

**AGENDA
REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL
NOVEMBER 10, 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.

PROCLAMATION:

1. Proclamation for Hunger and Homelessness Awareness

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.

2. Motion approving payment of claims
3. Motion approving minutes of Special Meetings of October 21, 2014, and November 5, 2014, and Regular Meeting of October 28, 2014
4. Motion approving certification of civil service applicants
5. Motion approving Report of Contract Change Orders for October 16 - 31, 2014
6. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class B Native Wine – Kitchen, Bath & Home, 201 Main Street
 - b. Class B Liquor – Country Inn & Suites, 2605 Southeast 16th Street
 - c. Class C Liquor – Fuji Japanese Steakhouse, 1614 South Kellogg Avenue
 - d. Class E Liquor - AJ's Liquor III, 2401 Chamberlain Street
7. Motion approving new Special Class C Liquor – Le's Restaurant, 113 Colorado Avenue
8. Motion approving 5-day licenses for Olde Main Brewing Company at ISU Alumni Center, 420 Beach Avenue:
 - a. Class C Liquor (November 18-22)
 - b. Class C Liquor (November 25-29)
9. Resolution approving appointment of Michael Davis to fill vacancy on Zoning Board of Adjustment
10. Resolution approving appointment of John Lynch to fill vacancy on Library Board of Trustees
11. Resolution approving Engineering Services Agreement with Bolten & Menk of Ames, Iowa, for 2014/15 Downtown Pavement Improvements Project
12. Resolution approving preliminary plans and specifications for 2014/15 Asphalt Pavement Improvements (Ferndale Avenue and Coy Street) and 2014/15 Water System Improvements (South Franklin Avenue and Coy Street); setting December 3, 2014, as bid due date and December 9, 2014, as date of public hearing
13. Resolution approving preliminary plans and specifications for 2014/15 Mortensen Road Improvements (South Dakota Avenue to Dotson Drive); setting December 3, 2014, as bid due date and December 9, 2014, as date of public hearing
14. Resolution approving preliminary plans and specifications for 2014/15 Traffic Signal Program (Union Drive and Lincoln Way); setting December 3, 2014, as bid due date and December 9, 2014, as date of public hearing

15. Resolution approving preliminary plans and specifications for 2014/15 Traffic Signal Program (13th Street and Stange Road); setting December 3, 2014, as bid due date and December 9, 2014, as date of public hearing
16. Resolution awarding contract for Copper Cable for Electric Distribution to WESCO Distribution of Des Moines, Iowa, subject to reel length variances, at an estimated total cost of \$58,680, plus applicable sales taxes
17. Resolution approving contract and bond for Natural Gas Conversion Equipment, including Burners, Igniters, Scanners, Thermal Analysis, and Computer Modeling
18. Resolution approving contract and bond for Furnishing of 69kV SF6 Circuit Breakers for Electric Services
19. Resolution approving Plat of Survey for 5500 and 5318-240th Street

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:

20. 601 State Avenue Change to Low-Density Residential:
 - a. Resolution approving Land Use Policy Plan (LUPP) Future Land Use Map Amendment for 601 State Avenue to Low-Density Residential
 - b. Hearing on rezoning from Special Government/Airport (S-GA) to Residential Low-Density (RL):
 - i. First passage of ordinance
21. Iowa State University Research Park Urban Renewal Area:
 - a. Hearing on Iowa State University Research Park Urban Renewal Area:
 - i. Resolution adopting Iowa State University Research Park Urban Renewal Plan and establishing Urban Renewal Area
 - b. First passage of ordinance creating Iowa State University Research Park Tax Increment Financing District (second and third passages and adoption requested)
22. Hearing on 2014/15 Arterial Street Pavement Improvements (Lincoln Way):
 - a. Resolution approving final plans and specifications and awarding contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$659,854.40
23. Hearing on 2013/14 CyRide Route Pavement Improvements Program #2 (Garden Road, Garnet Drive, Viola Mae Avenue):
 - a. Resolution approving final plans and specifications and awarding contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$899,833.27

ADMINISTRATION:

24. Requests from Main Street Cultural District for Snow Magic:
 - a. Motion approving/denying Blanket Temporary Obstruction Permit in Central Business District for November 14 to January 3
 - b. Motion approving/denying Blanket Vending Permit in Central Business District for November 14, November 29, December 6 and December 13, as well as waiver of fees for permit
 - c. Resolution approving/motion denying waiver of fees for electricity for holiday activities/lighting from November 14 through January 3
 - d. Resolution approving/motion denying closure of four parking spaces along south side of Main Street just west of Burnett and one parking space on west side of Douglas Avenue between Main and 5th on Friday, November 14 from 4 to 7 p.m., as well as waiver of fees

- e. Motion approving/denying a Temporary Obstruction Permit for a temporary sign on City property east of the intersection of Main and Duff
 - f. Resolution approving/motion denying suspension of parking regulations and enforcement for Central Business District for every Saturday from November 15 to January 3, as well as waiver of fees
25. Staff report on request from Main Street Cultural District regarding annual funding process:
- a. Motion directing staff
26. Staff report on current City Economic Development Policy

POLICE:

27. Staff report on proposed changes to Littering Ordinance:
- a. Motion directing staff to prepare Ordinance

WATER & POLLUTION CONTROL:

28. Resolution approving offer to purchase easements on property located at 800 and 1100 East 13th Street related to Contract 1 for new Water Plant Project and Skunk River Recreational Trail projects

ORDINANCES:

29. Second passage of Ordinance pertaining to Fats, Oils, and Grease

COUNCIL COMMENTS:

ADJOURNMENT:

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

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

OCTOBER 21, 2014

The Ames City Council met in special session at 7:00 p.m. on the 21ST day of October, 2014, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding and the following Council Members present: Gloria Betcher, Amber Corrieri, Tim Gartin, Matthew Goodman, Chris Nelson, and Peter Orazem. *Ex officio* Member Lissa Villa was also present.

NEIGHBORHOOD SUMMIT: Mayor Ann Campbell said a number of topics that affect neighborhoods will be discussed which will be followed by a presentation on Historic Preservation. Mayor Campbell introduced Fleet Services Director and Former Public Works Operations Manager Corey Mellies, who updated the group on the Emerald Ash Borer response plan and urban forest diversification and reforestation. He said the Emerald Ash Borer has been confirmed in Story and Boone counties, and described the response plan as being a 20-year plan that will treat and remove the Ash trees that are public street trees and park trees in maintained areas (next to trails and trees that are mowed around). He said the reforestation and diversification plan will be going at the same time, and said the inventory of trees that was created will be used to ensure the trees will be replaced with species that keep the inventory diverse. A property owner asked if City employees could diagnose Ash trees on private property. Mr. Mellies said someone could look at the tree, but the Department of Natural Resources must be contacted to confirm Emerald Ash Borer. He told the group that on the City website under Doing Business – Licenses and Permits, residents can see all tree surgeons that are currently permitted to do business, and which ones have a certified arborist and commercial pesticide applicator. Council Member Orazem asked if property owners that have public property behind their property would be able to call the City regarding Ash trees that they are willing to care for. Mr. Mellies said the City would first determine if the trees are public and if they are a hazard. Erv Klaus asked about the inventory. Mr. Mellies said about 26% of the trees are Maple trees and about 14% are Ash trees. Mr. Klaus recommended using native species to prevent bringing in more pests and create native habitats for birds. A property owner asked how long it takes to see a decline in a tree affected by Emerald Ash Borer. Mr. Mellies said 3-7 years. Discussion ensued regarding the cost of injections and removal of Ash trees.

Mayor Campbell introduced Civil Engineer Eric Cowles, who discussed public outreach to neighborhoods before and during Capital Improvements Plan (CIP) projects. He said for every project Public Works contacts property owners, businesses, residents, tenants, and when needed other entities such as ISU and CyRide. Mr. Cowles said for smaller projects with minimal impact a letter will be sent with details, map, restoration information, contact information, and a thank you for helping make the project a success. He said for larger projects a letter is sent that includes a link to a virtual meeting where the project is highlighted and more details are given during a video, or a letter is sent with details that include a meeting in the neighborhood to discuss the project. Mr. Cowles said Public Works also reaches out to neighborhood associations and will attend neighborhood meetings. A Lynn Avenue resident thanked him for a recent meeting, and asked about reseeding of grass, noting the appearance along Knapp Street. Mr. Cowles said that area has not been seeded yet and explained that a City-wide restoration will take

place in the spring of next year for projects that took place this year. Council Member Betcher asked if restoration of the parking is retroactive. Mr. Cowles said areas can be touched up if needed, and asked residents to let the City know about areas of concern. Council Member Goodman asked if there is a way for residents to contact him after viewing the virtual meeting. Mr. Cowles said his email and phone number are listed in the letter.

Construction Supervisor Justin Clausen told the Council that Public Works uses message boards at least 48 hours in advance of construction projects to alert residents. He said door hangers and fliers are also distributed at least 48 hours in advance with information including the day the work will begin, anticipated duration, alternate areas to park, a description of what will happen, and at least three points of contact including the Contractor, Project Inspector, and his own information. Mr. Clausen said there is also a link to the City's Construction Project Update web page that is updated at least once per week and a map showing the area affected and alternate areas to park. He said Public Works also uses social media to alert residents of major street closures or major disruptions. Mr. Clausen said a Thank You note is mailed to the neighborhood after the project with restoration details, and starting next spring projects will be restored more quickly since they will be done City-wide.

Police Chief Chuck Cychosz discussed the Safe Neighborhoods initiative by the Police Department. He said Ames is divided into four patrol areas with officers assigned to each area. He said some officers work in the same neighborhoods for 5-10 years. Chief Cychosz discussed common police calls and encouraged neighbors to call the non-emergency number (515-239-5133) if anything suspicious is seen, even if it is not an emergency. He introduced Community Resource Officer Ny Saadiq, who manages Citizen Police Academy and works with property managers on issues and Officer Eric Snyder of the Safe Neighborhoods Team, which moves around the community to get to know residents and work through problems with neighbors. He said relationship building and problem solving are important to these programs.

Linda Feldman asked if the Police Department notifies neighbors if there is a problem in a particular neighborhood. Chief Cychosz said not unless it's a long-term issue that is being worked on, then the Safe Neighborhoods Team may ask for help communicating to the residents in a particular area. Discussion ensued on drug use in Ames and other trends to be aware of. A resident asked how to report dangerous dogs that are not leashed. Chief Cychosz said residents should call Animal Control, and Animal Control will educate pet owners. *Ex officio* Member Villa asked about the flamingos that used to be set outside of parties as an early warning sign. Chief Cychosz said that was used in the build up to VEISHEA for a couple of years. He said he would like to hear more about the effectiveness of the flamingos from the students. Council Member Betcher asked about Citizen Police Academy. Chief Cychosz told the group it is an 8-week program on Thursday nights consisting of 12-25 people and it takes participants through a mini experience of police officer training.

Mayor Campbell introduced Planning and Housing Director Kelly Diekmann and Planner Jeff Benson. Mr. Diekmann said a survey of neighborhood associations was conducted over the summer. Mr. Benson said there are 27 registered neighborhood associations within the city. Mr. Benson said of the 19 that responded, residents were overwhelmingly satisfied with their neighborhoods. He also said the three most important programs to the respondents were free

yard waste days, the Street 'N' Greet block party trailer, and Neighborhood Improvement Program grants. Mr. Benson said the survey discussed communication, and the most important form of communication to neighbors is email. Council Member Betcher asked if any NIP grant money is left over. Mr. Schainker said there is money left some years. It was discussed that getting neighbors to work together is the best part of the program and that new neighborhoods should apply.

One resident said email correspondence is much easier to forward and share with others. Sharon Guber asked if there is a group of neighborhood association representatives that gathers periodically. Mr. Benson said the annual Neighborhood Summit is currently the only meeting for neighborhood association representatives. Linda Feldman asked if it would be worth getting at least one neighborhood representative from each association together a few times per year. Debbie Lee said at one time there was a neighborhood association coalition, and it was eventually disbanded because attendance was dropping to near zero. Council Member Goodman said that Council tries to involve neighborhoods in solutions to neighborhood issues. Mayor Campbell opened the discussion to concerns of residents.

Barbara Pleasants, South Campus Area Neighborhood (SCAN), said parking is an ongoing issue as the streets around her home have become daytime parking for many students. She said it is very hard for anyone in the neighborhood to have guests. Ms. Pleasants expressed concern that 500 new beds will soon be added to the area, which will exasperate the problem. She said her other major concern is the future of Crawford School. Fern Kupfer, SCAN, said Crawford is a historically significant property, and she would like to talk with the School Board about what the building could be. Mr. Goodman asked if the neighborhood has a solution to the parking problem. There was discussion regarding the Intermodal Facility. Sarah Cady, Arbor Street, said the Intermodal Facility is farther away and more expensive for students than parking in neighborhoods. Mike Peterson, College Creek area, said a Brookside Park area resident asked him to discuss the speeding on Brookridge and Ridgewood Avenues during high school hours. He said the concern is for other families with children home during those times.

