property, an easement also would be necessary to go through Enterprise to his property. Council Member Goodman questioned whether staff could talk to Chuck Winkleblack to request that space be kept available to make the properties accessible - with or without a signal. He indicated the need to "have Enterprise and Mr. Bundy on board." In that way, a signal could be added at some point in the future. Transportation Engineer Pregitzer suggested that the City Council direct staff to work with Hunziker Development and Enterprise Car Rental to secure the space.

Council Member Goodman asked at what level the South 5<sup>th</sup> and Duff Intersection was currently operating. Transportation Engineer Pregitzer said he believed it was at least an E, but could be an F; "it is pretty bad." To add the signal would at least bring it out of the F (range for failure).

Council Member Gartin shared his opinion that the number of accidents to date does not warrant the installation of a raised median and traffic signal. He could support those improvements if staff could state that its long-term modeling would support, for safety and traffic flow reasons, that the raised median and traffic signal would be beneficial and would be done eventually. City Manager Schainker noted that modeling will occur as part of the Long-Range Transportation Plan study. Council Member Goodman said that he had come prepared to vote for Option 1, but now he does not know if the improvement would be appreciable enough. He would rather focus on other ways, which he believes would be much more expensive. In the meantime, he would like to know what improvements at 5<sup>th</sup> and Duff could be realized if Option 1 was integrated as the solution. Transportation Engineer Pregitzer referenced the signal modeling information presented at the December 10, 2013, meeting; that showed the quantitative benefit from adding a new signal. That

report also showed the cost-benefit analysis for the crash reduction. He could also provide what the actual efficiency gain was; that had been provided to the Council in another report.

Moved by Gartin, seconded by Goodman, to approve Option 2 and reject the project and maintain access along South Duff Avenue in its current configuration.

Council Member Nelson asked what opportunities would cease if that motion were to be approved. Mr. Pregitzer said that, as development/redevelopment occurs, the property owner would only be held to the current zoning development standard. Even with new arterial street connections, as the City continues to grow, the traffic would revert to what it is now. It will also be more difficult for staff to implement similar improvements.

Vote on Motion: 3-3. Voting aye: Betcher, Gartin, Goodman. Voting nay: Corrieri, Nelson, Orazem. Mayor Campbell opted not to break the tie since, ultimately, a resolution, which requires four votes to be adopted, would be necessary.

Moved by Orazem to approve Option 1 (direct staff to move forward with the project creating a new signalized intersection between South 5<sup>th</sup> Street and the Squaw Creek Bridge with a raised median) with the idea of having the planning integrate with the anticipated long-term planning occurring over the next six months for the 5<sup>th</sup> Street and Grand Avenue Extension.

City Manager Schainker pointed out that the Transportation Plan update will study the problems that are being seen at South Duff; those will be taken into account.

Council Member Corrieri stated that Option 1 recognizes that there would be improvements made to Duff Avenue and it recognizes the opportunity to receive funding from outside sources, so the City's investment would be much smaller. She also believes that a significant amount of research had already been done by staff, which indicated that appreciable improvements were needed. She saw no reason to refer it back to staff.

Motion failed for lack of a second.

Moved by Goodman for staff to provide the old Council Action Form containing the information regarding the improvement from the signal and the cost-benefit analysis of the accident average, and then place it on a future agenda.

Motion died for lack of a second.

Moved by Corrieri, seconded by Orazem, to approve Option 1 (direct staff to move forward with the project creating a new signalized intersection between South 5<sup>th</sup> Street and the Squaw Creek Bridge with a raised median) with the caveat that staff negotiate with Hunziker for access to the Enterprise property.

Vote on Motion: 4-2. Voting aye: Betcher, Corrieri, Nelson, Orazem. Voting nay: Gartin, Goodman. Motion declared carried.

**DUFF AVENUE (6<sup>TH</sup> STREET TO 10<sup>TH</sup> STREET) SPEED STUDY:** Transportation Engineer Pregitzer presented the Speed Study for Duff Avenue (6<sup>th</sup> Street to 10<sup>th</sup> Street), which was requested by the Historic Old Town Association (HOTA) and directed by the City Council to be conducted. The HOTA had concerns about the speed of vehicles in this area. The Council was advised by Mr.

Pregitzer that Duff Avenue at the area in question is four-lane, classified as an arterial street, and its posted speed is 30 miles-per-hour (mph).

Mr. Pregitzer outlined the three major criteria staff considers when assessing speed. They look at what the posted speed is and compare that to at what speed people are actually traveling. In both directions, people are traveling fairly consistently at approximately 35 mph. It was noted by Mr. Pregitzer that this area, although a four-lane arterial, is lined with residences. The only metric available to evaluate speeds under those circumstances is the Traffic Calming Handbook, which was adopted by the City Council in 2011. The recommendation in that Handbook and the policy adopted by Council is that traffic calming techniques only apply to local streets and some residential collector streets. Mr. Pregitzer advised that when the speed information is analyzed, the area of concern is when there is 3 - 5% of that distribution going ten or more miles per-hour-over the posted speed limit ("warning level"). At that point, the City could consider low-cost improvements, but not physical changes to the roadway. In this case, the area that is in the warning level is between 6<sup>th</sup> Street and 7<sup>th</sup> Street in the northbound lanes. The southbound lanes do not seem to be at issue. Staff then looked for ways to effect a reduction in the northbound lanes.

Transportation Engineer Pregitzer said that, in light of the inappropriateness of utilizing traffic calming along a 4-lane arterial, the Council might want to consider two other approaches, as follows:

1. Increase speed enforcement in the area through an increased police presence.

Mr. Pregitzer advised that he had discussed this with the Police Department, and was told that increased enforcement in this area could occur.

2. Staff would use a speed trailer to see if providing dynamic feedback to motorists helps their awareness and lowers speeds.

Mr. Pregitzer noted that, over time, this measure might not be long-lasting as people become complacent to it.

In addition, transverse markings, which give a visual queue as to how fast the motorist is traveling, might be a possibility. The speed limit could also be painted on the pavement.

According to Mr. Pregitzer, another challenge is that this area serves as a major connection to the hospital and to other arterial streets, and more permanent physical improvements (speed humps) would slow emergency vehicles. Also, a concern with more physical improvements is that motorists tend to avoid traveling on those streets, which means that they cut through residential areas and increase their speeds to make up for going on an alternate route.

Mr. Pregitzer stated that staff would like to try the dynamic feedback signs, with the Council considering the investment of \$13,000 for two signs. If those did not solve the issue, those signs could be used in other locations, so there would not be a loss of investment.

City Manager Schainker said that it came to his attention today that the affected neighborhood residents received the Council Action Form pertaining to this item late last Friday. He suggested that the City Council hear the testimony of those residents who were present; however, not take action tonight.



Ann Kinzel, 720 Duff Avenue, Ames, said that it was extremely disappointing to the neighborhood residents to receive notice at 3:30 p.m. last Friday that this item was going to be on tonight's Council Agenda. That timing did not allow the Neighborhood Association to meet on the contents of the Council Action Form and to formulate its response. This issue had been going on for so long, Ms. Kinzel felt that there was no urgent need to deal with it at this meeting. Regarding the report, Ms. Kinzel expressed her frustration that it was assumed that all arterial streets are the same. She believes that Duff is a very unique arterial street and recommended that the City review its arterial street policies. Ms. Kinzel noted that the Neighborhood Association had requested statistics on enforcement of the traffic laws on Duff Avenue; however, they have never received those statistics. She said she had personally called or written to the City Department in charge of street signs asking for the branches to be trimmed around the 30-mph speed limit sign near 9<sup>th</sup> Street on the south side. The only sign between Main Street and 13<sup>th</sup> Street is effectively obscured by greenery, so people cannot see that the speed limit is 30 mph. Ms. Kinzel is also troubled that people are traveling five mph over the speed limit in a residential area when the posted limit is 30 mph and staff does not feel that is a strong enough reason for staff to make more permanent remedies. In her opinion, that is quite a deviance in speed.

Council Member Gartin asked Ms. Kinzel to explain the primary concerns of the Neighborhood. Ms. Kinzel, speaking for herself, said that noise was not an issue for her; it is speed.

Dave Carter, 709 Douglas Avenue, Ames, pointed out that the posted speed limit is 30 miles-per-hour, but, according to the report, 65-75% is traveling in excess of the speed limit. Traveling four blocks at 40 mph instead of at 30 mph means an eight-second or less difference – that is all drivers will save in time. Mr. Carter does not believe it is worth an eight-second difference to make the residents of the area and those walking to any of the three parks in the vicinity suffer from the traffic traveling at excess speeds.

Council Member Betcher asked where the City's policy came from that traffic-calming thresholds applied only to residential roadways federally classified as local roads. Transportation Engineer Pregitzer reiterated that the City Council adopted the Best Practices for Traffic-Calming in 2011. However, the Council could consider specific areas of Ames to be studied and perhaps re-prioritized. The Traffic-Calming Handbook does not provide an option to opt-out arterial streets. Ms. Betcher suggested that the Council could consider a policy to address arterials that run through the middle of residential neighborhoods.

**6<sup>TH</sup> STREET AND NORTHWESTERN AVENUE TRAFFIC ANALYSIS:** Transportation Engineer Pregitzer recalled that the City Council had referred a letter from Matthew Mauk concerning the increase in traffic density that had occurred after the three-lane with bike lanes conversion took place on 6<sup>th</sup> Street between Grand Avenue and Hazel Avenue. He reviewed the recommendations offered by Mr. Mauk:

1. Making 6<sup>th</sup> and Northwestern a 4-way stop
2. Reducing the width of the 6<sup>th</sup> Street/Northwestern intersection to support a shorter pedestrian crossing distance
3. Reducing the speed limit to 25 mph

Mr. Pregitzer provided information regarding the current condition of this section of 6<sup>th</sup> Street, including the following:

1. The posted speed limit is 30 miles-per-hour

2. 6<sup>th</sup> Street is federally classified as a Minor Arterial street
3. 6<sup>th</sup> Street is designated in Section 26.62 of the *Municipal Code* as being a “through street,” which requires two-way traffic control along the length of the roadway at all connecting streets unless otherwise designated by an engineering study

Transportation Engineer Pregitzer advised that the City follows the federal standard (Manual on Uniform Traffic Control Devices), which outlines all criteria to be followed for a 4-way stop. He reviewed the safety standards (number of accidents and whether they resulted in personal injury) and volume thresholds (200 vehicles-per-hour). The intersection does not meet either of those criteria, so a 4-way stop is not warranted. Regarding reducing the speed limit to 25 mph, the analysis revealed that the speeds are within the 5+/- of the speed limit. Since the crash data does not reveal a large number of accidents, the speed should not be arbitrarily lowered. The data suggests that the speed and traffic control device should be kept as is; the City will continue to monitor this, however.

Council Member Betcher shared her observation that there will be a lot more foot traffic in this area because of the pending expansion of Wheatsfield and the renovation of the former Roosevelt School into condominiums. She feels that the analysis did not take into account the expected increase in pedestrians needing to cross 6<sup>th</sup> Street at Northwestern to get to a destination. Ms. Betcher said that she did not see that the report took that into account. If an increase in foot traffic is observed, Mr. Pregitzer said the City would continue to monitor the intersection.

Council Member Goodman said he was hoping that staff would show how motorists at the top of the bridge might be impacted by the 6<sup>th</sup>/Northwestern intersection. Mr. Pregitzer made some suggestions, such as the passive warning (sign that notes a higher-volume ped crossing ahead). High-visibility crosswalks could also possibly be added. An add-on to typical bike lane markings - extensions through intersections (solid line that is dashed through) - could be used. Mr. Goodman asked that the intersection be marked as soon as possible. Mr. Pregitzer said that would be done.

**DIAL-A-RIDE SERVICES:** Transit Director Sheri Kyras advised that the 2014/15 Budget year represents the third and final year of the contract with HIRTA to provide Dial-A-Ride (DAR) service as required by the Americans With Disabilities Act (ADA).