Sarah Cady, Arbor Street, said she lives in an area that is about 50% rental properties and the residents of the rental properties leave trash and trash cans on the curb all week long, which becomes unsightly as cans are dumped and litter ends up in the street. She said she has been working with Sarah Van Meeteren in the Inspections Division who tried door hangers, which helped some. Ms. Cady said she wonders if there is a more effective way to handle the problem than a Municipal Infraction. Council Member Betcher asked if there are other neighborhoods experiencing this. No other neighbors commented.

Dylis Morris, Oakwood Forest neighborhood, asked about fireworks. She said she has noticed fireworks going off for 30 minutes or longer on weeknights. Mr. Schainker said applications must be reviewed by the Fire Chief for safety and location and authorization is needed by the City Council. Mayor Campbell said one exception was the request for Homecoming. Robert Sill, Edwards Neighborhood Association, said he is voicing support for an additional liaison for neighborhoods, such as an ombudsman. He said his neighborhood is facing a school closure, and is interested in ways that the property could be repurposed. He said he is concerned a developer

could buy the property. Mr. Sill thanked the City Council for its work on the Breckenridge development.

Lisa Magner, Campustown area, said she believes there has been too much growth in Ames. Peter Hallock, Historic Old Town neighborhood, thanked the Council and City staff, specifically Traffic Engineer Damion Pregitzer, for working with them on hospital traffic during construction. He also expressed thanks for the work on the Duff Avenue Traffic Study.

Debbie Lee, Oak to Riverside neighborhood, said the attendance at this Neighborhood Summit is very impressive. Ms. Lee expressed concern about Squaw Creek flooding, especially with the new development near Riverside Manor. She also said City Council is looking at revisions to the Land Use Policy Plan, noting that Ames continues to face challenges with village suburban areas, and said her concern is between avoiding sprawl and the intensification of land use in already-developed areas. Dylis Morris, Oakwood Forest neighborhood, expressed concern about the landscaping and maintenance of new parking lots. Mike Peterson, College Creek neighborhood, asked about the vegetation along the Skunk River near Deery Brothers. Mr. Diekmann said channel widening was authorized to mitigate flooding, and that $\frac{3}{4}$ acre of wetland forest mitigation will be added back to the site.

The meeting recessed at 8:50 p.m. and reconvened at 8:58 p.m.

PRESENTATION OF PROPOSED ORDINANCE CHANGES TO CHAPTER 31, HISTORIC PRESERVATION (HPC): Mayor Campbell acknowledged Peter Hallock and Kim Hanna of HPC and said Planning and Housing Director Kelly Diekmann would begin the presentation. Mr. Diekmann said HPC has been busy working on an update to Chapter 31 of the Municipal Code. He said there was a work group formed in 2010 for input, and in January, 2014 a report was brought to City Council and Council directed HPC to move forward in drafting text amendments, presenting drafts to the public and State Historic Preservation Office, and proceed with public hearings.

Mr. Diekmann said 19 new houses would be impacted, and five of those have responded. He also said that there has not been a lot of participation by the public in the last six months. Council Member Gartin asked if realtors provide information on Chapter 31 to interested buyers in the Historic Old Town Neighborhood. Planner Ray Anderson said he occasionally receives calls from interested clients and realtors about regulations. Mr. Gartin said it would be nice if realtors had more information on specific areas.

Mr. Benson said the proposed amendments to Chapter 31 fall into the categories of Historic District Classifications, Design Issues, Materials, and Administrative Approvals. For Historic District Classifications, Mr. Anderson said the 2003 inventory may be adopted, which includes 130 contributing properties, and 4 not contributing. Mr. Anderson said 19 of the 130 are not currently regulated, but would be under the proposed changes. Mr. Anderson discussed preserving contributing garages. Discussion ensued regarding how the condition of the garages is evaluated.

Design Issues that are being updated include alterations to contributing garages and construction of new garages and outbuildings, egress windows, fences, decks, porches, and ramps. Mr. Gartin asked if a garage in very poor shape was built on the lot line can be rebuilt on the lot line. Mr. Diekmann said if it is removed, then it would be subject to the set-backs. Discussion ensued. Ms. Betcher said decisions made by HPC in her tenure took into consideration what is reasonable and what makes sense, including the homeowner's situation.

Mr. Benson discussed Materials. For substitute materials, amendments would include when they will be considered general criteria, guidelines for substitute materials, and substitute materials permitted. Ms. Betcher said some communities have regulations for only parts of the structure that are visible from the street. Mr. Benson said it difficult to define what is visible, and the purpose of the regulations is to preserve the historic integrity of the building, not just to create a certain look. Ms. Betcher asked if the changes being proposed are more flexible or if they mostly pertain to Old Town. Mr. Benson said it is hard to anticipate what neighborhoods could be affected. Discussion ensued regarding the public benefit of certain improvements versus the structural integrity of a historic property.

The proposed Administrative Approvals allowed for are alterations to principle structure, garages, and outbuildings, and new construction of fences and retaining walls.

Mr. Diekmann reviewed the next steps and said HPC will finalize its recommendation on November 10, 2014, Planning and Zoning Commission will finalize its recommendation on November 19, 2014 and the City Council Public Hearing will be November 25, 2014.

Mr. Goodman asked if the Planning and Housing Department could research some options to make this information more accessible to home buyers.

CITY COUNCIL COMMENTS:

Moved by Betcher and seconded by Goodman to request a memo from Building Official Seana Perkins addressing options for improving the issue raised by Sarah Cady (Arbor Street) of trash and trash containers left on the curb all week.

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

Council Member Betcher said she would like to discuss the letter received from the Main Street Cultural District regarding a possible change in its funding model. Moved by Betcher and seconded by Goodman to add this item to a future agenda for discussion.

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

Member Goodman said Council should start thinking about a permitting process for on-street parking for residents, which would remove the worry about parking requirements. He also recalled a memo on proactive enforcement of snow shoveling in Campustown. Mr. Schainker said it had been adopted. Moved by Goodman and seconded by Corrieri to request a memo on the history and progress of the proactive enforcement.

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

Council Member Gartin thanked the Historic Preservation Commission for its work, and expressed disappointment at the attendance during that portion of the meeting. He also said he was very encouraged by the attendance for the Neighborhood Summit.

Council Member Gartin discussed the letter from John Chesters regarding parking ratios in University-impacted areas. Moved by Gartin and seconded by Goodman to add this item to a future agenda for discussion.

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

Moved by Nelson and seconded by Goodman to refer to staff the letter received from the City of Marshalltown.

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

ADJOURNMENT: The meeting adjourned at 10:27 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

Erin Thompson, Recording Secretary

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

AMES, IOWA

NOVEMBER 5, 2014

The Ames City Council met in special session at 4:02 p.m. on the 5th day of November, 2014, in Conference Room 235 in City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding in person. Since it was impractical for all Council members to attend in person, Council Members Amber Corrieri, Tim Gartin, Matthew Goodman, Chris Nelson, and Peter Orazem were brought in telephonically. Council Member Gloria Betcher and *ex-Officio* Member Lissandra Villa were absent.

CONTRACT FOR NATURAL GAS CONVERSION EQUIPMENT: Electric Services Assistant Director Brian Trower explained that action was necessary for the procurement of natural gas burners, igniters, and scanners, plus boiler/furnace modeling to assess the necessity for boiler modifications.

Mr. Trower reminded the City Council that it had, on November 12, 2013, decided to convert the City's Power Plant from coal to natural gas. The conversion project is required to meet future Environmental Protection Agency (EPA) air quality regulations for electric generating power plants. The major phases of work necessary to complete the conversion project were outlined by Assistant Director Trower. He also highlighted the other significant work that must be accomplished.

According to Mr. Trower, bid documents for this project were issued to 13 firms. Bids were received from three companies by the bid due date of October 7. Assistant Director Trower summarized the three bids received: Alstom Power Inc.; Riley Power, Inc.; and Babcock & Wilcox Power Generation Group, Inc.

Assistant Director Trower reported that Alstom Power Inc., was the original equipment manufacturer (OEM) for Unit 7 and Babcock & Wilcox Power Generation Group was the OEM for Unit 8.

Mr. Trower advised that City staff had worked with the engineering firm Sargent & Lundy to perform an extensive evaluation of the bids; after which, Alstom Power Inc., of Windsor, CT, was determined to be the preferred bidder on the basis of emissions guarantees and overall price. According to Mr. Trower, it is staff's intention to have this back before the Council on November 10, 2014, for approval of contract and the performance bond.

Council Member Goodman asked what would happen if the project schedule does not go as anticipated. Mr. Trower replied that Alstom Power has a Performance Guarantee to ensure completion; there would be liquidated damages. According to Mr. Trower, staff is confident that will not be an issue. The Performance Bond will be in the amount of the entire contract: \$3,355,300.

Moved by Goodman, seconded by Corrieri, to adopt RESOLUTION NO. 14-574 awarding a contract to Alstom Power Inc., of Windsor, CT, for Natural Gas Conversion Equipment, including Burners, Igniters, Scanners, Thermal Analysis, and Computer Modeling in the amount of \$3,355,300.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby

made a portion of these Minutes.

ADJOURNMENT: Moved by Goodman, seconded by Corrieri, to adjourn the meeting at 4:25 p.m.
Vote on Motion: 5-0. Motion declared carried unanimously.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

OCTOBER 28, 2014

The Regular Meeting of the Ames City Council was called to order by Mayor Campbell at 7:00 p.m. on the 28th day of October, 2014, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Gloria Betcher, Amber Corrieri, Tim Gartin, Matthew Goodman, and Chris Nelson. *Ex officio* Member Lissandra Villa was also present. Council Member Orazem was absent.

Mayor Campbell announced that the Council would be working from an Amended Agenda. Added under Consent Items 28 and 29 were approval of Final Plats for Northridge Heights Subdivision, 17th Addition, and Scenic Valley Subdivision, 1st Addition, respectively. In addition, staff had pulled Consent Item 22. The Mayor also clarified that the address for the Encroachment Permit listed under Item No. 9 was 116 Welch Avenue

CONSENT AGENDA: Council Member Betcher requested to pull Consent Item No. 9, an Encroachment Permit for 116 Welch Avenue. Item No. 14, a waiver of parking meter fees for demonstration of a “parklet,” was pulled from the Consent Agenda by Council Member Nelson. The Plat of Survey for 2810 and 2814 Wakefield Circle, which was Consent Item No. 27, was pulled by Council Member Goodman.

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 October 14, 2014
3. Motion approving Report of Contract Change Orders for October 1 - 15, 2014
4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class C Liquor – Score!, 124 Welch Avenue
 - b. Class C Beer & B Wine – Southgate Expresse, 110 Airport Road
 - c. Class C Liquor - London Underground, 212 Main Street
5. Motion approving 5-day licenses for Olde Main Brewing Company at the ISU Alumni Center, 420 Beach Avenue:
 - a. Class C Liquor (October 28 - November 1)
 - b. Class C Liquor (November 4 - November 8)
 - c. Special Class C Liquor (November 11 - November 15)
6. Motion approving new Class C Liquor - The Other Place, 631 Lincoln Way (pending approval of Food Establishment License, inspection, and a satisfactory background check)
7. Motion approving new Class B Beer Permit - Southgate Expresse, 110 Airport Road
8. Motion approving new Class C Liquor and Outdoor Service - The District, 2518 Lincoln Way (pending approval of Food Establishment License, inspection, and a satisfactory background check)
9. RESOLUTION NO. 14-548 approving updated Affirmative Action Plan
10. RESOLUTION NO. 14-549 approving annual Human Relations Commission Contract with Iowa Civil Rights Commission
11. RESOLUTION NO. 14-550 approving Iowa Department of Transportation Federal-Aid Agreement for 2014/15 CyRide Route Pavement Improvements
12. RESOLUTION NO. 14-551 approving amendment to adjust term of Master Engineering Services Agreement with FOX Engineering for design of New Water Plant Project

13. Requests from the Arthritis Foundation for Jingle Bell Run on December 6, 2014:
 - a. RESOLUTION NO. 14-553 approving closure of westbound lane of Mortensen Road from approximately 8:45 a.m. to 9:30 a.m.
 14. RESOLUTION NO. 14-554 approving preliminary plans and specifications for Unit #7 Feedwater Heater Replacement; setting November 26, 2014, as bid due date and December 9, 2014, as the date of public hearing
 15. RESOLUTION NO. 14-555 approving preliminary plans and specifications for Water Pollution Control Trickling Filter Pumping Station Pump Check Valves Replacement; setting November 26, 2014, as bid due date and December 9, 2014, as date of public hearing
 16. RESOLUTION NO. 14-556 approving preliminary plans and specifications for Controls and Relaying Panels for Dayton and Stange Substations; setting November 26, 2014, as bid due date and December 9, 2014, as date of public hearing
 17. RESOLUTION NO. 14-557 approving contract and bond for new Ames Water Treatment Plant - Contract 2
 18. RESOLUTION NO. 14-558 approving continued use of a 2009 Caterpillar Wheel Dozer at the Power Plant beyond 6,000 hours/5 years and forfeiting buy-back guarantee
 19. RESOLUTION NO. 14-559 approving Change Order No. 20 with A&P/Samuels Group for Library Renovation and Expansion Project
 20. RESOLUTION NO. 14-561 accepting completion of Furnishing Substation Electrical Materials - Bid No. 3 (Furnish Lightning Arresters) with Fletcher-Reinhardt Company, at a total cost of \$11,308.83
 21. RESOLUTION NO. 14-562 accepting completion of 2012/13 Asphalt Street Reconstruction Program (Pierce Court, Westbend Drive, Westbend Circle, Southbend Drive)
 22. RESOLUTION NO. 14-563 accepting completion of 2012/13 Asphalt Resurfacing and Seal Coat Removal/Asphalt Reconstruction Program and 2012/13 Water Main Replacement (South Wilmoth Avenue, Morningside Drive, Hilltop Road, Tripp Street)
 23. RESOLUTION NO. 14-564 accepting completion of 2012/13 CyRide Route Pavement Improvement (Lincoln Way - Franklin Avenue to Hayward Avenue)
 24. Northridge Heights Subdivision, 17th Addition:
 - a. RESOLUTION NO. 14-566 waiving requirement for financial security for sidewalks and approving Agreement for Sidewalk and Street Trees
 - b. RESOLUTION NO. 14-567 approving the Final Plat
 25. Scenic Valley Subdivision, 1st Addition:
 - a. RESOLUTION NO. 14-568 waiving requirement for financial security for sidewalks and approving Agreement for Sidewalk and Street Trees
 - b. RESOLUTION NO. 14-569 approving the Final Plat
- Roll Call Vote: 5-0. Resolution/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a part of these Minutes.

ENCROACHMENT PERMIT FOR 116 WELCH AVENUE: Council Member Betcher asked why the proposed sign was not considered a real estate sign. City Attorney Judy Parks replied that there currently is no definition for real estate signs in the *Municipal Code*. She said that, by practice, staff considers real estate signs to be those types that advertise properties for sale and are traditionally on a wire-type stand that is pushed into the ground. It was stated by City Attorney Parks that the City does not limit wording on signs or restrict such things as phone numbers being included on the sign. Ms. Betcher expressed her concerns over the amount of information being included on the proposed sign in question. She said that the subject sign looks to her to be more like a billboard sign.

Council Member Goodman said that he did not think this sign should be held up until a definition of real estate signs could be included in the Code. Ms. Betcher shared that she would not be voting in favor of allowing the request; however, agreed that the Council should request staff to come back to the City Council to adopt some type of definition for real estate signs.

Moved by Nelson, seconded by Corrieri, to approve a sign encroachment permit for Campustown Properties, 200 Stanton Avenue, for the proposed sign to be located at 116 Welch Avenue.

Vote on Motion: 3-2. Voting aye: Corrieri, Gartin, Nelson. Voting nay: Betcher, Goodman. Motion declared carried.

REQUEST FOR WAIVER OF PARKING METER FEES FOR DEMONSTRATION OF A “PARKLET:” Council Member Nelson noted that this was a request from Iowa State University

Chapter of the Student Society of Landscape Architects (SSLA). He asked if anyone representing that group would like to speak about its proposal. Hannah Luloff, the SSLA Parklet Chair, stated that the proposal is to build a parklet on top of a single metered parking space. The parking space would be the first one to the south of Main Street on the west side of Kellogg Avenue (Space 125 on Kellogg Avenue). If approved by the City Council, the parklet would be in place from October 29 to November 2, 2014. According to Ms. Luloff, the parklet is the same one that was previously installed in Campustown. The SSLA is requesting a waiver of parking meter fees and enforcement during the time that the parklet is in place.

Moved by Nelson, seconded by Goodman, to adopt RESOLUTION NO. 14-552 approving the request from the Iowa State University Chapter of the Student Society of Landscape Architects for waiver of parking meter fees for Space 125 on Kellogg Avenue from October 29 - November 9, 2014 for demonstration of a “parklet”

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a part of these Minutes.

PLAT OF SURVEY FOR 2810 AND 2814 WAKEFIELD CIRCLE. Council Member Goodman said that he had asked to discuss this item in an attempt to ensure that the City is getting efficient use of land that had been incentivized through TIF. Developer Chuck Winkleblack, 105 S. 16th Street, Ames, advised that he is currently working with a customer who needs a 32,000 square-foot building and wants room to expand by another 18,000 square feet. According to Mr. Winkleblack, the possible development would equate to several million dollars in valuation; thus far exceeding the required \$266,000/lot.

Moved by Goodman, seconded by Corrieri, to adopt RESOLUTION NO. 14-565 approving the Plat of Survey for 2810 and 2824 Wakefield Circle.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a part of these Minutes.

PUBLIC FORUM: No one requested to speak, and the Mayor closed Public Forum.

RESIDENT SATISFACTION SURVEY: Public Relations Officer Susan Gwiasda reviewed the results of the 32nd Annual Resident Satisfaction Survey. The Survey was conducted with the assistance of Iowa State University’s College of Design Institute of Design Research and Outreach. The two additional questions in the Survey focused on initial reactions to an indoor aquatic center and thoughts regarding property development in flood plains.

According to Ms. Gwiasda, the Survey was distributed to 1,350 utility bill customers by U. S. Mail and 1,250 surveys were sent via e-mail to ISU students. There were 530 surveys returned, which was a response rate of 20%; that decreased from 24% in 2012. Overall satisfaction was rated as good/very good by 98% of the respondents.

Ms. Gwiasda asked the City Council to begin thinking about any potential questions that they would like to include on the 2015 Survey.

Council Member Gartin asked if other cities benchmark satisfaction with their services through the use of a similar survey. Ms. Gwiasda replied that she was unsure whether any other cities use a similar method; however, she will attempt to ascertain if there are any that do.

VENDING CODE: Assistant City Manager Melissa Mundt reported that, after receiving complaints regarding vending carts along Main Street and experiencing difficulty in administering the current Vending Ordinance, staff prepared proposed revisions to Chapter 22, Division III, of the *Municipal Code*. Ms. Mundt highlighted some of the changes that were being proposed to the Vending Ordinance.

Council Member Gartin said he took issue with the requirement that those with a felony conviction would be precluded from applying for a Vending License. He said that those persons often have a very difficult time finding employment after they have served time, and this could possibly provide an option for them. Ms. Mundt said that she had looked at what other cities included in their ordinances. She noted that the City would ultimately be authorizing use of public space. City Attorney Parks advised that the proposed requirement is not dissimilar to the requirements of the Alcoholic Beverages Division for its permits; the requirement is related to good moral character.

Council Member Nelson asked how many vendors are licensed annually by the City. Ms. Mundt answered that there are 14 currently licensed vendors.

Another issue raised by Council Member Gartin was the provision in the proposed regulations for a ten-day appeal period. He suggested that the appeal period be set at 20 days. Mr. Gartin also noted a disparity in what the proposed administrative rules say (10 days) and what the proposed application states (5 days). Ms. Mundt indicated that the error would be corrected to reflect the appeal process would be ten days.

Council Member Corrieri noted that the proposed regulations allow for the initial Vending License to be issued for a year and then allow for renewal annually of the same space. She said that she had discovered that other communities provide a Permit for a certain period of time, but allow for an open renewal period where all vendors could be eligible for that space. An open renewal period would provide for a fair process so that there would not be one vendor who “reserves” the space for “an eternity.”

Ms. Corrieri also asked if the City had looked at what other cities charge for Vending Licenses. Ms. Mundt stated that that had been done; however, that issue will be brought back to the Council at a later date after a revised Ordinance had been adopted.

Council Member Nelson advised that he had recently been in Campustown and could see where the vending carts had been located by the grease stains on the sidewalk. He asked if the vendors

are required to clean the sidewalks on a routine basis. Ms. Mundt advised that there is wording in the new version of the policies pertaining to the cleanliness aspect. She noted that she had not received any complaints about the stains on the sidewalk; however, currently, the City Code does not speak to that.

Council Member Betcher asked if there is a demand for certain locations. Ms. Mundt said that staff has had very few issues with the locations; however, if the vendors were to be asked, they might say that certain locations would be much more desirable than others.

Council Member Goodman acknowledged that he owns vending businesses and said that he would only comment on items that were not directly related to his vending carts. The first issue pertained to not allowing those convicted of felonies to hold a Vending License. He noted his agreement with Council Member Gartin in that, after people had served time and been released from prison, they should have opportunities, especially in a world where getting hired is more challenging. Mr. Goodman said that he was very adamant about getting that eliminated from the ordinance. The second issue pertained to non-task-specific illumination. He stated that there is a current vendor in Campustown who has a rope light; however, it is not distracting and there have never been any complaints about it. Mr. Goodman offered a suggestion that the rules state that the City Manager has the right to eliminate non-task-specific illumination if it is a risk or a nuisance. Council Member Goodman also offered his opinion on the requirement to display the Vending License at all times. He noted that the License can easily get lost if it is attached to the cart. The vendor should have it available to show anyone who asks, but not necessarily have to have it affixed to the cart.

Council Member Nelson asked Commander Huff if the level of sound emanating from the vending cart could be measured since people could be walking by talking loudly. Commander Huff replied that it is always difficult to get noise meter readings in a busy area with pedestrians and vehicular traffic. Commander Huff noted that an officer would talk to the vendor if it appeared that the noise level was too high; the Police Department had had good cooperation from the vendors in the past.

Council Member Betcher pointed out that the proposed regulations would restrict signage to the name of business and menu. She asked if the City had a definition for any signage. Ms. Mundt stated that any signage must be on the cart somewhere.

Chad Watkins, manager of three vending carts in Ames, voiced his concerns about not being allowed to have a sandwich board displayed near the vending cart. He advised that there are times when they place a sandwich board sign out in an attempt to hire personnel. Mr. Watkins said that the sign had been a great tool for them; however, he agreed that it would not necessarily have to be a sandwich board sign.

City Manager Schainker explained to the Council that the Vending Ordinance has not been finalized. Staff will take the Council members' input and ask the City Attorney to prepare an ordinance that will come back to the City Council for approval on a future date. He told the Council members that motions should be made for any changes that they want.

Moved by Gartin, seconded by Betcher, to set the appeal period for denial or revocation of the License at 20 days.

Vote on Motion: 4-0-1. Voting aye: Betcher, Corrieri, Gartin, Nelson. Voting nay: None. Abstaining due to a conflict of interest: Goodman.

Moved by Gartin to remove the requirement for a clean criminal background check from the application process.

Assistant City Manager Mundt asked for clarification as to whether a person with an outstanding arrest warrant would be allowed to make application for a Vending License as that would not be determined without a background check being run.

Motion withdrawn.

Moved by Gartin, seconded by Corrieri, to state that a criminal conviction would not be cause for exclusion for a Vending License.

Council Member Betcher expressed her concern that sex offenders could potentially be vending ice cream to children or to college students.

Council Member Gartin asked the City Attorney to hear her thoughts about limiting the denial of a Vending License to those persons listed on the Sex Offender Registry. City Attorney Parks said she was not sure what limitations are imposed on a person being listed on the Sex Offender Registry in terms of one's proximity to potential victims. This is not an area of law that is dealt with on the municipal level.

Council Member Gartin noted that staff will be coming back with a proposed ordinance and perhaps staff could address this concern and otherwise fine-tune the Ordinance.

Vote on Motion: 1-3-1. Voting aye: Gartin. Voting nay: Betcher, Corrieri, Nelson. Abstaining: Goodman. Motion failed.

Council Member Corrieri expressed her concerns that the background check would only be conducted on the business/cart owner and not the employees of the cart. She pointed out that the applicant for the Vending License may never actually be vending at the cart.

Moved by Betcher, seconded by Corrieri, that signage should be restricted to the name of the business, the menu, and business-related information, which may be posted only on the vending cart.