Moved by Orazem, seconded by Nelson, to adopt RESOLUTION NO. 14-346 renewing the contract with the Heart of Iowa Regional Transit Association (HIRTA) for FY 2014/15 Dial-A-Ride services at approximately a four percent (4%) rate increase.

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

**HEARING ON 2014/15 SHARED-USE PATH MAINTENANCE (SOUTH 4<sup>TH</sup> STREET):**

Mayor Campbell opened the public hearing. She closed same after no one came forward to speak.

Moved by Goodman, seconded by Betcher, to adopt RESOLUTION NO. 14-347 approving final plans and specifications and awarding a contract to A&D Contracting, LLC, of Sioux City, Iowa, in the amount of \$100,753 .

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

**AIRPORT OBSTRUCTION ORDINANCE:** Moved by Goodman, seconded by Orazem, to pass on second reading an ordinance revising Article 2, Article 4, and Article 13 of the Zoning Code in

order to establish obstruction restrictions for land within the FAA Airport Imaginary Surfaces Airspace Zones.

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

**ORDINANCE MODIFYING *MUNICIPAL CODE* REFERENCE IN SIGN CODE:** Moved by Goodman, seconded by Orazem, to pass on third reading and adopt ORDINANCE NO. 4185 modifying *Ames Municipal Code* Section 21.114(3) providing the electronic message sign standards.

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

**COUNCIL COMMENTS:** Moved by Goodman, seconded by Corrieri, to refer to staff the letter from Heartland Baptist Church requesting a change to the *Municipal Code* pertaining to accessory buildings so as to be allowed to build a maintenance building on Church property at 3333 Stange Road.

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

Moved by Goodman, seconded by Corrieri, to refer to staff for a memo the letter from Chuck Brekke dated June 3, 2014, requesting a change to the Ames Urban Fringe Plan to allow rezoning of parcel No. 1008400420 from A-2 to A-1 to build a single-family dwelling.

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

Council Member Gartin referenced the allegations made by Ms. Fromm about the lack of maintenance of the creek on her property. He asked that staff respond to those via a memo. Public Works Director John Joiner came forward to address Mr. Gartin's request. He stated that he was aware of the creek and the City's obligation to maintain it. According to Mr. Joiner, routine maintenance has been performed on the creek by the City. He is not aware of any current issues; however, he will send out a staff member to visit with Ms. Fromm tomorrow.

**CLOSED SESSION:** This item had been pulled by staff.

**ADJOURNMENT:** Moved by Corrieri to adjourn the meeting at 11:25 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor



## REPORT OF CONTRACT CHANGE ORDERS

Period:	<input checked="" type="checkbox"/>	1 <sup>st</sup> – 15 <sup>th</sup>
	<input type="checkbox"/>	16 <sup>th</sup> – End of Month
Month & Year:	June 2014	
For City Council Date:	June 24, 2014	

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 (Buyer)
Public Works	Professional Services for the 2014/15 Concrete Pavement Improvements (Ridgewood Ave - 9 <sup>th</sup> to 13 <sup>th</sup> ).	1	\$61,300.00	Clapsaddle Garber Associates, Inc.	\$0.00	\$3,200.00	L. Brennan	MA
Fleet Services	Medium Duty Truck Chassis & Cab	1	\$69,107.00	Freightliner of Des Moines	\$0.00	\$4,207.00	R. Iverson	MA
Public Works	Professional Services for the 2013/14 Downtown Street Pavement Improvements (5 <sup>th</sup> Street.	1	\$65,900.00	Snyder & Accociates, Inc.	\$0.00	\$100.00	E. Cowles	MA
Library	Custom Millwork	1	\$423,413.00	SBD Commercaile Interiors	\$0.00	\$28,877.00	M. Mundt	MA
Library	Asbestos and Lead-Based Paint Abatement Services	4	\$41,221.00	Terracon Consultants, Inc.	\$29,870.00	\$9,519.20	L. Carey	MA
			\$		\$	\$		

# License Application ( )

ITEM #4  
6-24-14

## ***Applicant***

Name of Applicant: Wheatsfield Cooperative

Name of Business (DBA): Wheatsfield Cooperative

Address of Premises: 409 Northwestern

City: Ames County: Story Zip: 50010

Business Phone: (515) 232-4094

Mailing Address: 413 Northwestern

City: Ames State: IA Zip: 50010

## ***Contact Person***

Name: Linda Johnson

Phone: (515) 360-4697 Email Address: linda\_j@wheatsfield.coop

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

Term: 5 days

Effective Date: 08/22/2014

Expiration Date: 01/01/1900

Privileges:

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

## ***Status of Business***

BusinessType: Privately Held Corporation

Corporate ID Number: 301555 Federal Employer ID # 42-1655940

## ***Ownership***

### **Bronwyn Beatty-Hansen**

First Name: Bronwyn Last Name: Beatty-Hansen

City: Ames State: Iowa Zip: 50010

Position Operations Manager

% of Ownership 0.00 % U.S. Citizen

### **Linda Johnson**

First Name: Linda Last Name: Johnson

City: Ames State: Iowa Zip: 50010

Position General Manager

% of Ownership 0.00 % U.S. Citizen

## ***Insurance Company Information***

**Insurance Company:**    Selective Insurance Co. of the South East

**Policy Effective Date:**

**Policy Expiration Date:**

**Bond Effective Continuously:**

**Dram Cancel Date:**

**Outdoor Service Effective Date:**

**Outdoor Service Expiration Date:**

**Temp Transfer Effective Date:**

**Temp Transfer Expiration Date:**

# License Application ( )

ITEM #5  
6-24-14

## ***Applicant***

Name of Applicant: LJPS

Name of Business (DBA): Olde Main Brewing Company

Address of Premises: 1407 University Blvd

City: Ames County: Story Zip: 50010

Business Phone: (515) 232-0553

Mailing Address: PO Box 1928

City: Ames State: IA Zip: 50010

## ***Contact Person***

Name: Matt Sinnwell

Phone: (505) 400-5981 Email Address: mattombc@gmail.com

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

Term: 5 days

Effective Date: 06/24/2014

Expiration Date: 01/01/1900

Privileges:

Class C Liquor License (LC) (Commercial)

## ***Status of Business***

BusinessType: Privately Held Corporation

Corporate ID Number: 286196 Federal Employer ID # 77-0613629

## ***Ownership***

**Daniel Griffen**First Name: DanielLast Name: GriffenCity: PotomacState: MarylandZip: 24854Position Owner% of Ownership 25.00 %

U.S. Citizen

**Scott Griffen**First Name: ScottLast Name: GriffenCity: AmesState: IowaZip: 50010Position Owner% of Ownership 50.00 %

U.S. Citizen

**Susan Griffen**First Name: SusanLast Name: GriffenCity: PotomacState: MarylandZip: 24854Position Owner% of Ownership 25.00 %

U.S. Citizen

***Insurance Company Information***Insurance Company: Founders Insurance CompanyPolicy Effective Date: 06/24/2014Policy Expiration Date: 06/29/2014

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:



# License Application ( )

ITEM # 6  
6-24-14

## ***Applicant***

Name of Applicant: Tumbling Dice, Inc.

Name of Business (DBA): Bar

Address of Premises: 1930 E. 13th Street

City: Ames County: Story Zip: 50010

Business Phone: (515) 337-1031

Mailing Address: 1113 Murray Drive

City: Ames State: IA Zip: 50010

## ***Contact Person***

Name: Cheryl Sondrol

Phone: (515) 233-5907 Email Address: csondrol1@gmail.com

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

Term: 5 days

Effective Date: 06/27/2014

Expiration Date: 01/01/1900

Privileges:

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

## ***Status of Business***

BusinessType: Privately Held Corporation

Corporate ID Number: 2211036 Federal Employer ID # 42-1479449

## ***Ownership***

**cheryl sondrol**

First Name: cheryl Last Name: sondrol

City: Ames State: Iowa Zip: 50010

Position vice president

% of Ownership 50.00 % U.S. Citizen

**daniel sondrol**

First Name: daniel Last Name: sondrol

City: ames State: Iowa Zip: 50010

Position president

% of Ownership 50.00 % U.S. Citizen

## ***Insurance Company Information***

**Insurance Company:** Scottsdale Insurance Company

**Policy Effective Date:** 06/27/2014

**Policy Expiration Date:** 07/02/2014

**Bond Effective Continuously:**

**Dram Cancel Date:**

**Outdoor Service Effective Date:**

**Outdoor Service Expiration Date:**

**Temp Transfer Effective Date:**

**Temp Transfer Expiration Date:**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING AND ADOPTING  
SUPPLEMENT NO. 2014-3 TO THE AMES MUNICIPAL CODE**

BE IT RESOLVED, by the City Council for the City of Ames, Iowa, that in accordance with the provisions of Section 380.8 Code of Iowa, a compilation of ordinances and amendments enacted subsequent to the adoption of the Ames Municipal Code shall be and the same is hereby approved and adopted, under date of July 1, 2014, as Supplement No. 2014-3 to the Ames Municipal Code.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 201\_.

\_\_\_\_\_  
Ann H. Campbell, Mayor

Attest:

\_\_\_\_\_  
Diane R. Voss, City Clerk



# MEMO

8

**TO:** Members of the City Council

**FROM:** Ann H. Campbell, Mayor

**DATE:** June 20, 2014

**SUBJECT:** Council Member Appointment to Ames Economic Development Commission Board of Directors

Peter Orazem's term of office on the Ames Economic Development Commission's (AEDC) Board of Directors expires June 30; therefore, it will be necessary to appoint a council member to fill this position.

I recommend that the City Council appoint Gloria Betcher for two years to the AEDC Board of Directors with her term beginning July 1, 2014.

AHC/jlr

## CONTRACT FOR ARTS FUNDING

THIS AGREEMENT, made and entered into July 1, 2014 through June 30, 2015, 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 **Good Company** (hereinafter called "Provider"); for funding of said Provider up to and including **\$1,190**.

WITNESSETHS THAT:

WHEREAS, the City of Ames has, by its City Council acting in open and regular session, and through the Commission on the Arts, determined that the Provider has met the criteria established by the City for arts funding and shall receive funds for certain services and facilities in accordance with the written agreement as hereinafter set out;

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 arts-related programs and activities as hereinafter described and set out; to establish the 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

The provider shall use the funds for the following activities:

*COTA proposes granting \$1,190 to Good Company. Good Company, a women's choral ensemble, was founded in 1993 as a way to foster the singing of choral music written for treble voices. The GC reaches out to all segments of the community to educate, entertain, and enlighten by providing a showcase for the art of women's choral singing. The group comprises approximately 25 women, ranging in age from under 20 to over 80. The GC prepares for and performs at least two concerts annually in Ames. COTA funding helps to cover the cost of music, publicity, honoraria to musicians, space rental, and stipends for the director and accompanist.*

### **III: METHOD OF PAYMENT**

All payments made to the Provider by the City of Ames shall be made in accordance with procedures established by the City. All expenditures using funds provided under this agreement shall be supported by properly executed invoices, receipts, vouchers, or other documentation evidencing in proper detail the nature and property of the charges, and shall be spent in providing services to residents of Ames.

### **IV: SPECIAL CONDITIONS**

The City shall have access to all records relating to the expenditure of funds provided under this Agreement. The City shall require an annual report on the expenditure of funds which shall include, but not be limited to, a summary of how the funds were spent and number of persons benefiting from these funds.

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 recordkeeping and financial accounting procedures of the Provider. All records and documents required by this Agreement shall be maintained for a period of three (3) years following final disbursement by the City.

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 including any such reports or information as the Provider is required to complete to receive State or Federal funds. These records shall be made available to qualified City personnel for the purpose of conducting management or financial audits or program evaluations, provided however, that such personnel may not, directly or indirectly, identify any individual client in any respect of such audit or evaluation.