Vote on Motion: 4-0-1. Voting aye: Betcher, Corrieri, Gartin, Nelson. Voting nay: None. Abstaining due to a conflict of interest: Goodman.

Council Member Corrieri stated that she would like to see an open renewal process after three years where all vendors would be allowed to apply for locations provided on a first-come, first-served basis. City Manager Schainker noted that the permits expire one year from date of issuance, so the permits do not all expire on the same date. That would be difficult to administer since the vendors would not know when other vendors' permits expire. Ms. Mundt noted that she had done some research on the lottery method and could provide

Ryan Jeffries, 234 Parkridge Circle, Ames, informed the Council that the Campustown Action Association had discussed the lottery concept, and there had been "zero support for that or the

rotation of the locations.” He noted that vendors take a risk when they purchase their carts, and location is key to their success.

Lissandra Villa, *ex officio* Member, offered a student’s perspective that they become familiar with the location of different vendors.

Council Member Betcher offered a suggestion to require that non-task-specific illumination over a certain level not be allowed if, at the discretion of the City Manager, the lighting causes a nuisance.

FUNDING FOR FACILITATION OF HIRTA-RELATED ISSUES: Assistant City Manager Mundt recalled that, at the May 13, 2014, Council meeting discussion regarding HIRTA services, concerns had been expressed by citizens and human service agencies regarding the delivery of HIRTA services within the community. One specific request that resulted from that meeting was a desire to gain input from the user agencies to better understand their challenges and determine if there were solutions that could be identified to address the concerns. Discussions were held with ASSET’s administrative staff, HIRTA, and CyRide, and it was determined that a facilitated conversation needed to be held with impacted organizations. Staff then sought out a facilitator that understands human service agency operations and the needs of the riders.

According to Ms. Mundt, the amount of time required for facilitated conversations is estimated to total 20-25 hours for meeting preparation and facilitation of four meetings. The estimated cost would be \$2,500. Ms. Mundt advised that the Story County Board of Supervisors will be considering funding half of the cost at its October 28, 2014, meeting. The City has available funding to cover its half of the cost from unallocated ASSET funding in the FY 2013/14 budget.

Council Member Betcher noted that this was an important process, but doesn’t want individuals who are not represented by ASSET agencies to “get lost” in that process. The Council, at some point in the future, needs to address the issues raised by those not represented by the agencies. Transit Director Sheri Kyras advised that the Transit Board had heard some of those concerns and had addressed many of them.

Moved by Gartin, seconded by Nelson, to adopt RESOLUTION NO. 14-570 approving half of the cost to facilitate HIRTA service discussions in the amount of \$1,250 to be paid from ASSET funding previously budgeted in 2013/14.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a part of these Minutes.

SPEED STUDY ON NORTH DUFF AVENUE: Transportation Engineer Damion Pregitzer stated that, after presentation of the summary of speed data by block and criteria used to evaluate the need for traffic-calming devices at the Council meeting on June 10, 2014, members of the Historic Old Town Neighborhood Association (HOTA) had expressed concerns about not having enough time to review the report in advance of the meeting. The City Council then directed staff to hold an additional meeting with the HOTA and bring back the Study with options at a later date.

According to Mr. Pregitzer, staff met with members of the HOTA on August 11, 2014 and discussed the report in greater detail. He reported that, to address the higher speeds seen along

North Duff Avenue, the majority of the neighbors supported the idea of installing dynamic feedback signs in the area of the 600 to 800 blocks. In addition, those in attendance supported creating a high-visibility pedestrian crossing for east-west pedestrians at the 8th Street and Duff Avenue intersection to accommodate the high number of people accessing the CyRide bus stop along the east side. Staff and neighbors also agreed that increased traffic enforcement would be needed in the early time period following installation of any dynamic feedback signs to reinforce good driving habits related to the signs. The neighbors also felt that, if that approach was not successful in reducing the higher-range speeds, the City should look at other options. Mr. Pregitzer advised that the cost to install a pair of the dynamic feedback speed signs, poles, and power is estimated to be approximately \$9,200.

Traffic Engineer Pregitzer stated that an additional issue that was discussed at the meeting with the HOTA members involved the traffic signal timing plan in the North Duff Avenue corridor, specifically concerning the fact that the signals are coordinated to promote efficient traffic flow along North Duff Avenue at the posted speed limit of 30 miles-per-hour (mph). It was felt that the 30-mph signal coordination contributes to the higher speeds. Mr. Pregitzer advised that it would be possible for staff to re-time the traffic signals at 25 mph, which would be less than the posted speed limit of 30 mph. However, because staff has no experience using that technique, the traffic impact on the surrounding neighborhood is unknown and would need to be closely monitored. He noted that, as one of five north-south arterials in Ames, the subject segment of Duff Avenue is traveled by approximately 11,700 vehicles per day.

Peter Hallock, 114-8th Street, Ames, advised that the prevailing traffic is approximately seven miles over the speed limit in the 800 block. He noted that the “pent-up frustration” after being stopped at the train crossing was evident by the vehicles’ speed. Mr. Hallock believes that increased enforcement during the early stages of implementation will aid in the success of the feedback signs to calm traffic.

Moved by Goodman, seconded by Betcher, to direct staff to:

1. Install two dynamic feedback signs along North Duff Avenue at a total estimated cost of \$9,200, with funding to come from unobligated Road Use Tax funds.
2. Sign and mark an east-west high-visibility crossing at 8th Street and Duff Avenue.
3. Temporarily increase traffic enforcement activities by the Ames Police Department after the installation of the dynamic feedback sign.

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

STREET CLOSURE FOR UTILITY SERVICE INSTALLATION AT 2300 LINCOLN WAY:

Director John Joiner stated that the property owner at 2300 Lincoln Way is in the process of constructing a new apartment building in place of the old Campus Bookstore. The site requires a new water service for fire protection and domestic water, a new sanitary sewer service, and reconnecting the exiting storm sewer. In order to properly install the utility connections, closure of Lynn Avenue will be necessary. The *Municipal Code* requires that the City Council approve temporary closures of those streets that are classified as arterials or are active CyRide routes, which is the case with Lynn Avenue. A letter has been distributed by the requesting party to the other property owners on Lynn Avenue from Lincoln Way to Chamberlain. CyRide would re-

route bus service during the street closure by continuing the route to the west on Knapp and then north on Welch.

Moved by Goodman, seconded by Nelson, to adopt RESOLUTION NO. 14-571 approving the closure of Lynn Avenue to facilitate the installation of utility services.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON AMENDMENTS TO FISCAL YEAR 2014/15 BUDGET: Finance Director

Duane Pitcher explained to the City Council that the Code of Iowa requires that city spending by program not exceed Council-approved budget amounts at any time during the year. Delays in large construction projects, such as the Electric Power Plant Fuel Conversion and the new Water Treatment Plant revealed situations where spending in excess of approved budget amounts could potentially occur if the City were to wait to amend the budget for carryover amounts until March. Staff determined that a fall amendment to add the carryover projects from the prior year to the current adopted budget would be the best solution.

Mr. Pitcher presented a summary describing the carry-overs from Fiscal Year 2013/14, which totaled \$43,542,852. He noted that all the projects and associated budgeted expenditures and funding sources were approved by the City Council as part of the Fiscal Year 2013/14 Budget; however, were not completed during that Fiscal Year. Budget Officer Nancy Masteller pointed out that amending the budget for carryover amounts now, rather than waiting until March, also improves the ability of departments to monitor project spending and for Finance staff to track budget compliance.

Mayor Campbell opened the public hearing. There was no one wishing to speak, and the hearing was closed.

Moved by Betcher, seconded by Nelson, to adopt RESOLUTION NO. 14-572 amending the Fiscal Year 2014/15 Budget upwards by \$43,542,852 for carryover amounts from Fiscal Year 2013/14.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON MAJOR SITE DEVELOPMENT PLAN FOR 4710 MORTENSEN ROAD:

Director Diekmann advised that the applicant, Westowne Apartments, represented by Matt Eller, owns land at 4710 Mortensen Road. That land was recently rezoned from Community Commercial/Residential (CCR) to Suburban Residential Medium-Density (FS-RM). The owner wishes to construct three apartment buildings for a total of 35 units on the 1.7-acre lot. The City Council was now being asked to approve a Major Site Development Plan for the project. A project summary was provided by Mr. Diekmann.

The public hearing was opened by the Mayor. No one came forward to speak, and the hearing was closed.

Moved by Goodman, seconded by Corrieri, to adopt RESOLUTION NO. 14-573 approving the Major Site Development Plan for 4710 Mortensen Road to allow three apartment buildings.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON FIRE STATION #3 HVAC MODIFICATIONS: The hearing was opened by Mayor Campbell, who closed same after no one asked to speak.

Moved by Nelson, seconded by Betcher, to adopt RESOLUTION NO. 14-574 approving final plans and specifications and awarding a contract to Converse Conditioned Air of Ames, Iowa, in the amount of \$58,588.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

FATS, OILS, AND GREASE CONTROL ORDINANCE: Mike Klocke-Sullivan, Environmental Specialist in Water and Pollution Control, explained that City staff had been working on the development of a FOG Control Program since 2010. Public meetings and a Council workshop on the subject had been held. Research and additional stakeholder engagement continued through 2012 and 2013. The concept for a FOG Control Program had been presented to the City Council in April 2014, with the City Council directing staff to draft a FOG Control Ordinance. Mr. Klocke-Sullivan noted that during the multiple rounds of stakeholder engagement, very little opposition to the purpose or intent of the Ordinance was expressed to City staff by area Food Service Establishments. Some restaurants had even expressed strong support for the Program.

Mr. Klocke-Sullivan presented the key elements of the Program. The implementation timeline for the Ordinance was reviewed. According to Mr. Klocke-Sullivan, staff intends to return to Council in late 2015 to insert the Restaurant Surcharge into the *Municipal Code* and to possibly make other modifications to the Ordinance based on feedback gathered during the implementation period.

Council Member Gartin recommended that staff report back to the City Council as to whether there had been a decrease in these types of materials (fats, oils, and grease) after a certain period of time. Water and Pollution Control Director John Dunn advised that Public Works staff is already monitoring that.

Liz Jeffries, Arcadia Café, 2712 Lincoln Way, Ames, offered three suggestions pertaining to the proposed Ordinance:

1. The six-month reminder should be in the form of a physical note (e.g., postcard, email) sent to the food service establishment licensees (similar to that sent pertaining to the back-flow prevention program).
2. Revisit looking into grants for restaurants that have nothing and being creative with solutions and non-traditional methods for grease removal - something that isn't going to be so restrictive on the business, but gives them something.
3. Easier grease disposal and look for opportunities to utilize the grease and make it easier to remove.

Ms. Jeffries emphasized that education will be key.

Moved by Nelson, seconded by Betcher, to pass on first reading the Fats, Oils, and Grease Control Ordinance.

Roll Call Vote: 5-0. Motion declared carried unanimously.

COUNCIL COMMENTS: Moved by Betcher, seconded by Goodman, to request staff to come up with a definition for real estate signs at a time when it will not add to the current burden of work. Vote on Motion: 5-0. Motion declared carried unanimously.

Council Member Goodman said that he would like a member of Council who voted on the prevailing side to move to reconsider the Sign Encroachment Permit for 116 Welch because he felt the Council had missed something important.

Moved by Corrieri, seconded by Gartin, to move to reconsider the Sign Encroachment Permit for 116 Welch Avenue requested by Campustown Properties, 200 Stanton Avenue.

Council Member Goodman stated that there are requirements pertaining to remote signage. City Attorney Judy Parks noted that 200 Stanton is the office of the business that is leasing the apartments, and the sign being requested at 116 Welch Avenue is to denote the actual location of the apartments and direct potential renters to the leasing office.

Vote on Motion: 5-0. Motion declared carried unanimously.

Moved by Goodman, seconded by Corrieri, to table the Sign Encroachment Permit for 116 Welch Avenue requested by Campustown Properties, 200 Stanton Avenue. Vote on Motion: 5-0. Motion declared carried unanimously.

Moved by Goodman, seconded by Corrieri, to refer the email from Katie Padgett-Walsh regarding the need for a stop sign in her neighborhood. Vote on Motion: 5-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Corrieri to adjourn the meeting at 9:12 p.m.

Diane Voss, City Clerk

Ann H. Campbell, Mayor

AMES, IOWA

OCTOBER 30, 2014

The Ames Civil Service Commission convened in regular session at 8:15 a.m. on October 30, 2014, in the Council Chambers of City Hall, 515 Clark Avenue. Because it was impractical for the Commission members to be present in person, Commission Members Crum, Pike, and Shaffer were brought into the meeting telephonically. Human Resources Director Julie Huisman and Human Resources Officers Laurie Textor and Stephanie Sobotka attended the meeting.