Further, the Provider warrants that any material used in connection with services provided under this grant shall not violate any copyright laws; at the request of the City, the Provider shall produce documentation of permission to use any such copyrighted material. In addition, the City may require proof of permission by license holders to videotape, replay, and/or broadcast any performance or activity conducted under this contract. The Provider agrees to indemnify and hold harmless the City of Ames for any damages which may arise out of a violation of this paragraph. The Provider shall acknowledge the receipt of COTA funds on all printed promotional materials.

### **V: DISCRIMINATION PROHIBITED**

In accordance with Chapter 14 of the Municipal Code, no person shall, on the grounds of 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.

#### VI: DURATION

This Agreement shall be in full force and effect from and after July 1, 2014, through June 30, 2015, or, until terminated by resolution of the City Council of the City of Ames, Iowa. The City Council may terminate this Agreement prior to June 30, 2015, 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. Any money disbursed to the Provider and unencumbered or unspent as of the effective date of termination, shall be repaid to the City.

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

GOOD COMPANY

BY Ellen M. Rasmussen  
Authorized Representative

Organization Address (please print):

Steven Hoifeldt  
1513 Douglas  
Ames, IA 50010

Print Name:

Ellen M. Rasmussen

Phone Number:

515-232-5545

**COUNCIL ACTION FORM**

**SUBJECT: RENEWAL OF ICAP CASUALTY AND LIABILITY INSURANCE**

**BACKGROUND:**

The City's casualty and liability coverage insurance expires on June 30, 2014. This coverage has been placed with the Iowa Communities Assurance Pool (ICAP) since 2004. ICAP was established in 1986 under Iowa Code section 670.7 as a member owned and funded group insurance pool for Iowa public entities. **ICAP provides property and casualty coverage to 700 Iowa public entities, including 318 cities, 71 counties, 59 fair boards and over 250 other public entities.**

The following City coverages are provided by ICAP: General (Third Party) Liability, Vehicle and Transit Bus Liability, Bookmobile Physical Damage, Public Officials Wrongful Acts, Police Professional Liability, and Employee Theft.

Staff did not seek alternatives to this program this year. Membership in the ICAP pool is a long term commitment based on the fundamentals of rate stability, availability of coverage designed for the City's needs, and responsive, quality service in underwriting, loss control and claims.

<b>Comparison by Line of Coverage</b>	<b>FY 2013-14 Prior Year</b>	<b>FY 2014-15 Proposal Options</b>	<b>FY 2014-15 Adopted Budget</b>
Type of Coverage	\$12.0 million limits	\$12.0 million limits	\$12.0 million limits
General Liability	\$225,894	\$240,536	\$241,000
Auto	64,566	65,381	70,500
Transit	156,479	168,144	172,000
Public Officials	30,890	29,498	32,500
Law Enforcement	32,132	30,694	33,750
Bookmobile PD	534	563	1,000
Bond, incl. fee	6,450	6,449	6,450
<b>Premium Totals</b>	<b>\$516,945</b>	<b>\$541,265</b>	<b>\$557,200</b>
Member Distribution (profit sharing)	(45,568)	(69,371)	(40,000)
<b>Total Net Cost</b>	<b>\$471,377</b>	<b>\$471,894</b>	<b>\$517,200</b>
\$13.0 million option	Add to 2014/15 Total	<b>+\$957</b>	<b>\$472,851</b>
\$14.0 million option	Add to \$13.0 layer	<b>+\$908</b>	<b>\$473,759</b>
<b>\$15.0 million option</b>	<b>Add to \$14.0 layer</b>	<b>+\$880</b>	<b>\$474,639</b>
\$25.0 million option	Add to \$15.0 layer	+\$35,059	\$509,698



The overall premium total before the premium credit is applied for the same \$12.0 million limits program for FY 2014/15 increased **4.7%**, from \$516,945 to \$541,265. **The impact of an increased membership credit (pool profit sharing) of \$69,371 actually decreased the net renewal premium to only \$517 more than the expiring premium, which amounts to a 0.1% increase – from \$471,377 to \$471,894.**

ICAP is now offering its members options of increased liability limits. The previous maximum was \$12.0 million, which the City selected three years ago. Options of adding \$1.0 million increments to achieve \$13.0 million, \$14.0 million or \$15.0 million are shown in the table above.

At the February risk management budget presentation, Council indicated interest in higher liability limits. In addition to ICAP's recent decision to offer an additional \$3.0 million, staff asked the ICAP underwriter if a total of \$25.0 million could be structured by utilizing an excess layer from another insurance company above ICAP's maximum. The premium for this excess layer is shown in last row of the above table.

The optional excess layer of \$10.0 million would cost an additional \$35,059, since insurers charge a significantly higher rate for this level of coverage. While it is not inconceivable that claims could reach that level, the City has no claim history to support it. When evaluating the cost of upper excess limits, however, "comfort level" and "a good night's sleep" are common and customary factors which risk managers discuss with top management along with actual claim history. Staff is not recommending this option at this time; but it is available, should Council want to consider it to achieve the desired comfort level involving Third Party, Public Officials or Police related liability. The dialogue of "how much liability insurance is enough" is one that should periodically be revisited by the Council.

#### **ALTERNATIVES:**

1. Accept the 2014/15 proposal from the Iowa Communities Assurance Pool in the net amount of **\$471,894** for the same \$12.0 million total limits as expiring.
2. Accept the 2014/15 proposal from the Iowa Communities Assurance Pool in the net amount of **\$472,851** for \$13.0 million total limits.
3. Accept the 2014/15 proposal from the Iowa Communities Assurance Pool in the net amount of **\$473,759** for \$14.0 million total limits.
4. Accept the 2014/15 proposal from the Iowa Communities Assurance Pool in the net amount of **\$474,639** for \$15.0 million total limits.
5. Accept the 2014/15 proposal from the Iowa Communities Assurance Pool in the net amount of **\$509,698** for \$25.0 million total limits. This option includes a \$10.0 million layer above ICAP's \$15.0 million maximum, placed with another insurer.

6. Reject the proposal from ICAP and have staff seek other quotations for coverage.

**MANAGER'S RECOMMENDED ACTION:**

ICAP continues to provide acceptable casualty and liability coverage for the City of Ames. The City's membership in the pool has resulted in stable pricing, profit sharing credits, coverage improvements and good claims handling. In 2011, when ICAP began offering \$12.0 million in liability limits above the previous \$6.0 million maximum, the City took advantage of this added protection provided to pool members for reasonable rates per million. **The increased membership and financial strength of the pool has enabled the offering of \$15.0 million in maximum limits to members. This amount of protection against litigation claims potentially faced by the City is not unreasonable. The cost for the additional \$3.0 million is \$2,745.**

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative No. 4, thereby accepting the 2014/15 proposal from the Iowa Communities Assurance Pool in the net amount of **\$474,639 for \$15.0 million total limits.**

**COUNCIL ACTION FORM**

**SUBJECT: EXCESS WORKERS COMPENSATION INSURANCE – REQUEST TO CONSIDER RESCISSION OF RESOLUTION 14-334 (6-10-2014)**

**BACKGROUND:**

During the June 10, 2014 meeting, the Council approved Resolution 14-334 approving renewal of Excess Workers Compensation insurance, brokered by Holmes Murphy, with Safety National. The marketplace for this type of coverage is very limited. Prior to the June 10, 2014, Council meeting, the Safety National proposal was the only one received.

When staff contacted the broker to inform them of the Council approval on June 11, the broker advised staff that a new proposal from another insurance company had just been received. **The second proposal was unexpected and was from an insurer that had been approached numerous times on Ames' behalf during this and prior renewals. Holmes Murphy asked that the City seriously concerned this new quote.** This insurer had previously required ten years' electronic loss history before making a proposal; and Ames' workers compensation loss history in electronic format dates back only to August 2009, when EMC was contracted to process claims.

According to the broker, Midwest Employers Casualty Company (MWECC) changed its position and decided that Ames' five years of loss history was sufficient and that the trend data of the claims was within their acceptable risk guidelines. Since City staff had not given the broker instructions to confirm the coverage with Safety National prior to receipt of the MWECC quote, the broker believed it would be acceptable to communicate it to the City.

**The MWECC quote includes an aggregate coverage layer option not offered by Safety National that reduces the City's exposure in the event of a catastrophic event involving multiple, serious injuries. It also includes coverage for injury leave wages, also known as "indemnity" payments, which Safety National excludes.**

	2013-14	2014-15	2014-15	2014-15	
	Safety National Specific Only Plan	Safety National Specific Only Plan	MWECC Specific Only Plan	MWECC Aggregate Plan	Comments
Per Claim Retention	\$500,000	\$500,000	\$500,000	\$500,000	City pays 100% of each \$500,000 claim up to a total of \$2,713,825.
Aggregate 100% Insured Layer	None	None	None	\$2,000,000	Insurer pays 100% of this layer for any & all claims <u>after</u> City pays \$2,713,825 shown in the Per Claim Retention.
Total	<b>\$75,663</b>	<b>\$88,485</b>	<b>\$87,100</b>	<b>\$88,652</b>	<b>\$90,000 budgeted</b>

Medical	included	included	included	included	
Indemnity	excluded	excluded	<b>included</b>	<b>included</b>	

The cost of the MWECC proposal for the same basic type of individual per claim excess, that pays 100% of individual claims that exceed \$500,000, is \$1,385 lower than the Safety National proposal at \$87,100. However, it includes indemnity claims (injury leave wages), which Safety National excludes.

MWECC has also provided an optional quote for \$167 higher than Safety National (\$88,652) that not only covers individual claims exceeding \$500,000, but also includes a 100% coverage layer for \$2,000,000 in claims (of any size) that are incurred after the City has paid out an initial amount of \$2,713,825. In evaluating this catastrophic coverage, a scenario was used where 12 firefighters or 12 power plant workers are seriously injured in an explosion and each claim was valued at \$500,000.

- With the Safety National coverage, the City would simply pay \$6,000,000 in medical expenses for twelve \$500,000 individual claims, with insurance paying 100% of the excess over \$500,000 per claim. However, under Safety National, all injury leave wages (indemnity) would be self-insured, even for claims exceeding \$500,000.
- Under MWECC, with the aggregate layer option, the City's total payment exposure would be \$4,000,000 for twelve \$500,000 claims, where the City pays the first \$2,713,825 of individual claims up to \$500,000 per claim (approximately 5½ \$500,000 claims), with the next \$2,000,000 coverage layer above the \$2,713,825 amount that is paid 100% by insurance. The coverage would revert to excess amounts over \$500,000 per claim after \$4,713,825 of claims payments have been paid by the City and the insurer.

### **ALTERNATIVES:**

1. Rescind Council Resolution 14-334 (6-10-2014) and select one of the following two options received on June 11 from Holmes Murphy for coverage from Midwest Employers Casualty Company (MWECC):
  - a. **MWECC Option 1.a.** at a cost of **\$87,100** for individual claim coverage that pays in excess of \$500,000, including indemnity expenses (injury leave wages).
  - b. **MWECC Option 1.b.** at a cost of **\$88,652** that includes individual claim coverage described in Option 1, plus a 100% covered layer of \$2,000,000 for all claims after City claim payments reach the amount of \$2,713,825. For claims incurred above the \$2,000,000 covered layer, they revert to the individual excess coverage that pays above \$500,000 per individual claim.
2. Do not rescind Council Resolution 14-334 (6-10-2014) and instruct staff to place the order for insurance with Safety National as adopted in Resolution 14-334.

### **MANAGER'S RECOMMENDED ACTION:**

The City has significant financial exposure for medical and long-term disability expenses from statutory 411 police and firefighter claims, as well as from other job classifications such as power plant workers. The actual reduction in total financial exposure for a catastrophic event such as an explosion involving multiple employees varies by the details of the scenario envisioned.

**The broker for this insurance, Holmes Murphy, was able to provide a more comprehensive coverage alternative prior to the actual placement of the Safety National insurance approved on June 10, 2014.** Basically, the new alternative reduces the exposure to a large claims scenario involving multiple individual injury claims, whereas under the expiring and renewal insurance with Safety National, the City is theoretically exposed to unlimited numbers of individual \$500,000 claims.

- For example, if twelve employees each experienced a \$500,000 claim, the MWECC proposal offers an exposure reduction of up to \$2,000,000 paid 100% by insurance out of a potential \$6,000,000 (using the scenario of 12-\$500,000 claims) after the City expenses the specified amount (shown in 1.b. above), for an additional \$167 in annual premium versus Safety National.
- Also, under Safety National, all injury leave (indemnity) wages are excluded from coverage and therefore are self-insured for individual claims exceeding \$500,000. Both MWECC proposal options include coverage for indemnity wages as well as medical expenses for the same excess of \$500,000 level.

Therefore, it is the recommendation of the City Manager that the Council rescind Resolution 14-334 (6-10-2014) and approve **Option 1.b. from Midwest Employers Casualty Company**, thereby approving the new alternate proposal for excess workers compensation insurance that includes both individual and aggregate excess insurance layers, as well as indemnity coverage, at an annual premium of \$88,652.

**COUNCIL ACTION FORM**

**SUBJECT:** COMMISSION ON THE ARTS SPECIAL GRANTS FOR FALL 2014

**BACKGROUND:**

On June 2, 2014, Commission on the Arts (COTA) members met to finalize recommendations for the Fall 2014 Special Grants. A total of three grant requests were received from two different organizations. The organizations requested \$2,650 in funding, with \$4,171 being available from the 2014/15 budget for Fall and Spring Special Grants.

Based on the merits of each application and the criteria established for the special grants, COTA recommended the following allocations, which were then sent to the organizations in contract form in June. The contracts are now being presented for the Council's approval.

**COTA FALL 2014-2015 SPECIAL GRANT REQUESTS**

Organization	Request	Project	Final
ACAC	\$750.00	Social Media Workshop	\$600.00
Ames Children's Choir	\$750.00	Act! Sing! Dance!	\$700.00
Octagon	\$750.00	Define Ames 150 Years	\$750.00
Worldly Goods	\$750.00	Ames 150 Festivities Downtown	\$400.00
<b>Totals</b>	<b>\$2,250.00</b>		<b>\$2,450.00</b>

The Commission takes seriously its charge to be certain of how the proposal for funding will be completed and be certain that it is understood how the public is benefitted. If the Fall 2013 Special Grants are approved for \$1,950, there will be \$1,550 remaining for Spring 2014 Special Grants.

**ALTERNATIVES:**

1. The City Council can approve the COTA special grant contracts as recommended by the Commission on the Arts.
2. The City Council can delay approval of these contracts and ask the Commission for further information.

**MANAGER'S RECOMMENDED ACTION:**

It is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the Fall 2014 special grant contracts as recommended by the Commission on the Arts.

**COUNCIL ACTION FORM**

**SUBJECT: HISTORIC PRESERVATION COMMISSION REQUEST FOR  
REALLOCATION OF FY 2013-14 FUNDING**

**BACKGROUND:**

On February 12, 2013, the City Council allocated \$3,000 in the FY 2013-14 Budget towards a community education program for the Ames Historic Preservation Commission. This was in response to a request from the Historic Preservation Commission that the City Council allocate funds to conduct community-wide education involving historic preservation. During the current fiscal year, the Commission has expended \$200 of the \$3,000 reserved for educational activities, leaving a balance of \$2,800.

Attached is a letter from the Historic Preservation Commission requesting that the Council carry over the remaining balance to the new fiscal year. The letter explains that this funding would be used for an educational project involving plaques on historic buildings in the Main Street Cultural District. The plaques are to contain historical and architectural information and an illustration of architectural elements. The funds would be used for education programs and for the design, fabrication and installation of plaques.

**ALTERNATIVES:**

1. Approve the carryover of \$2,800 from the FY 2013-14 Budget to FY 2014-15 for community-wide education involving historic preservation.
2. Choose not to approve the carryover of this funding.

**MANAGER'S RECOMMENDED ACTION:**

The Historic Preservation Commission has initiated a use of these funds to enhance community-wide education in the area of historic preservation, and that effort will extend into the new fiscal year. Approval of this request is appropriate to assist the Commission in completing this project.

Therefore, it is the recommendation of the City Manager that the Council approve Alternative #1, thereby approving the carryover of \$2,800 from the FY 2013-14 Budget to FY 2014-15 for community-wide education involving historic preservation.

June 17, 2014

Mayor and City Council

515 Clark Ave

Ames, IA 50010

Mayor and Council,

The Historic Preservation Commission (HPC) respectfully requests that the City Council allow the HPC to carry over the remainder of the special \$3,000 allocation from FY 2013-14. This amount is approximately \$2800.

The HPC has begun work on an educational project involving plaques on historic buildings in the Main Street Cultural District. Initially the project would be limited to Main and 5<sup>th</sup> Streets. This work will not be completed in the current fiscal year. This work is being done by a collaborative committee comprised of two HPC members, two MSCD members and an ISU Graphic Design faculty member. Leadership has come from the HPC. Students from the graphic design class have assisted in the design of the plaques. These plaques will contain historical and architectural information and an illustration of architectural elements. Each plaque is individually designed for a particular building. A second phase of the project is establishing a QR code tour which would include Main Street area buildings and the 5<sup>th</sup> Street brick piers.

The HPC requests that the money be carried over to FY 2014-15 to be used for design, fabrication and installation of the plaques. On behalf of the HPC, I am happy to answer any questions you may have. Thank you in advance for your consideration of this request.



Ames Historic Preservation Commission

Sharon Wirth, chairperson

[sharonwirth@yahoo.com](mailto:sharonwirth@yahoo.com); 233-2415



**COUNCIL ACTION FORM**

**SUBJECT:** REQUESTS FOR AMES PUBLIC LIBRARY BOOK BRIGADE

**BACKGROUND:**

On Sunday, August 17, the Ames Public Library plans to host a book brigade to symbolically begin the process of moving from the temporary Library location at 620 Lincoln Way back to the permanent location at 515 Douglas Avenue. The event will occur from 4:00 p.m. to 7:30 p.m. A chain of volunteers will stretch from 620 Lincoln Way up Grand Avenue to 5<sup>th</sup> Street, east on 5<sup>th</sup> Street to Clark Avenue, south on Clark Avenue to Main Street, east on Main Street to Douglas Avenue, and then north on Douglas Avenue to the Library.

Volunteers will pass a set of specially chosen books one at a time through the brigade. Participants will use the sidewalks for the entirety of the route, except on Main Street from Clark Avenue to Douglas Avenue, where volunteers will be in the street. To facilitate this activity, organizers have requested closure of Main Street from Clark Avenue to Douglas Avenue. Although this portion of Main Street has on-street metered parking spaces, the event will occur during non-metered hours, so there is no revenue loss to the Parking Fund.

At the crossing of Lincoln Way at Grand Avenue, the book brigade will use the pedestrian crosswalk signals, so vehicle traffic will not be interrupted. Volunteers will be provided a crossing guard stop sign to alert motorists turning against the red light of the crossing pedestrians. Children participating in the book brigade will be stationed away from Grand Avenue due to the Lincoln Way crossing and the steep embankments under the railroad.

The closure on Main Street and Douglas Avenue will be used to facilitate space for the participants to spread out and for entertainers. Once the books have been deposited in the book drop, participants will be invited to move to Band Shell Park for a celebration.

**ALTERNATIVES:**

1. Approve the street closures as requested to facilitate the Ames Public Library Book Brigade from 3:00 p.m. to 6:00 p.m. on August 17.
2. Do not approve the request.

**MANAGER'S RECOMMENDED ACTION:**

The proposed Book Brigade will mark the beginning of the process to move back into a newly renovated Ames Public Library. This celebration is planned to have substantial

community participation. The Library staff is considering applying to have this Book Brigade listed in the Guinness Book of Records as the world's largest book brigade.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the street closures as requested to facilitate the Ames Public Library Book Brigade from 3:00 p.m. to 6:00 p.m. on August 17.



June 18, 2014

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

Dear Honorable Mayor Campbell and City Council Members,

Ames Public Library is planning to hold a ceremonial BOOK BRIGADE on Sunday, August 17, 2014 as a kick off to a variety of celebrations for our move back to the RENEWED LIBRARY on Douglas Ave. This event will coincide with the closing of the Library's temporary location in Lincoln Center and will be a way to rally the community around this incredibly important project. The brigade will only involve a small number of specially selected books (approx.. 14) that will be passed along a line of participants from Lincoln Center, up Grand Ave. to Main St. and on to the Main Library. The brigade will be from 4:00-5:30 at which time the participants will be directed to an event of food and entertainment at Bandshell Park which will run from 5:30-7:30. APL requests the Council to approve two requests:

1. APL requests the closure of Main St. between Clark Ave. and Douglas Ave. from 3:00-6:00 pm on Sunday, August 17<sup>th</sup> in order to accommodate what we anticipate to be a large number of participants.
2. APL requests the closure of Douglas Ave. from Main St. and 6<sup>th</sup> St.

Thank you for your consideration of these requests. APL is looking forward to our return to the RENEWED LIBRARY and hope to create an atmosphere of fun and excitement for what has been a vital project for this community. We hope that you will all be available to join in the fun that afternoon and perhaps be a part of a record setting event!

Sincerely,

Sarah Bohlke  
Chair, APL Book Brigade Committee



June 20, 2014

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

Dear Mayor Campbell and City Council,

The Main Street Cultural District (MSCD) supports the Ames Public Library Book Brigade event and the street closures in the central business district. The APL is an important asset to Downtown Ames and the entire community. We are extremely excited to have them back up and running better than ever in their new space.

Sincerely,

A handwritten signature in black ink, reading "Cari Hague".

Cari Hague  
Executive Director

**COUNCIL ACTION FORM**

**SUBJECT: STATE LETTER OF AGREEMENT FOR NEW WATER TREATMENT PLANT CONSTRUCTION**

**BACKGROUND:**

On January 21, 2012, the City Council authorized the Water and Pollution Control Department to enter into a Drinking Water State Revolving Fund (DWSRF) planning and design loan to fund the design of the City's new 15 million gallon per day water treatment plant. The DWSRF program provides low-interest loans to allow communities to minimize the financial cost for major capital projects. The loan fund can be used for planning and design as well as water plant construction. The planning and design loan will later be rolled into the construction loan.

The DWSRF program uses federal funds and is required to conduct an environmental and historical review. Several agencies were asked to review the proposed project and provide comments on any possible impacts. After review, the State Historic Preservation Office (SHPO) had two concerns: recognition of veterinary advances made on the former United States Department of Agriculture research site, and special construction near charity graves in the Ames Cemetery. Staff worked extensively over a period of many months with SHPO and the SRF administration team to develop a solution agreeable to all parties. The letter of agreement drafted to address the two SHPO concerns contains the following provisions:

- The agreement would require the City to install a commemorative plaque acknowledging the veterinary advances that took place on the site. City staff had already discussed the possibility of a plaque with the USDA, and had in fact already verbally agreed with the City's Historic Preservation Commission to provide such a plaque. The agreement with SHPO leaves the design and placement of the commemorative plaque to the discretion of the City. This requirement does not add any additional cost or time to the project that was not already anticipated.
- The agreement also commits the City to utilize special construction methods near the charity grave sites. The proposed water pipeline to the new water treatment plant follows a gravel access road in the City's lime pond area, near the cemetery. There is a 350-foot segment where SHPO has requested special excavation because of possible archeological remains. The City will need to excavate this area in lifts of no greater than 12" at a time, with the work to be supervised by an archeologist. This requirement will add additional cost to the City to hire the archeologist, and will require the area to be excavated twice. It is worth noting that, should any items of cultural or historical significance be discovered, the City's obligations would be no different than if no letter of

agreement had been signed. If artifacts are discovered, the City will need to negotiate a preservation and/or recovery plan with the IDNR and SHPO in accordance with applicable state and federal statutes. All the letter of agreement adds is the additional cautious excavation of the area.