APPROVAL OF MINUTES: Moved by Pike, seconded by Crum, to approve the minutes of the October 6, 2014, Civil Service Commission meeting as written.

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

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

Meter Reader:	Jacob Eddy	*94
	Kylee Raub	92
	Michael DeRaad	90
	Timothy Faas	*90
	Benjamin Ingham	90
	Matthew Kennedy	90
	Mary Kay Snider	90
	Julie Dredla	89
	Ashley Fakhar	89
	Emily Jansen	88
	Justin Papiboune	88
	Nathaniel Pleasants	88
	Lorraine Shaffer	88
	Aaron Van Pelt	88
	Kevin Walker	88
	Robert Vidimos	88
	Wendy Williams	88
	Chad Blomker	*87
	John Hathaway	87
	Jennifer Pervier	87
	Seth Bailey	86
	Shaun Campbell	86
	Jake Comstock	86
	John Ellis	86
	Aaron Kitchel	86
	Chad West	86
	Wade Harsh	85
	Jesse Hansen	85
	Andrew Henderson	85
	Erika Choate	84
	Aaron Lott	84
	Dallas Nelson	84
	Michael Wilson	84

Alex Clausen	82
Josh Davis	82
Heath Main	82
James Powers	82
Shaun Watson	82

*Includes five Veteran's Preference Points

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

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

Fire Lieutenant:	Brad Jerkins	117
	A. J. Plach	114
	Josh Bennett	111
	Pat Murphy	108
	James Kraby	106
	Doug Neys	100
	Jordan Damhof	96
Senior Meter Reader:	John Sanderson	81
	Brian Wakefield	80

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

COMMENTS: The next regularly scheduled Civil Service Commission meeting was set for November 20, 2014, at 8:15 a.m.

ADJOURNMENT: The meeting adjourned at 8:17 a.m.

Michael Crum, Chair

Jill Ripperger, Recording Secretary



REPORT OF CONTRACT CHANGE ORDERS

Period:	<input type="checkbox"/>	1 st – 15 th
	<input checked="" type="checkbox"/>	16 th – End of Month
Month & Year:	October 2014	
For City Council Date:	November 10, 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)
Ames Public Library	Ames Public Library Renovation & Expansion	19	\$12,543,350.00	A&P/Samuels	\$705,364.00	\$46,641.00	M. Mundt	MA
Public Works	2013/14 Traffic Signal Program (Grand Avenue & 20 th Street)	1	\$181,579.05	Baker Electric	\$0.00	\$2,315.59	J. Joiner	MA
Public Works	2013/14 Arterial Street Pavement Improvements - Lincoln Way (Thackery - Hickory)	1	\$778,982.51	Manatt's Inc.	\$0.00	\$49,988.97	B. Kindred	MA
Water & Pollution Control	WPCF Make-up Air Unit Replacement	1	\$83,550.00	Mechanical Comfort, Inc.	\$0.00	\$469.00	J. Dunn	MA
Transit	CyRide Bus Facility Expansion	40	\$4,489,000.00	Henkel Construction Company	\$484,820.56	\$-(1,004.56)	M. Mundt	MA
			\$		\$	\$		

6a-d

TO: Mayor Ann Campbell and Ames City Council Members

FROM: Lieutenant Jeff Brinkley – Ames Police Department

DATE: October 26, 2014

SUBJECT: Beer Permits & Liquor License Renewal Reference City Council Agenda
November 10, 2014

The Council agenda for November 10, 2014, includes a beer and wine liquor license renewal for the following:

- Class B Native Wine – Kitchen, Bath, and Home – 201 Main St
- Class B Liquor – Country Inn & Suites, 2605 SE 16th St
- Class C Liquor – Fuji Japanese Steakhouse, 1614 S Kellogg Ave
- Class E Liquor - AJ's Liquor III, 2401 Chamberlain Street

A routine check of police records for the past twelve months found no violations for any of these licensees. The police department would recommend renewal of these licenses.

License Application ()

Applicant

Name of Applicant: Anfu Wang

Name of Business (DBA): Le's Restaurant

Address of Premises: 113 Colorado Ave

City: Ames

County: Story

Zip: 50014

Business Phone: (515) 450-7251

Mailing Address: 2412 Ridgetop

City: Ames

State: IA

Zip: 50014

Contact Person

Name: Anfu Wang

Phone: (515) 450-7251

Email Address: anfuwang@yahoo.com

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

Term: 12 months

Effective Date: 10/25/2014

Expiration Date: 01/01/1900

Privileges:

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

Status of Business

BusinessType: Sole Proprietorship

Corporate ID Number:

Federal Employer ID #

Ownership

Anfu Wang

First Name: Anfu

Last Name: Wang

City:

State: Iowa

Zip: 50014

Position Owner

% of Ownership 100.00 %

U.S. Citizen

Chun Ling Lu

First Name: Chun Ling

Last Name: Lu

City: Ames

State: Iowa

Zip: 50014

Position Spouse

% of Ownership 0.00 %

U.S. Citizen

Insurance Company Information

Insurance Company: Scottsdale Insurance Company

Policy Effective Date: 10/25/2014

Policy Expiration Date: 10/25/2015

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

License Application ()

Applicant

Name of Applicant: LJPS Inc

Name of Business (DBA): Olde Main Brewing Company

Address of Premises: 420 Beach Ave

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: 11/18/2014

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 GriffenFirst Name: DanielLast Name: GriffenCity: PotomacState: MarylandZip: 24854Position Owner% of Ownership 25.00 %

U.S. Citizen

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

U.S. Citizen

Susan GriffenFirst Name: SusanLast Name: GriffenCity: PotomacState: MarylandZip: 24854Position Owner% of Ownership 25.00 %

U.S. Citizen

Insurance Company InformationInsurance Company: Founders Insurance Company

Policy Effective Date:

Policy Expiration Date:

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

License Application ()

Applicant

Name of Applicant: LJPS Inc.

Name of Business (DBA): Olde Main Brewing Company

Address of Premises: 420 Beach Ave

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: 11/25/2014

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 GriffenFirst Name: DanielLast Name: GriffenCity: PotomacState: IowaZip: 24854Position Owner% of Ownership 25.00 %

U.S. Citizen

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

U.S. Citizen

Susan GriffenFirst Name: SusanLast Name: GriffenCity: PotomacState: MarylandZip: 24854Position Owner% of Ownership 25.00 %

U.S. Citizen

Insurance Company InformationInsurance Company: Founders Insurance Company

Policy Effective Date:

Policy Expiration Date:

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:



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MEMO

To: Members of the City Council

From: Ann H. Campbell

Date: November 6, 2014

Subject: Appointment to Fill Vacancy on Zoning Board of Adjustment

Due to the resignation of Patrick Brooks from the Zoning Board of Adjustment, it will be necessary to appoint an individual to fill this vacancy. I have chosen Michael Davis to complete Mr. Brooks' term (which expires April 1, 2017).

Therefore, I recommend that the City Council approve the appointment of Michael Davis to the Zoning Board of Adjustment.

AHC/jlr



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MEMO

To: Members of the City Council

From: Ann H. Campbell

Date: November 6, 2014

Subject: Appointment to Fill Vacancy on Library Board of Trustees

Tyler Eason, member of the Library Board of Trustees, has submitted his resignation from the Board. Since Tyler's term of office does not expire until April 1, 2016, an appointment needs to be made to fill this vacancy.

Therefore, I request that the City Council approve the appointment of John Lynch to fill the unexpired term of office on the Library Board of Trustees.

AHC/jlr

COUNCIL ACTION FORM

SUBJECT: 2014/15 DOWNTOWN STREET PAVEMENT IMPROVEMENTS (5TH STREET)

BACKGROUND:

This annual program is for the rehabilitation/reconstruction of streets within the downtown area (Lincoln Way to 7th Street and Grand Avenue to Duff Avenue). In the past, these projects have involved pavement reconstruction, rehabilitation of storm and sanitary sewers, and streetscapes.

The location for FY 2014/15 is 5th Street from Burnett Avenue to Grand Avenue. This design project will include at least two public informational meetings, design of pavement improvements, drainage analysis and design of appropriate storm sewer improvements, as well as evaluation of the existing sanitary and storm sewer pipe structure. Services to be performed by the consultant include base survey, evaluation of construction techniques, preparation of plans and specifications, notification and coordination with right-of-way users and adjacent land owners, and attendance at the pre-construction meeting.

On February 25, 2014, the City Council authorized applications for two water quality grants for improvements along 5th Street and around the City Hall complex. The City has now successfully received a State Revolving Fund (SRF) Sponsored Project grant. This grant is through the SRF as a Water Resource Restoration Sponsored Project, which is a program created by the 2009 Iowa General Assembly in order to fund water quality protection projects.

This grant program is implemented through the Clean Water State Revolving Fund (CWSRF), a loan program for construction of water quality facilities and practices. On a typical CWSRF loan, a utility borrows the principal for a project from the state and repays both the principal and applicable interest and fees. In contrast, on a CWSRF loan with a sponsored project, the utility borrows for both the wastewater improvement project and the sponsored project. However, through an overall interest rate reduction, the utility's ratepayers do not pay any more than they would have for just the wastewater improvements. By using this tool, the Fifth Street water quality improvements for this project will be constructed as funding allows based on the costs of the sponsoring project, the Water Pollution and Control Biosolids project. **Available funding under this program is \$188,540.**

These water quality improvements may include soil quality restoration, converting all cool season turf grass along street right-of-way and at City Hall complex to native turf (e.g. Buffalo Grass), planting of native forbs and grasses, installation of permeable pavers in parking stalls, and installation of bioretention cells. **These improvements, while improving water quality in our community, will significantly change the**

appearance of the City Hall complex. The native turf will not be regularly mown nor fertilized, which is standard procedure with standard lawn care. Each of these water quality practices installed will help mitigate the water quality volume and reduce peak stormwater flows. This project will serve as a showcase in retrofitting ultra-urban systems and highlight unique management practices including soil quality restoration and the incorporation of native turf as indicated in the City's Post Construction Ordinance.

The project design scope includes water quality design services in coordination with the 5th Street project. Design services include master planning for the City Hall complex and surrounding parking lots, and will include at least two public information meetings and coordination with stakeholders to be made up of other City Hall departments.

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

2014/15 Downtown and City Hall SRF				
Firm	Score/100	Rank	Proposed Fee	% of Const. Est.
Bolton & Menk	84.3	1	\$ 91,520	8%
CDA	83.3	2	\$ 75,500	7%
Snyder	83.0	3	\$ 99,800	9%
CGA	78.3	4	\$ 105,890	10%
HR Green	77.8	5	\$ 120,000	11%
V&K	77.5	6	\$ 114,300	11%
McClure	68.3	7	\$ 128,265	12%

Staff has negotiated a contract with the highest ranked firm, Bolton & Menk of Ames, Iowa. This consultant has a strong history of providing excellent water quality projects throughout Iowa and Minnesota, as well as integrating water quality features into street projects. Bolton & Menk has a strong record of successfully designing City projects, coordinating with property owners, and being innovative in approaching project designs, as shown with the current 2014/15 CyRide Route Pavement Improvements Project. They have also strong ties to the Iowa DNR staff that help to ensure seamless processing of all required

SRF documentation. Although the cost of the second highest ranked firm is significantly lower, these characteristics of Bolton & Menk give staff confidence that they will provide the best value for the engineering design services on this particular project.

ALTERNATIVES:

1. Approve the Engineering Services Agreement for the 2014/15 Downtown Street Pavement Improvements (5th Street) with Bolton & Menk of Ames, Iowa, in an amount not to exceed \$91,520.
2. Direct staff to negotiate an engineering agreement with another consulting firm.

MANAGER'S RECOMMENDED ACTION:

Based on staff's evaluation using the above criteria, Bolton & Menk will provide the best value to the City in designing the pavement improvements and water quality improvements along 5th Street and on the City Hall complex.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the engineering services agreement for the 2014/15 Downtown Street Pavement Improvements (5th Street) with Bolton & Menk of Ames, Iowa, in an amount not to exceed \$91,520.

COUNCIL ACTION FORM

SUBJECT: 2014/15 ASPHALT STREET PAVEMENT IMPROVEMENTS (FERNDAL AVE., COY ST.) AND 2014/15 WATER SYSTEM IMPROVEMENTS – WATER MAIN REPLACEMENT (COY ST., SOUTH FRANKLIN AVE.)