The letter of agreement is the final step in the review process. All environmental reviews are complete and the other reviewing agencies have granted approval for the process which would allow the City to enter into the construction loan. Staff believes the negotiated letter of agreement is a reasonable compromise to contain the project costs while taking responsible precautions to protect possible artifacts.

**ALTERNATIVES:**

1. Authorize the Mayor to sign the letter of agreement accepting the two SHPO requests and allowing the review clearance to be issued.
2. Do not authorize the Mayor to sign the letter and direct staff to seek an alternate agreement with SHPO.

**MANAGER'S RECOMMENDED ACTION:**

Funding of the new water treatment plant is shown in the current Capital Improvements Plan as coming from the Drinking Water State Revolving Fund loan. A letter of agreement between the City, the Department of Natural Resources, the State Historic Preservation Office, and the State Archeologist is the final step to obtaining a "Finding of No Significant Impact" certificate, which is a requirement of the State Revolving Fund loan program. Staff is in agreement with the terms of the attached letter.

Therefore, it is the recommendation of the City Manager that the Council adopt Alternative No. 1, thereby authorizing the mayor to sign the letter of agreement and allowing the SRF review process to be finalized.

June 13, 2014

Mr. Daniel Higginbottom  
State Historical Preservation Office  
State Historical Society of Iowa  
600 E. Locust St.  
Des Moines, IA 50319-0290

Ms. Shirley Schermer  
Burials Director  
Iowa Office of the State Archaeologist  
700 South Clinton Street Building  
Iowa City, Iowa 52242-1030

**RE: R&C # 120885097**

City of Ames, Iowa—New Water Treatment Facility  
Story County  
Ames East Quadrangle  
Section 01 & 02, Township 83 N, Range 24 W

Dear Mr. Higginbottom & Ms. Schermer:

For the purpose of avoiding effects upon historic properties in this project area, the State Revolving Fund (SRF) program, under the Iowa Department of Natural Resources (IDNR), would like to propose a **Letter of Agreement** to establish appropriate measures to protect from the possibility of damaging unmarked burials and to commemorate significant veterinary advances that have occurred within the Area of Potential Effect (APE.)

**Background**

The previous submittal dated August 20, 2012, reviewed the general scope of the project; a new drinking water treatment plant is proposed to be built in the northeastern corner of the project APE. Pipelines will transfer raw water, finished water, and lime sludge to and from that location along the routes shown in the attached map. River crossings will be bored. Portions of the existing drinking water treatment plant, located in the southwestern corner of the APE, will be

demolished as part of this project. Iowa Site Inventory forms were completed on those structures affected over 50-years-old were included in the original submittal.

## **Archeology**

The proposed project will disturb an estimated 137 acres of land, with approximately 40 of those acres previously disturbed for existing water treatment structures including the sludge lagoons. An archaeological firm, the Wapsi Valley Archaeology, was retained to perform a Phase 1 Intensive Archaeological Survey of the project area. No significant archaeological resources were identified within the project area, however SHPO asked that some additional field testing be done on two sensitive landform areas. This field testing was completed and was included in the October 2012 Archaeological Survey Report previously submitted.

A second survey was performed in August 2013 because an area was added to the project APE just west of the existing sludge lagoons and within the Ames Municipal Cemetery boundaries. While significantly away from the more formal cemetery area, this section was near an area fenced off and marked as a charity burial area. Because of the concern of possible undiscovered burial sites, at the request of the Burials Director, Phase I excavation was not conducted between City of Ames utility poles #12531 and #12535 along the eastern edge of the existing Ames Municipal Cemetery (334.65 feet by 40 feet).

Finally, during a review of the pipeline routes in May 2014, it was found that two sections of pipe have been moved in a noteworthy fashion from their previously planned locations. One pipeline is now located immediately to the north of Cell #4 of the existing sludge lagoons in an area marked by the archeologists as previously disturbed, presumably by the construction of the sludge lagoons; based on the archeologist's assessment of this vicinity (October 2012 report), it does not appear that this route alteration will impact any historic resources.

The second pipeline route alteration is in the proximity of the charity graves. Specifically, in response to concerns raised by the Burials Director concerning undiscovered burials, the City has moved this section to the east of what was previously proposed, to a location within an existing roadbed which is also the western berm of the existing sludge lagoon. See attached map D06 for a closer view of this route. While it is reasonable to think that any archeological deposits on the ground surface have been disturbed for the construction of the existing roadbed and berm, it is possible that historic burials occurred prior to the road's construction and may still exist underneath the disturbed strata. This is most likely in the same vicinity as the area restricted from Phase I investigation by the Burials Director, i.e. between City of Ames utility poles #12531 and #12535.

Due to the project's proximity to the existing cemetery boundaries and the possibility of unknown burials, the Burials Director and Iowa State Historic Preservation Office (SHPO) agree that additional measures need to be taken to properly investigate the remaining section of APE in the vicinity of the charity graves prior to construction and treatment measurements be specified for the possible event of an unanticipated discovery.



## **Architectural History**

Buildings formerly located on the former USDA property were architecturally-reviewed through a previous submittal, R&C#110685005, during the time when the buildings were owned by the USDA. DNR personnel reviewed USDA research and correspondence with SHPO prior to these buildings' demolition by the USDA and concurred with their lack of historic significance.

The existing treatment plant has many components, some of which were originally constructed at least 50 years ago, though the treatment facility has undergone multiple renovations and is currently in poor condition. Photos and an Iowa Site Inventory form filled out by Assistant Director Steven DuVall of the Ames Water and Pollution Control Department were included in the previous submittal. As the Electric Department Warehouse, while currently utilized by the water treatment plant, was primarily constructed for and used by the electric department, it is included in a separate Iowa Site Inventory form. It is located immediately east of the other components discussed in the primary form. Please note, while some original structures were designed by Anson Marston, an accomplished civil engineer and educator at Iowa State University's School of Engineering, it is believed that the only extant such structure is a 25,000 gallon cement below-ground storage tank. As it lacks any distinctive architectural characteristics, it is not believed to be historic despite its association with Marston.

While National Register eligible properties exist within Ames, the proposed project will not affect any existing structures beyond those already discussed. One National Register listed district is located approximately two blocks west and one block north of the far southwestern corner of the APE (Bandshell Park). This park will not be affected by this project given the distance and demolition work proposed in that vicinity. Viewshed in this vicinity has already been compromised by the existence of the Ames electrical power plant; construction of the new water treatment facility should be no more invasive. Based on this information we believe that further historical survey of the project area is not justified.

## **Areas of Concern**

Under this Agreement, the areas of concern will be defined as that portion of APE for the Ames New Water Treatment Facility project area that is between City of Ames utility poles #12531 and #12535 under the existing roadbed (334.65 feet by 12 feet) and that portion of the former USDA-owned property on which veterinary advances in the creation of a hog cholera immunization process took place (see attached map). Each area will have a different set of treatment guidelines as set out below.

## **Exclusion Zones and Supervised Stripping**

With this background established, we proposed the following steps to avoid adverse effects upon historic properties. Ames will ensure that temporary barriers are erected along the western easement boundaries within the area of concern in the cemetery to prevent accidental encroachment of construction activities into areas that may contain archeological sites, such as undiscovered burials. Ames will inform contractors of the sensitivity of these exclusion zones.

Additionally, on-site mechanical stripping, at one-foot intervals or less, shall be conducted in advance of construction between City of Ames utility poles #12531 and #12535 under the existing roadbed. This work shall be supervised by a qualified archeologist, to ascertain if there are graves, human remains, or coffin remains within the construction corridor. Should the archeologist on-site determine that intervals greater than one-foot are appropriate, the discretion of the archeologist may be used.

Ames will ensure that all archaeological work and any subsequent surveys and/or Data Recovery Plans are conducted in a manner consistent with the Guidelines for Archaeological Investigations in Iowa (1999), the Secretary of the Interior's Standards and Guidelines for Identification and Evaluation (48 FR 44720-23), and take into account the National Park Service publication The Archeological Survey: Methods and Uses (1978) and any extant or most recent version of Iowa guidelines for historic properties reconnaissance surveys and reports, or other pertinent guidance depending on the resource type.

### **Unanticipated Discoveries**

In accordance with 36 CFR Section 800.13, if during construction, previously undetected or undocumented historic properties are discovered, the City of Ames will cease, or cause to stop, any activities within the immediate vicinity of the discovery and consult with the DNR, OSA and SHPO to determine if additional investigation is warranted. The SHPO shall respond within seven working days of direct notification to the SHPO reviewer.

If both the City of Ames and the DNR, in consultation with SHPO and OSA, determine that further investigation is not necessary, activities may resume with no further action required. If the City of Ames, DNR, OSA, and the SHPO disagree concerning the need for further investigations the IDNR will request comment from the Advisory Council on Historic Preservation in accordance with item (c)(3) of Appendix A to Part 36 CFR 800 . The IDNR will take the Council's comments into account, with reference only to the subject of the dispute. The signatories' responsibilities to carry out all actions under this Agreement not in dispute will remain unchanged.

Should a significant, National Register-eligible archeological site(s) be discovered during construction, the requirements of 36 CFR Part 800.2 and .5-.6 shall apply. If upon applying the criteria for adverse effects the City of Ames, in consultation with the DNR, OSA and SHPO, determines that no other actions are feasible to avoid or otherwise minimize the effects to archeological properties, then the City of Ames will develop a memorandum of agreement (MOA) to supplant the present Letter of Agreement, which will be nulled and void upon full execution of the MOA. Mitigation measures may include, but not necessarily be limited to the following: data recovery, partial site avoidance and preservation in place with proactive protection measures that will be implemented under a legally binding and enforceable conservation easement.

If archeological data recovery is the agreed upon treatment, a data recovery plan (DRP) will be devised in consultation with the SHPO and as necessary the OSA subject to IDNR approval, and attached to the MOA as an appendix. The DRP will address substantive research questions that are pertinent to the historic context(s) under investigation. It shall specify, at a minimum, the following:

- a. The property, properties, or portions of properties where the treatment plan is to be carried out
- b. The research questions to be addressed, with an explanation of research relevance and importance.
- c. The relevant historic contexts that are under consideration and their qualities of historical significance.
- d. The methods to be used, with an explanation of methodological relevance to the research questions.
- e. Proposed methods of disseminating results of the work to the interested public.
- f. A proposed schedule for the submission of progress reports to the SHPO.

When archaeological data recovery is the agreed upon approach to mitigation, the City of Ames, in consultation with the DNR, OSA, SHPO and consulting archaeologist, will develop and implement a program to secure significant archeological resources from vandalism subject to IDNR approval. In consultation with the SHPO, the City of Ames will ensure that all materials and records resulting from the historic properties studies are appropriately curated at a repository within the State of Iowa in accordance with 36 CFR Part 79.

If human remains are encountered either during survey, evaluation, or data recovery investigations or during any construction activities associated with the Undertaking, the IDNR and the City of Ames will comply with all provisions outlined in the appropriate state acts, statutes, and guidance and any decisions regarding the treatment of human remains will be made in consultation with the SHPO, Tribes, and the Iowa Office of the State Archaeologist (Iowa Code Chapter 114.34, 263B.7-9, 716.5, 523I.316.6, and Iowa Administrative Code 685-11), as appropriate.

Immediately upon the completion of data recovery efforts, a letter report of sufficient content shall be prepared by the cultural resources consultant and submitted to the IDNR along with relevant attachments that demonstrate adherence to and fulfillment of the approved DRP. The IDNR shall distribute copies to the SHPO and other consulting parties. The SHPO shall have 30 calendar days from the date of their receipt to comment on the IDNR's findings and determinations. Failure by the SHPO to respond within 30-days shall represent concurrence with the IDNR findings and determinations. The final report shall be submitted to the IDNR within one year of the completion of fieldwork. The IDNR shall distribute copies to the SHPO and consulting parties with regulatory, oversight, and/or review responsibilities. The adverse effect shall be considered mitigated once the SHPO has received and recommended the acceptance of the final report. Failure to complete and file the final report with the SHPO will result in an adverse effect on the historic property that is the subject of the data recovery and constitute a breach of this Agreement.

### **Public Comment & Cooperation**

While the above discussed research has shown that no National Register-eligible properties have been located on the project site, correspondence with local historians and others has indicated that various groups would like some recognition of the significant veterinary medicine work conducted on the former-USDA property. At minimum, the Ames Historic Preservation Commission would like a marker of some sort to this effect; the City of Ames is amenable to this. A copy of their letter was included in the original submittal. To that end, the City has been in contact with the Director of the National Centers for Animal Health as well as one of the (now retired) researchers who was involved in the work at the site as to the most appropriate way to commemorate the work with a marker. As part of this Agreement, the City shall construct an appropriate sign or monument *a propos* the historical events regarding veterinary medicine that have taken place on this area of concern.

Currently the thought is to use an area just outside the security fence surrounding the proposed water treatment plant to have a sort of garden or memorial area that would be accessible to the public, however, designs have not been set. The SHPO will be provided with an opportunity to review and comment upon design drafts.

### **Determination**

With these conditions in place, the SRF program has proposed a “no adverse effect to historic properties” determination.

**Agreement**

Please sign and date the signature block provided below if you are in agreement with the attached conditions.

---

Mr. Steve King  
State Historic Preservation Officer  
State Historical Society of Iowa

---

Date

**Agreement**

Please sign and date the signature block provided below if you are in agreement with the attached conditions.

---

Mr. Chuck Gipp  
Director  
Iowa Department of Natural Resources

---

Date

**Agreement**

Please sign and date the signature block provided below if you are in agreement with the attached conditions.

---

Dr. John Doershuk  
State Archaeologist  
Iowa Office of the State Archaeologist

---

Date

**Agreement**

Please sign and date the signature block provided below if you are in agreement with the attached conditions.

\_\_\_\_\_  
Ms. Ann Campbell  
Mayor  
City of Ames

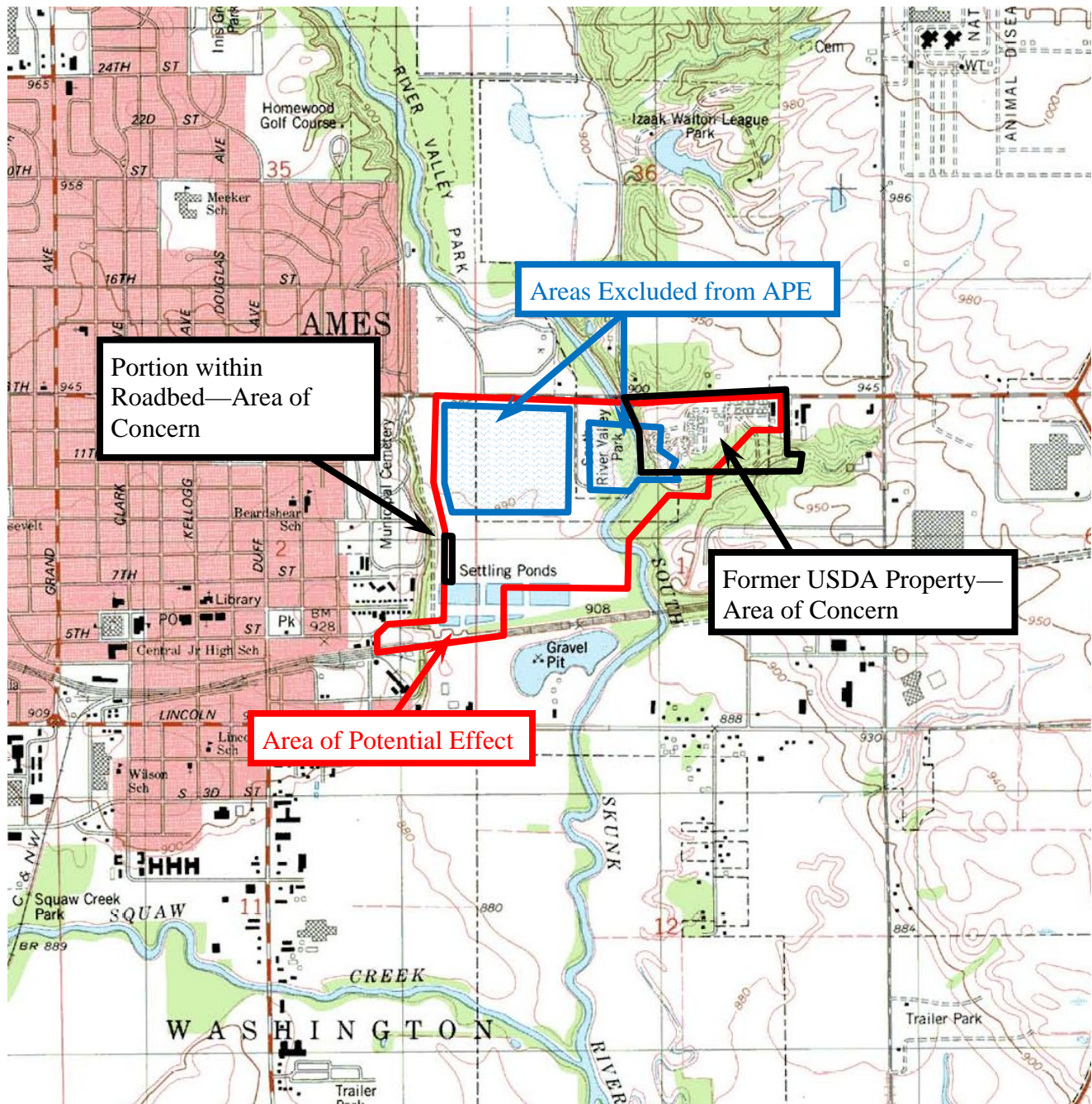
\_\_\_\_\_  
Date



Ames East Quadrangle  
Section: 01 and 02, Township: 83 N, Range: 24 W  
Date: 1975  
Scale: 1 Inch = 2,000 Feet



North



## USGS Topographic Map

Ames Proposed Water Treatment Facility  
Ames, Iowa



State Revolving Fund  
401 SW 7<sup>th</sup> Street, Suite M  
Des Moines, IA 50309

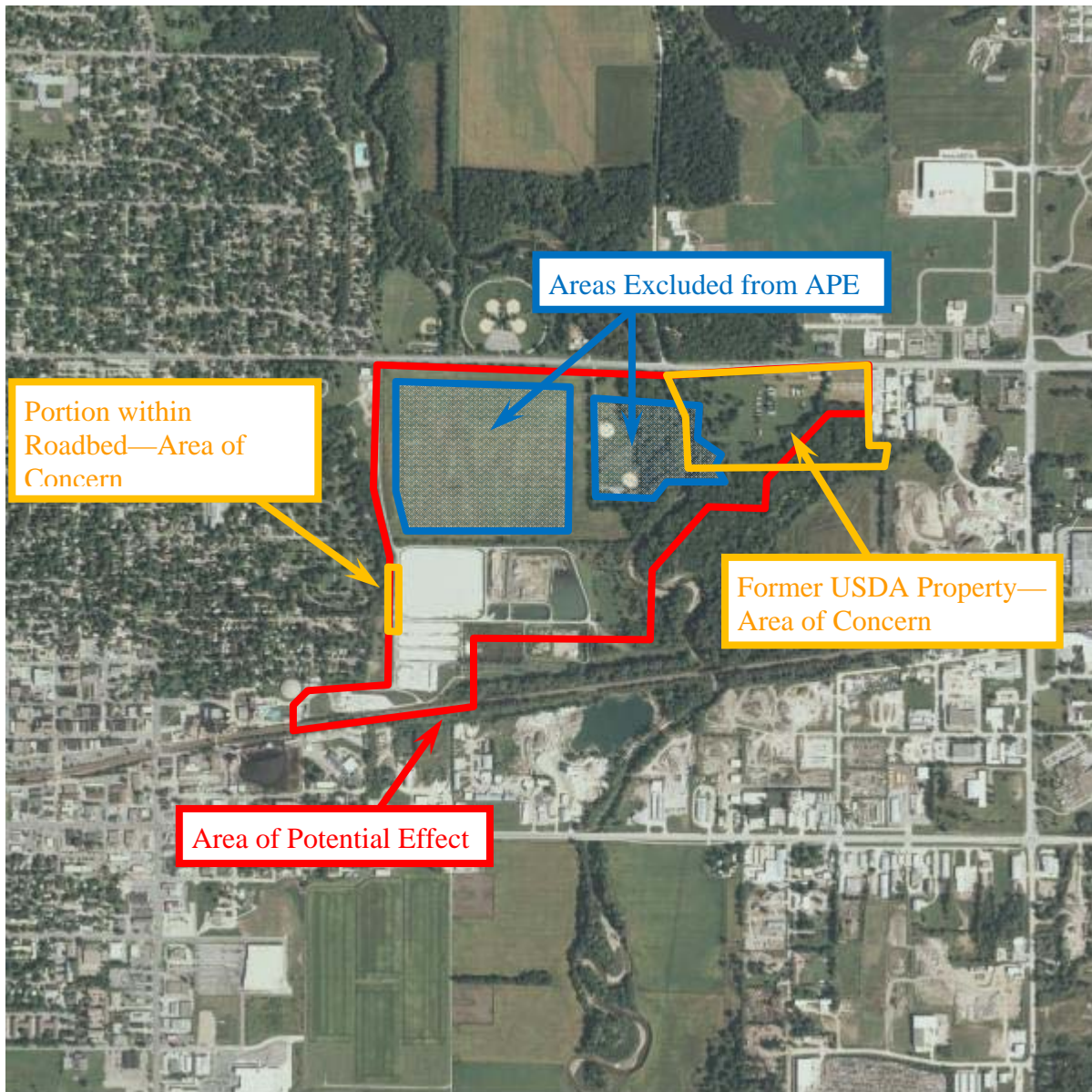


2009

Location provided by City of Ames, Water & Pollution Control Dept.



North



## Aerial Photograph

Ames Proposed Water Treatment Facility  
Ames, Iowa



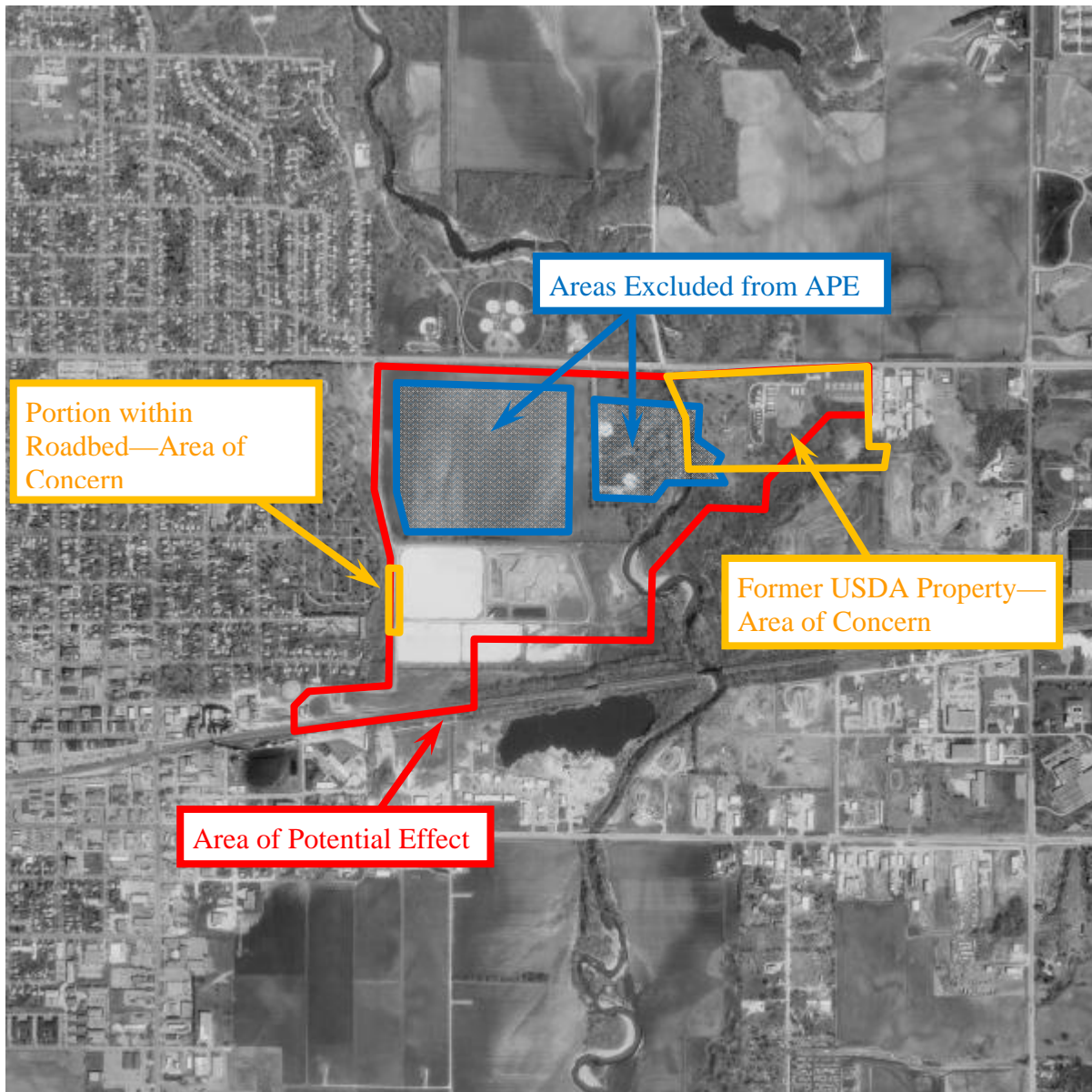
State Revolving Fund  
401 SW 7<sup>th</sup> Street, Suite M  
Des Moines, IA 50309