BACKGROUND:

This is the annual program for reconstruction and resurfacing (rehabilitation) of asphalt streets that are typically located in residential neighborhoods. Streets within residential subdivisions have been installed using full-depth asphalt pavement since mid-1970. Full-depth replacement of these streets has become necessary due to structural pavement failure. Rehabilitation of existing asphalt streets is possible where the base asphalt layer is solid, but the surface course has failed. This program was created to support the City Council's goal of strengthening our local neighborhoods.

The locations for reconstruction of asphalt streets with this project are Ferndale Avenue (24th Street to 30th Street) and Coy Street (South Franklin Avenue west to the end of the street).

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

The locations for water main replacement with this project are South Franklin Avenue (Tripp Street to Coy Street) and Coy Street (South Franklin Avenue west to the end of the street).

The combining of these two projects is intended to minimize the inconvenience to area residents by consolidating these projects into one construction season. In addition, this strategy should provide cost savings to the City by minimizing patching costs related to the water main work.

Staff has completed plans and specifications for this contract with a total estimated construction cost of \$1,389,404. Engineering and construction administration costs are estimated at \$138,940, bringing total estimated costs for this project to \$1,528,344.

The Asphalt Street Pavement Improvements are shown in the 2014/15 Capital Improvements Plan (CIP) with \$1,250,000 in available funding and the Water System Improvements are shown in the 2014/15 CIP with \$975,000 in funding. Remaining Water System Improvement funds will be utilized at other prioritized locations.

ALTERNATIVES:

1. Approve the 2014/15 Asphalt Street Pavement Improvements (Ferndale Ave., Coy St.) and the 2013/14 Water System Improvements (Coy St., South Franklin Ave.) projects by establishing December 3, 2014, as the date of letting and December 9, 2014, as the date for report of bids.
2. Do not approve this project.

MANAGER'S RECOMMENDED ACTION:

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

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

COUNCIL ACTION FORM

SUBJECT: 2014/15 MORTENSEN ROAD IMPROVEMENTS (SOUTH DAKOTA AVENUE TO DOTSON DRIVE)

BACKGROUND:

This project involves the widening of Mortensen Road from South Dakota Avenue to Dotson Drive to accommodate turn lanes, a bus acceleration lane, and consolidation of redundant bus stop locations. This section of roadway has experienced increasing traffic congestion due to on-street Cy-Ride stops in the area, commuter traffic from Iowa State University employees and students, ingress/egress traffic to the Ames Middle School, and increased traffic due to additional housing being constructed in the area. This widening project is shown in the 2014/15 Capital Improvements Plan (CIP) and in the Long Range Transportation Plan.

A development agreement for the Middle School specifies that the Dotson Drive extension will be completed by the Ames Community School District within two years after the South Fork section of Dotson Drive is constructed. This improvement is scheduled to be completed by the end of the 2015 calendar year. **Without these improvements, congestion in this area will continue to increase when Dotson Drive is extended northward.**

The City submitted a Traffic Safety Improvement Program (TSIP) grant application in 2013 to help cover the cost of materials for this project, which equates to \$391,334. After reviewing the grant application, Iowa Department of Transportation officials approved the request and submitted the funding agreement. The TSIP grant requires a local match of 20 percent, which is shown in the 2014/15 CIP with \$110,000 in Road Use Tax funding. Additional funding in the amount of \$10,553 from the 2014/15 Sidewalk Safety Program will be utilized for this project, bringing **total available funding for this project to \$511,887.**

Staff has completed plans and specifications for this contract with a total estimated construction cost of \$445,119. Engineering and construction administration costs are estimated at \$65,000, bring **total estimated costs to \$510,119.**

ALTERNATIVES:

1. Approve the 2014/15 Mortensen Road Widening (South Dakota Avenue to Dotson Drive) by establishing December 3, 2014, as the date of letting and December 9, 2014, as the date for report of bids.
2. Do not approve this project.

MANAGER'S RECOMMENDED ACTION:

By approving these plans and specifications, traffic congestion will be decreased while safety will be increased for our citizens in this corridor.

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

COUNCIL ACTION FORM

SUBJECT: **2014/15 TRAFFIC SIGNAL PROGRAM
(UNION DR. & LINCOLN WAY)**

BACKGROUND:

The Traffic Signal Program provides for replacing older traffic signals by constructing new traffic signals in the City. This program results in improved visibility, reliability, and signal aesthetics.

Although recent advances in technology have extended the normal, useful life for traffic signal installations well past the previously expected 25 years, some of the older generation traffic signals still in use exceed their functional age. Components at those installations (including conduits, wiring, signal heads, and poles) need to be completely replaced. In addition, this program provides for necessary upgrades to the traffic signal system as technology evolves. In recent years, the traffic signal replacements have included radar detection systems instead of the typical in-pavement loop detection system that frequently was the point of vehicle detection failure. Another advantage of the radar detection system is that it also detects bicycles.

Staff has completed plans and specifications with estimated construction costs of \$181,250 for the replacement of the traffic signal at Union Drive and Lincoln Way. Engineering and construction administration are estimated in the amount of \$14,500, which brings the total estimated project cost to \$195,750. The Capital Improvements Plan includes Road Use Tax Fund funding of \$200,000 for this project.

ALTERNATIVES:

1. Approve the plans and specifications for the 2014/15 Traffic Signal Program (Union Dr. & Lincoln Way) by establishing December 3, 2014, as the date of letting and December 9, 2014, as the date for report of bids.
2. Reject the project.

MANAGER'S RECOMMENDED ACTION:

Approval of the plans and specifications will initiate the letting process and should allow for the project to be completed by August 3, 2015, prior to the start of Iowa State University's fall semester.

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

COUNCIL ACTION FORM

SUBJECT: **2014/15 TRAFFIC SIGNAL PROGRAM (13TH ST. & STANGE RD.)**

BACKGROUND:

The Traffic Signal Program provides for replacing older traffic signals in the City by constructing new traffic signals. This program results in improved visibility, reliability, and signal aesthetics.

Although recent advances in technology have extended the normal, useful life for traffic signal installations well past the previously expected 25 years, some of the older generation traffic signals still in use now exceed their functional age. Components at those installations (including conduits, wiring, signal heads, and poles) need to be completely replaced. In addition, this program provides for necessary upgrades to the traffic signal system as technology evolves. In recent years, the traffic signal replacements have included radar detection systems instead of the former, in-pavement loop detection system that frequently was the point of vehicle detection failure. Another advantage of the radar detection system is that it also detects bicycles.

Staff has completed plans and specifications with estimated construction costs of \$202,500 for replacement of the traffic signal at 13th Street and Stange Road. Engineering and construction administration are estimated in the amount of \$16,200, bringing the total estimated project cost to \$218,700.

The City's Capital Improvements Plan includes \$50,000 from the Road Use Tax Fund for one leg of this intersection in partnership with Iowa State University. ISU has programmed its portion of funding in the amount of \$187,500, bringing total program funding to \$237,500.

ALTERNATIVES:

1. Approve the plans and specifications for the 2014/15 Traffic Signal Program (13th St. & Stange Rd.) by establishing December 3, 2014, as the date of letting and December 9, 2014, as the date for report of bids.
2. Delay this project.

MANAGER'S RECOMMENDED ACTION:

Approval of the plans and specifications will initiate the letting process and should allow for this project to be completed by August 3, 2015, prior to the start of Iowa State University's fall semester.

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

COUNCIL ACTION FORM

SUBJECT: **ELECTRIC SERVICES INVENTORY CABLE PURCHASE**

BACKGROUND:

This bid is for the purchase of 6,000 feet of 15kV 500 KCMIL compact copper cable to meet the annual construction needs of the Electric Services Department. The cable is standard Electric Services Department inventory items. These inventory items are purchased from an Electric Department inventory asset account and are charged to the appropriate operations expense or project accounts as the materials are taken out of inventory and put into the various work orders.

Bids for these materials were received on October 21, 2014, as shown on the attached report. All bids for cable are subject to reel length variances, usually 5% - 10%, to allow for factory over/under runs during production. Five firm-price bids were received as shown on the attached spreadsheet. **The lowest bid received did not meet the approved manufacturer (Kerite and Okonite only) as stated in the City's specifications. Therefore, this bid was determined to not meet the City's needs.** The next lowest bid from WESCO Distribution does meet the City's specifications.


ALTERNATIVES:

1. Award a contract for the purchase of 6,000 feet of 15 kV 500 KCMIL compact copper cable to the lowest responsive bidder, WESCO Distribution, of Des Moines, Iowa, subject to reel length variances, at an estimated total cost of \$58,680 plus applicable sales taxes.
2. Reject all bids and delay Electric Services work orders.

MANAGER'S RECOMMENDED ACTION:

This purchase will provide for the annual construction needs of the Electric Services Department for 6,000 feet of 15kV 500 KCMIL compact copper cable.

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

<div>CITY OF AMES IOWA</div> <div>Electric Distribution</div> <div>RFQ 2015-088</div> <div>Group One</div> <div></div>	Group Awarded to:		WESCO Distribution				
	Laurie McCracken, Procurement Specialist I, Finance Department						
	15kV 500	Quantity					
	KCMIL Compact	6,000					
Copper Cable, 220 mil EPR	Feet						
BIDDERS		Unit Cost	Total	MFG	Delivery	TOTAL	TOTAL w/Tax
Van Meter Inc		\$8.92	\$53,505.09	General #17031.136505	4-5 Days (Stock at factory)	\$53,505.09	\$57,250.45
Wesco Distribution		\$9.78	\$58,680.00	Okonite #115-23- 3131 Note: offering non- filled strand alternate which is the same as what we offered and sent last year.	6 Weeks	\$58,680.00	\$62,787.60
RESCO		\$11.33	\$67,983.60	Marmon Utility (Kerite) #150X15- X4400	11 Weeks ARO	\$67,983.60	\$72,742.45
Fletcher Reinhardt		\$11.84	\$71,040.00	General Cable	8 Weeks ARO	\$71,040.00	\$76,012.80
Fletcher Reinhardt		\$10.06	\$100,600.00	General Cable	8 Weeks ARO	\$100,600.00	\$107,642.00
							Price is firm except for metals escalation/de-escalation based on copper at \$3.0045/lb. The price can be firmed up on day of order (before ordering) if preferred.
							Quote valid through December 20, 2014. Pricing based on Metals Escalation/De-escalation at the time of Shipping. Minimum Quantity Release 6000 ft. Shipping Length Tolerance: -0/+5%
							*Order for 10,000 feet MOQ run



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MEMO

To: Mayor and Members of the City Council

From: City Clerk's Office

Date: November 6, 2014

Subject: Contract and Bond Approval

There are no Council Action Forms for Item Nos. 17 and 18. Council approval of the contract and bond for these projects is simply fulfilling a *State Code* requirement.

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 5318 & 5500 240th STREET (SW GROWTH AREA)

BACKGROUND:

The City's subdivision regulations are part of Chapter 23 of the Ames Municipal Code. The Subdivision Code includes the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The City also uses the Subdivision Code as means of reviewing the status of conveyance parcels, which are non-conforming lots created through a private conveyance of land, to determine if the lot is indeed a buildable lot. A Plat of Survey is a single-step review within Section 23.308 for City Council approval of minor activities, such as boundary line adjustments and conformance determination of conveyance parcels.

These parcels are located outside the Ames corporate limits in the Urban Fringe, approximately one-half mile west of the intersection of U.S. Highway 30 and South Dakota Avenue (see Attachment A, Location Map). This particular Plat of Survey is for a proposed boundary line adjustment of two existing parcels, as shown on *Attachment B, Existing Conditions*. Both parcels contain a single-family home. In this instance, the property owners seek to adjust the boundary between the two parcels by enlarging the existing parcel (proposed Parcel G) from 2.56 acres to 3.58 acres. The size of the other existing parcel (proposed Parcel F) would be reduced from 75.78 acres to 74.76 acres.

The two parcels are located in the "Urban Service Area (USA)" of the Urban Fringe. This particular area is designated in the LUPP as part of the SW Growth Area. Story County has waived the exercise of its subdivision authority in areas designated as USA. The USA is the area adjacent to the city limits and is planned for urban development. Land in the USA should be protected from any form of development that would constrain the efficient growth of the community. Inappropriate development in USA would include low-density development lots served by on-site wastewater treatment systems and other forms of rural development. The proposed Plat of Survey is not for the purpose of additional, or development that would be inconsistent with the USA.

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

ALTERNATIVES:

1. The City Council can adopt the resolution approving the proposed plat of survey.
2. The City Council can deny the proposed plat of survey if the City Council finds that the requirements for plats of survey as described in Section 23.308 have not been satisfied.
3. The City Council can refer this back to staff and/or the owner for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed plat of survey satisfies all code requirements for a boundary line adjustment of existing lots with principal structures and has made a preliminary decision of approval.

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

ADDENDUM

PLAT OF SURVEY FOR 5318 & 5500 240th Street

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

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

The site is located at:

Owners: John R. Moore & Wanda McCay Chaffin Trust

Existing Street Addresses: 5318 & 5500 240th Street

Assessor's Parcel #: 0918100235 and 0918100210

Legal Description: Parcels D and Parcel E, which is part of the Northeast Quarter of the Northwest Quarter of Section 18, Township 83 North, Range 24 west of the 5th P.M., Story County.

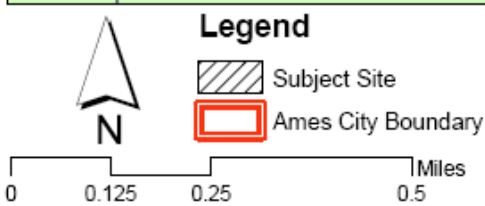
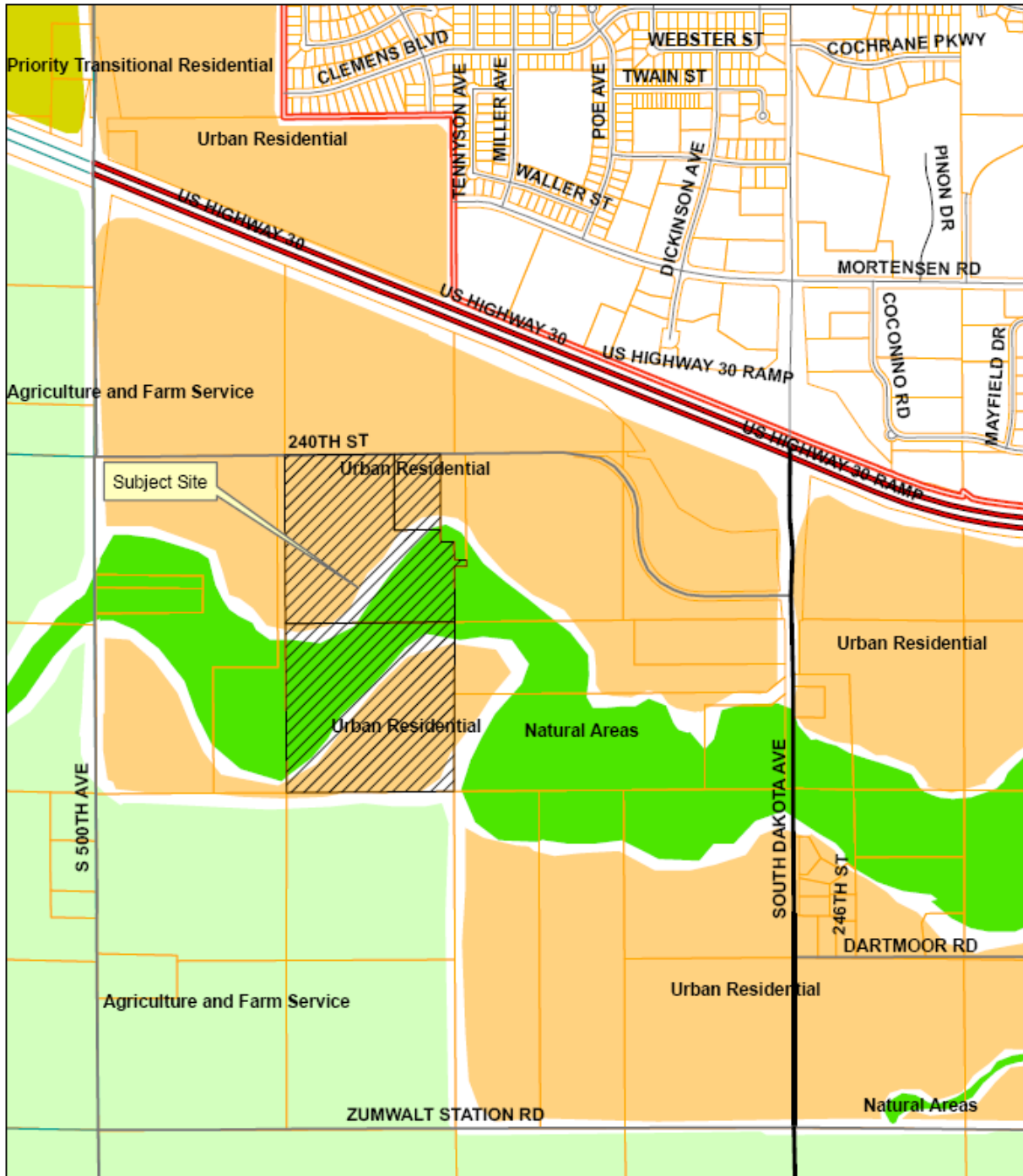
Public Improvements:

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

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

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

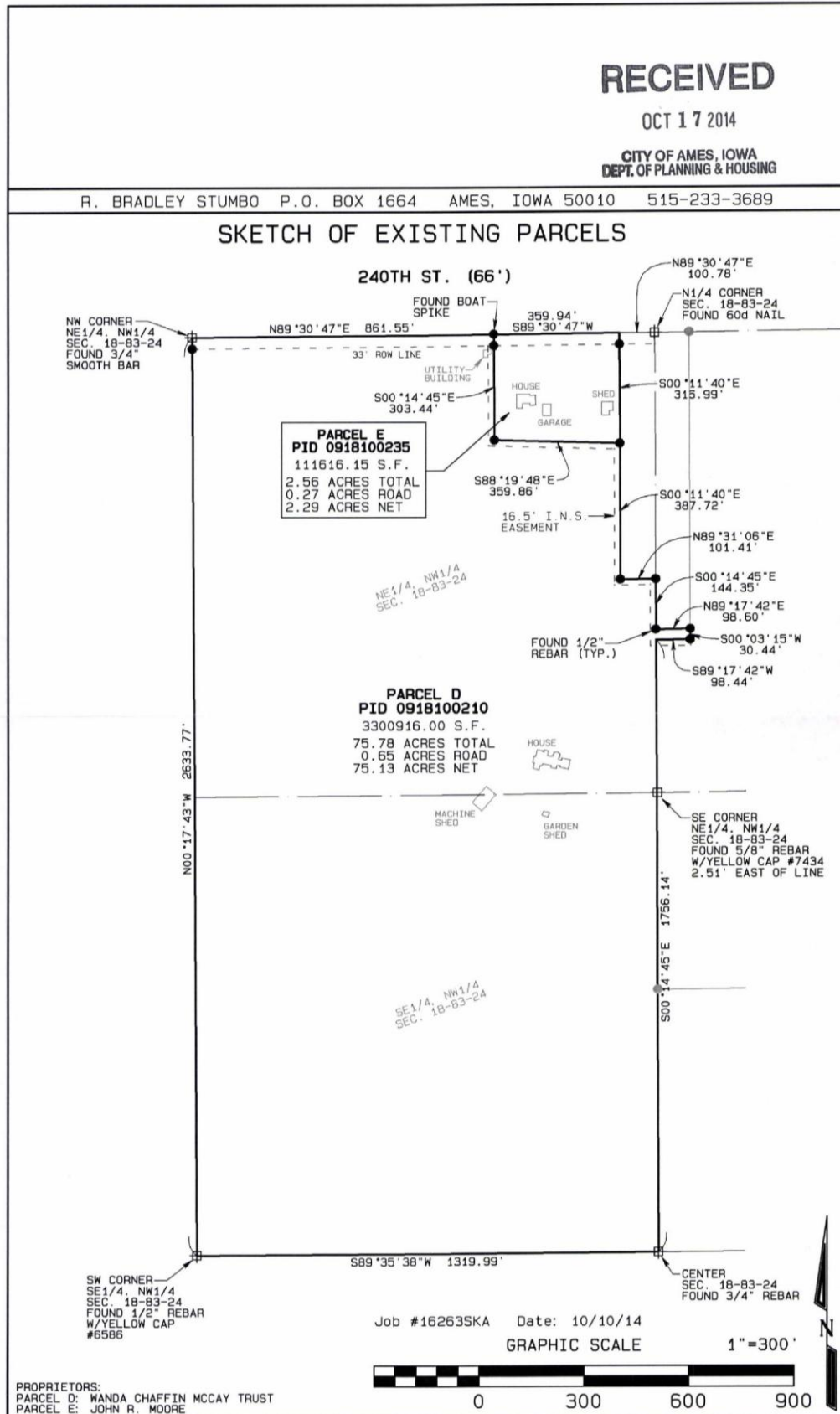
ATTACHMENT A: LOCATION MAP



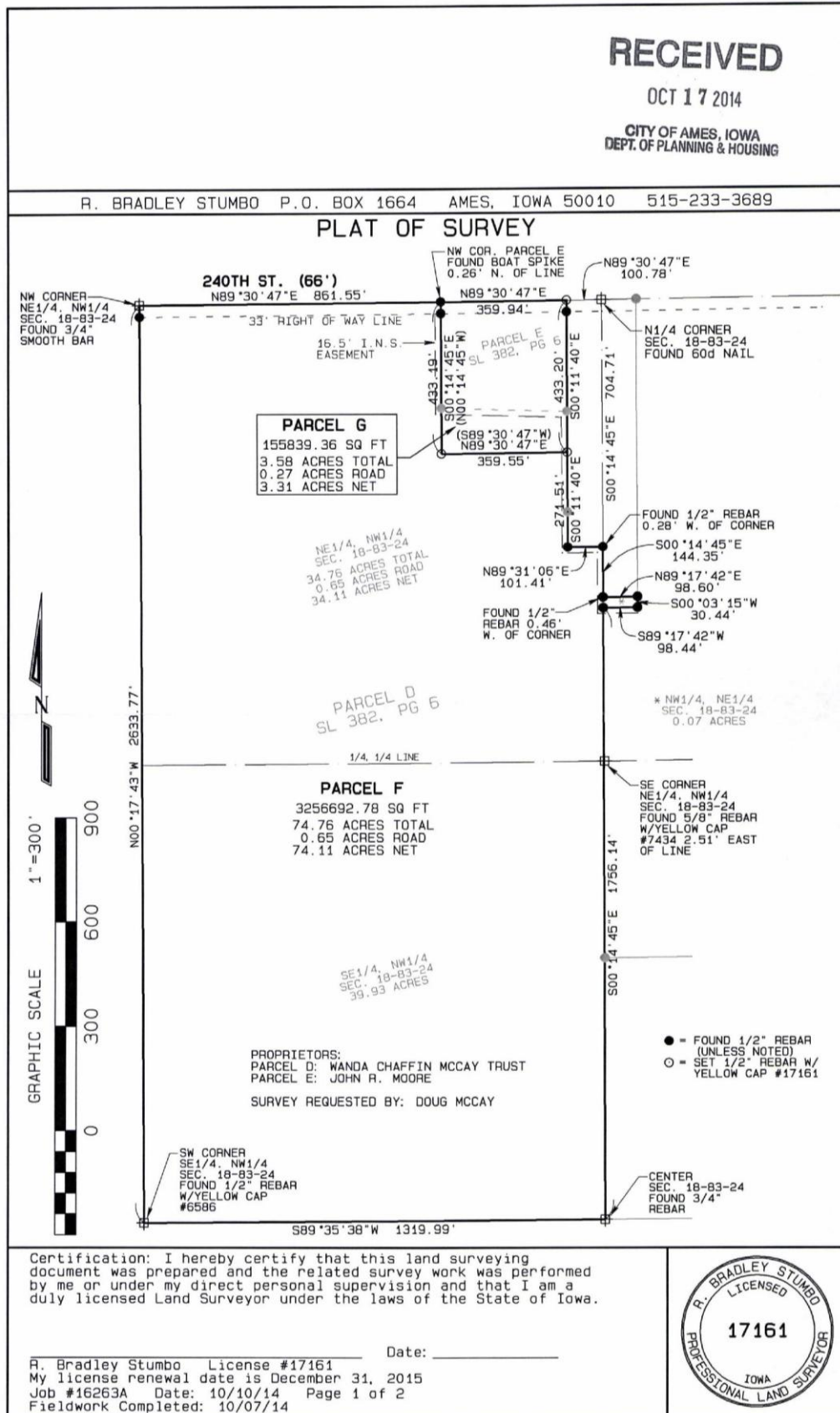
General Location of Proposed Plat of Survey



ATTACHMENT B: EXISTING CONDITIONS



ATTACHMENT C: PROPOSED PLAT OF SURVEY



COUNCIL ACTION FORM

SUBJECT: CITY COUNCIL INITIATED AMENDMENT TO LAND USE POLICY PLAN (LUPP) FUTURE LAND USE MAP FOR 601 STATE AVENUE

BACKGROUND:

On September 23, 2014, City Council directed staff to prepare a Land Use Policy Plan map amendment to apply the Low Density Residential designation to the entire 29 acre parcel at 601 State Avenue (see Attachment A). The site currently is represented on the LUPP Future Land Use map as having a split designation of Village/Suburban Residential and Low Density Residential delineated across the site by College Creek. A Greenway Overlay also exists over the site in support of the natural areas of College Creek and the City's bike/multi-use path through the property. (See attached zoning and land use maps.)