1990's

Location provided by City of Ames, Water & Pollution Control Dept.



North



## Aerial Photograph

Ames Proposed Water Treatment Facility  
Ames, Iowa



State Revolving Fund  
401 SW 7<sup>th</sup> Street, Suite M  
Des Moines, IA 50309

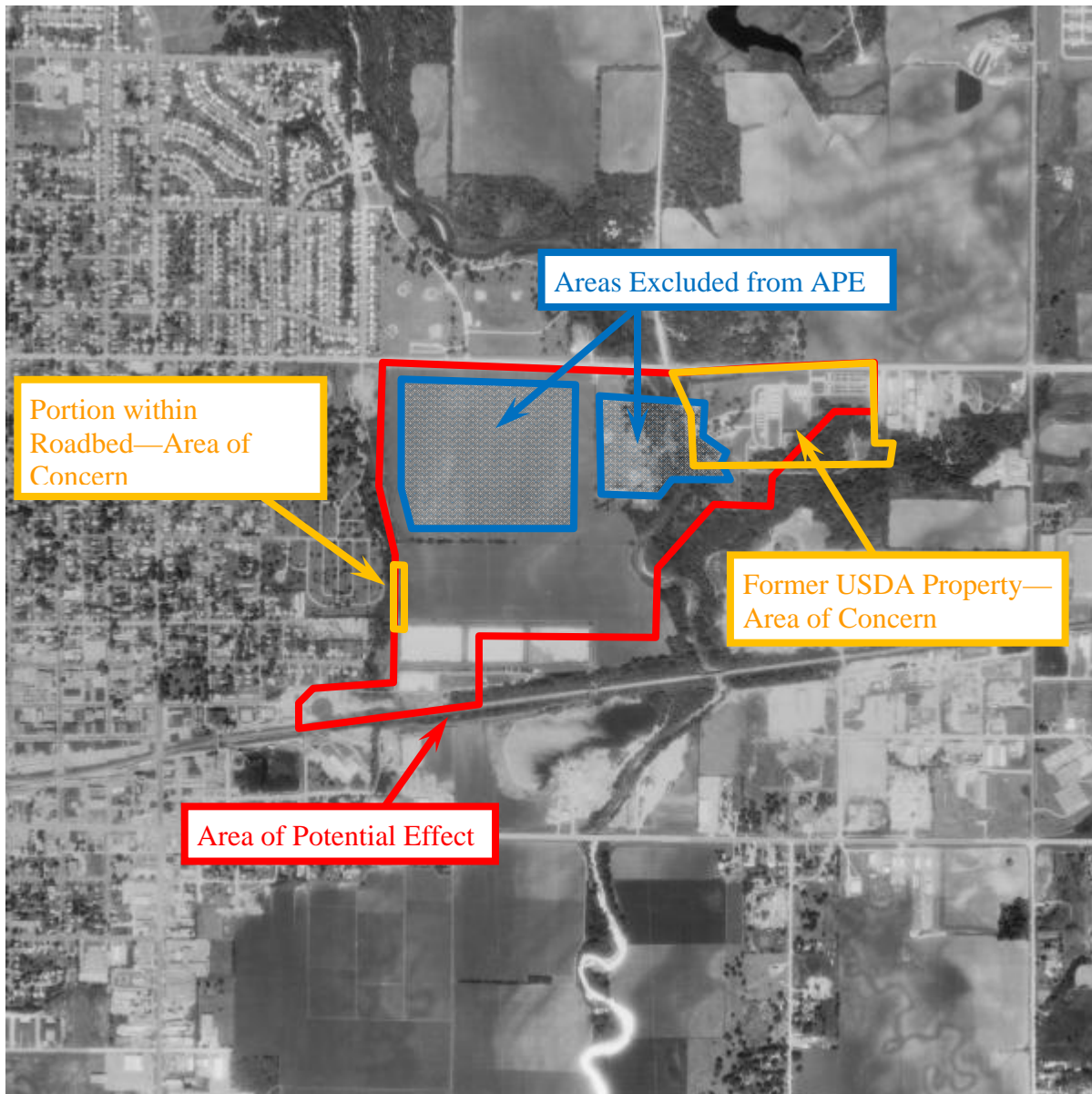


1970's

Location provided by City of Ames, Water & Pollution Control Dept.



North



## Aerial Photograph

Ames Proposed Water Treatment Facility  
Ames, Iowa



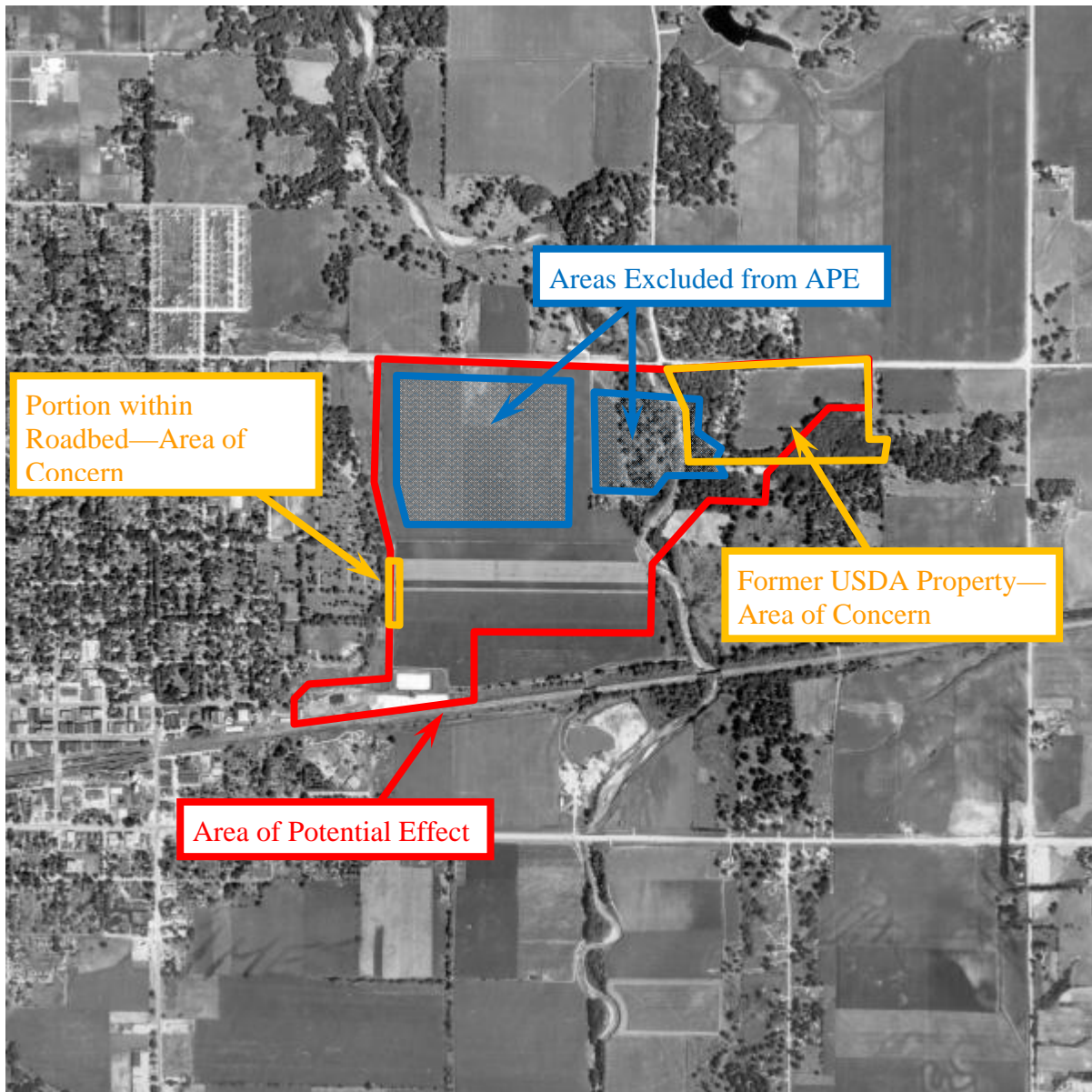
State Revolving Fund  
401 SW 7<sup>th</sup> Street, Suite M  
Des Moines, IA 50309

1950's

Location provided by City of Ames, Water & Pollution Control Dept.



North



## Aerial Photograph

Ames Proposed Water Treatment Facility  
Ames, Iowa



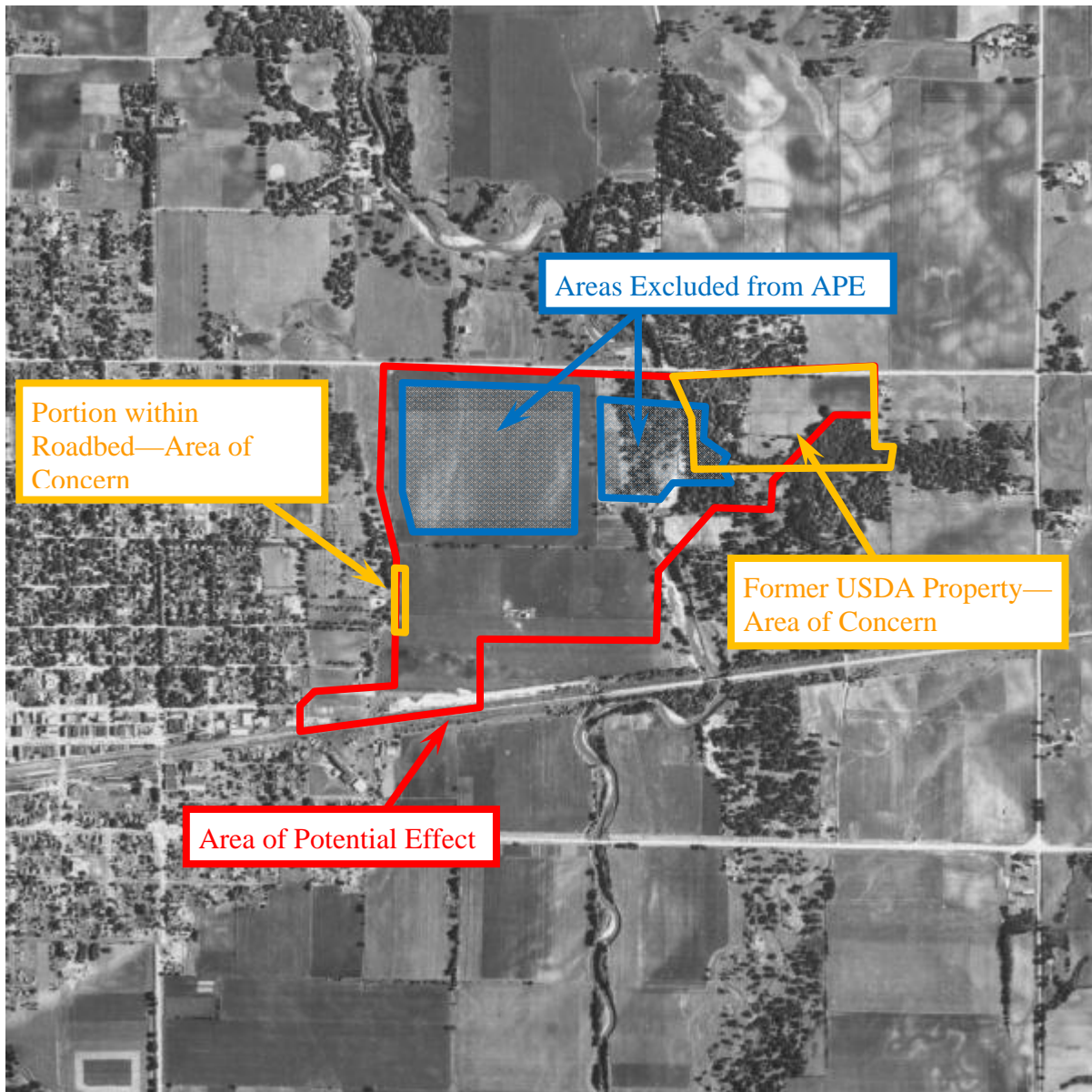
State Revolving Fund  
401 SW 7<sup>th</sup> Street, Suite M  
Des Moines, IA 50309

1930's

Location provided by City of Ames, Water & Pollution Control Dept.



North



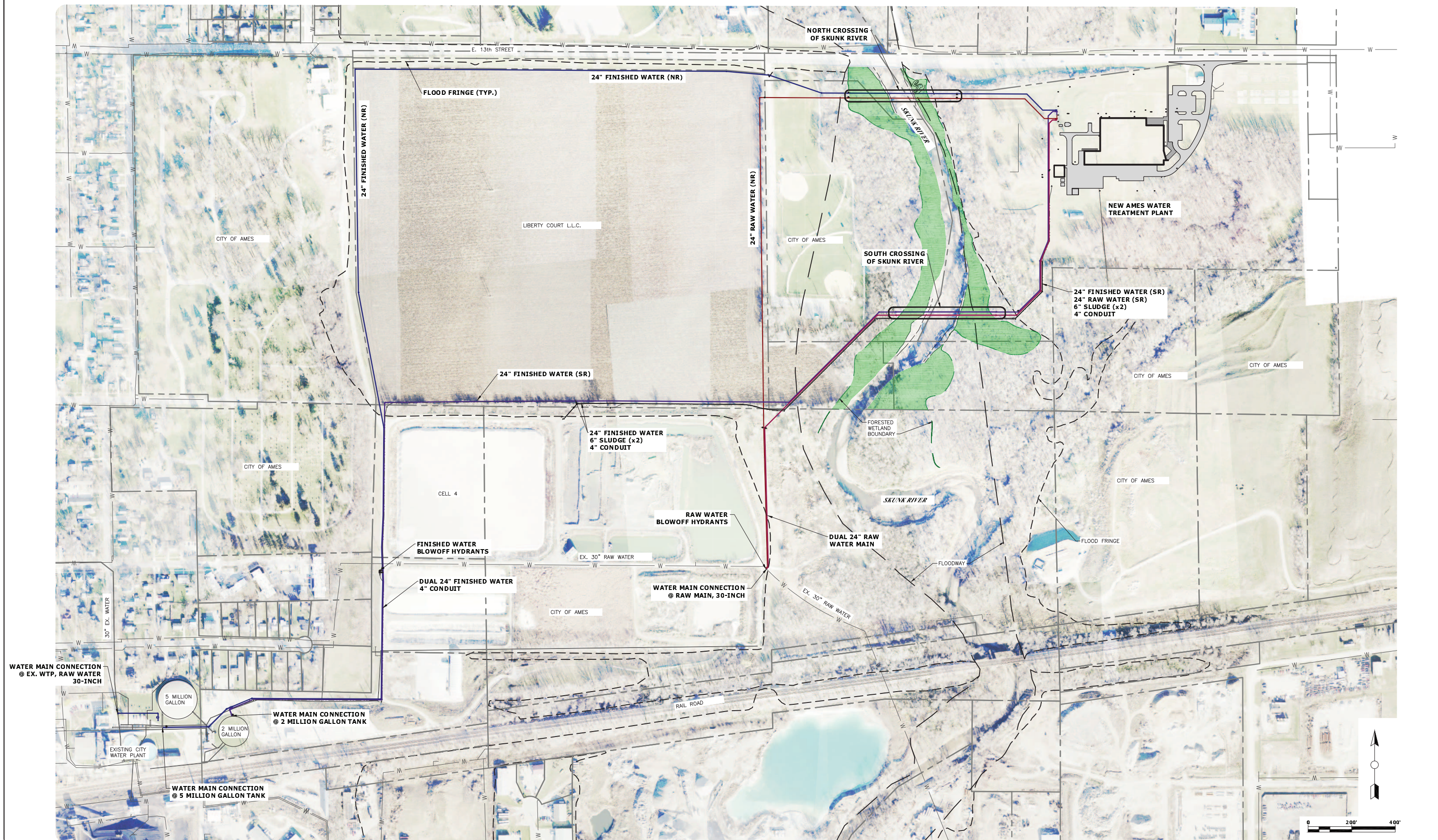
## Aerial Photograph

Ames Proposed Water Treatment Facility  
Ames, Iowa



State Revolving Fund  
401 SW 7<sup>th</sup> Street, Suite M  
Des Moines, IA 50309





	BY	DATE	REV. NO.	REV. DATE	REVISION
DESIGNED:	JWG				
DRAWN:	TJH				
CHECKED:					

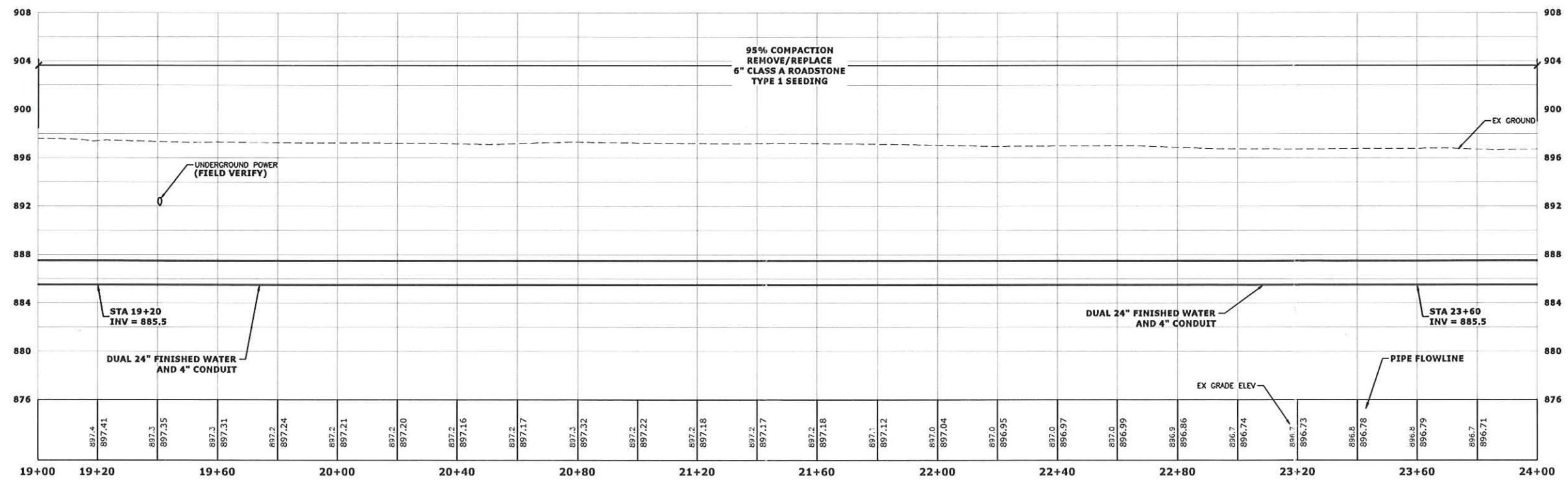
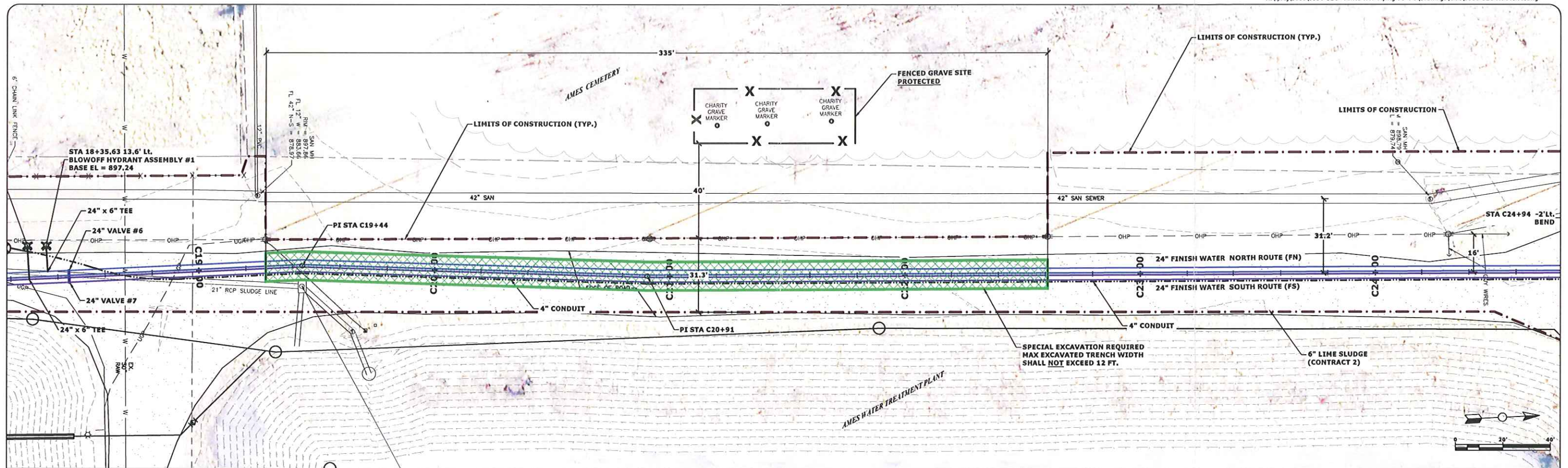
FOX PROJECT NO.	
3338-12C	

**GENERAL OVERALL LAYOUT**

AMES WATER TREATMENT PLANT - CONTRACT 1  
UTILITIES  
CITY OF AMES - AMES, IOWA

LAST UPDATE:	SHEET NUMBER
03/14/14	A.02





EX GRADE  
PROFILE  
GRADE  
STATION

EX GRADE  
PROFILE  
GRADE  
STATION

BY	DATE	REV. NO.	REV. DATE
DESIGNED: JMG			
DRAWN: TJH			
CHECKED:			

REVISION

FOX PROJECT NO.  
3338-12C

UTILITY - PLAN AND PROFILE

AMES WATER TREATMENT PLANT - CONTRACT 1  
UTILITIES  
CITY OF AMES - AMES, IOWA

LAST UPDATE:

05/02/14

SHEET NUMBER

D.06