The LUPP is intended to be general in its application of land use designation boundaries, unless otherwise specified through a precise amendment. Council initiated the LUPP Amendment for this site to allow for a precise designation of the parcel rather than a general application of the land use designation boundary. This amendment would allow for the entire site to be zoned Residential Low (R-L) density, rather than a split zoning of a Floating Suburban zoning district and R-L zoning district.

The subject site is currently zoned Government/Airport District (S-GA) as a Special Purpose District intended for areas owned by governmental authorities or for uses related to governmental authorities. The site was acquired on March 11, 2013 by a private property owner, Breckenridge Group LLC. Previously, the subject site had been owned by Iowa State University before its sale to the Ames Community School District. Breckenridge has been seeking to rezone the site for residential development since the spring of 2013.

Land Use Policy Plan

The City of Ames' comprehensive plan is known as the Land Use Policy Plan (LUPP). The text within the LUPP document includes a far ranging discussion of issues relevant to land use for the City. It includes the City's vision for the community and specific goals and objectives. The LUPP also includes maps depicting concepts of the text of the plan, including a Future Land Use Map that is intended to guide decisions about particular types of land use.

The subject parcel was included within the citywide Government Lands study for a LUPP map amendment assigning government controlled land a future land use designation. The City Council adopted a resolution amending the Future Land Use Map and as a result created a Low Density and Village Suburban Residential (V/SR) designation boundary through the site on February 26, 2008. Council approved the change in response to a general interest of providing for more single-family home

development opportunities in support of the surrounding neighborhood and school district interests.

The two designations of V/SR and RL have different development expectations that are ultimately carried out through zoning standards, but with the same subdivision standards. The LUPP describes RL as intended for such uses as single-family residential with the Residential Low Density (R-L) zone and compatible with the adjacent established neighborhood. With R-L zoning implementation of the low density designation, the site would be used for single-family residential dwellings at a maximum net density of 7.26 dwelling units per acre.

The V/SR designation is a category created with the 1997 adoption of the LUPP. It is intended for one of two types of development: the village concept or the suburban residential concept. These concepts are for new development areas of the City and are part of the City's vision for managed growth described in Chapter 1 of the LUPP. Zoning that may be implemented for this designation is varied because of its general applicability to new lands areas throughout the City. New development may be part of the Village Zoning District that is dense and includes an intentional mix of uses or a Floating Suburban (FS) zoning of medium or low density. Alternatively, FS zoning allows for a typical development patterns outside of a Village with a mix of housing types at higher densities than allowed within the original R-L base zone of the City.

With this site, the most relevant concerns for future development are integration of development into an infill area with an existing neighborhood, rather than the broad growth interests applied to the whole of the City. Staff highlights Goal 2, Goal 5, and Goal 6 with their objectives as an issue of balancing future growth needs and neighborhood compatibility. (See Attachment D) The LUPP Future Land Use Maps are described in Chapter 2 of the LUPP as a general representation of the Plan's vision. **The proposed LUPP map amendment would create a precise expectation of the site as an infill area intended for low density residential use.**

The Planning and Zoning Commission held a public hearing for the proposed amendment at its October 22, 2014 meeting. The property owner indicated through written correspondence that it did not want the land use designation changed from V/SR to RL. Four members of public spoke in support of RL for the site. The Planning and Zoning Commission voted 6-0 in support of the change.

ALTERNATIVES:

1. The City Council can approve a resolution amending the LUPP Future Land Use Map to change the land use designation of the property located at 601 State Avenue to Low Density Residential.
2. The City Council can choose to not amend the land use designation for 601 State Avenue.
4. The City Council can refer this request back to staff for more information prior.

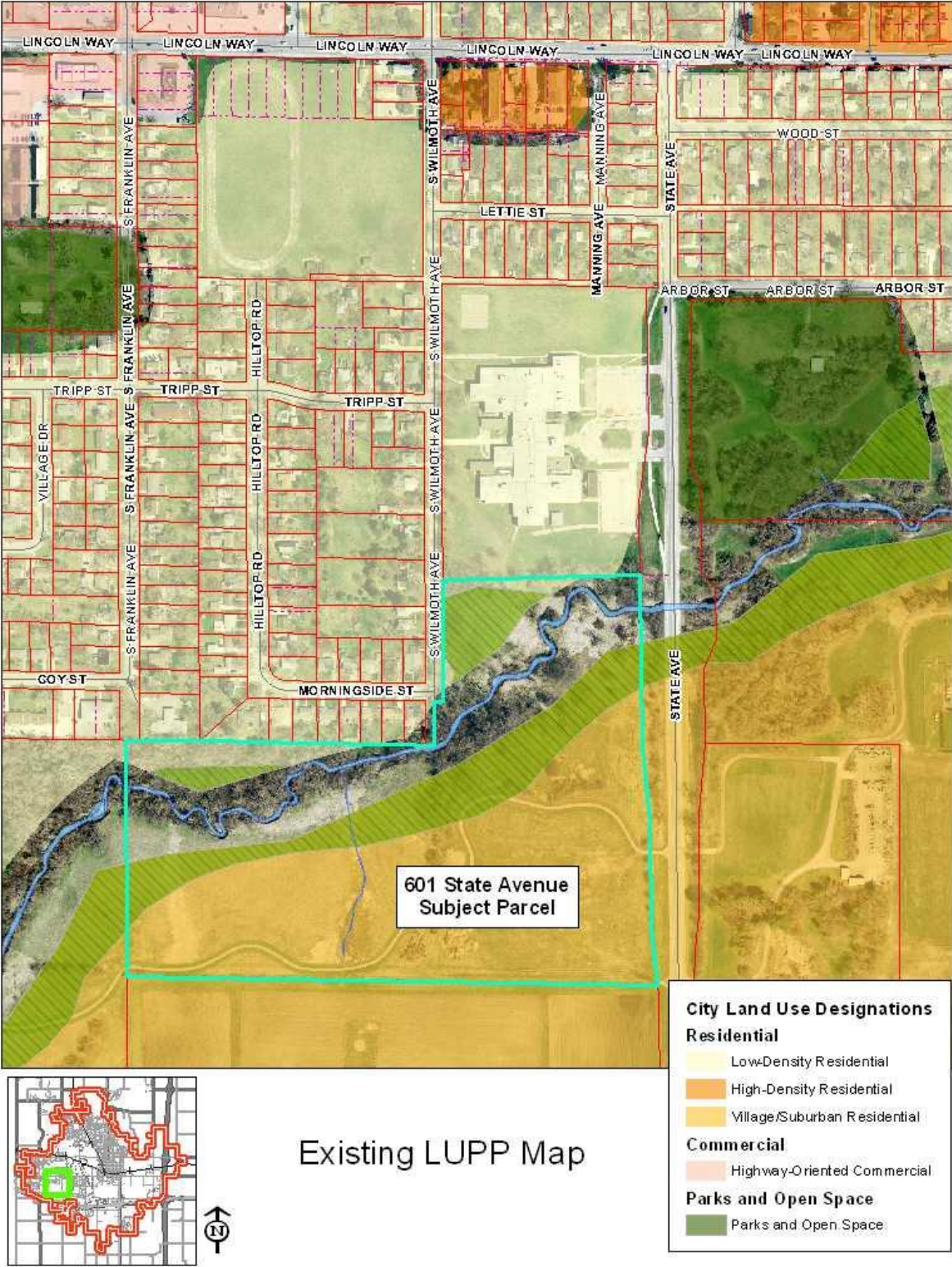
CITY MANAGER'S RECOMMENDED ACTION:

The subject site is a transition area of the LUPP Future Land Use Map, since there is an existing low density neighborhood abutting the site to the north and a broad area of government controlled land surrounding the site. When considering a change of land use designation of a site and its consistency with the LUPP, it is evaluated against the complete intent of the Plan. Priorities between different Goals and Objectives of the plan are then considered and applied to individual sites as needed.

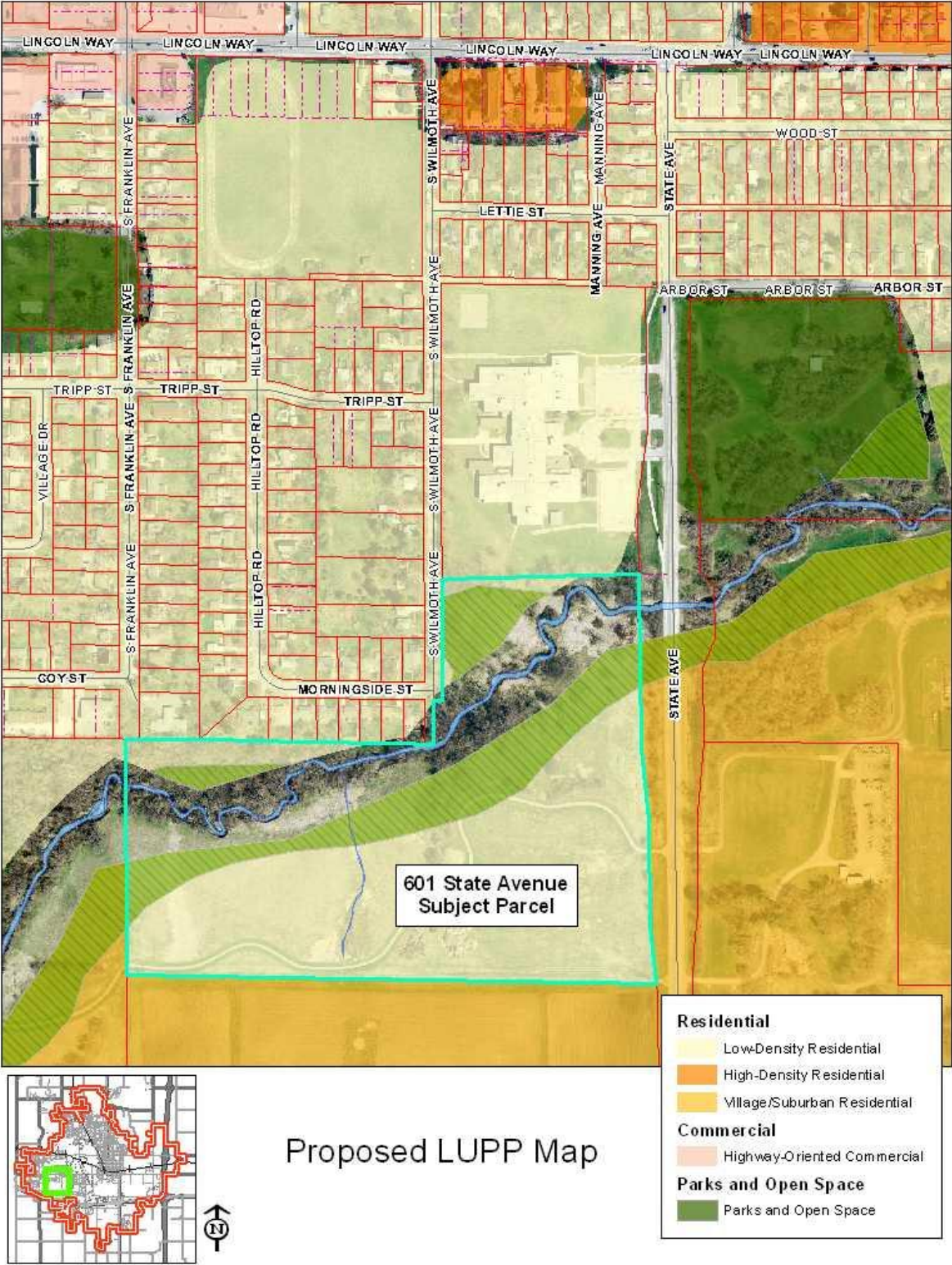
The change of the subject site to a RL designation is consistent with the LUPP for integration of development and management of growth in this circumstance as a minor adjustment of a boundary. Additionally, the change does not conflict with broader goals of the City for promoting development options that are different in growth areas than infill areas of the City.

Therefore, it is the recommendation of the City Manger that the City Council adopt Alternative 1, thereby approving a LUPP Amendment to the Future Land Use Map designating the entire 29 acre site of 601 State Avenue as Low Density Residential.

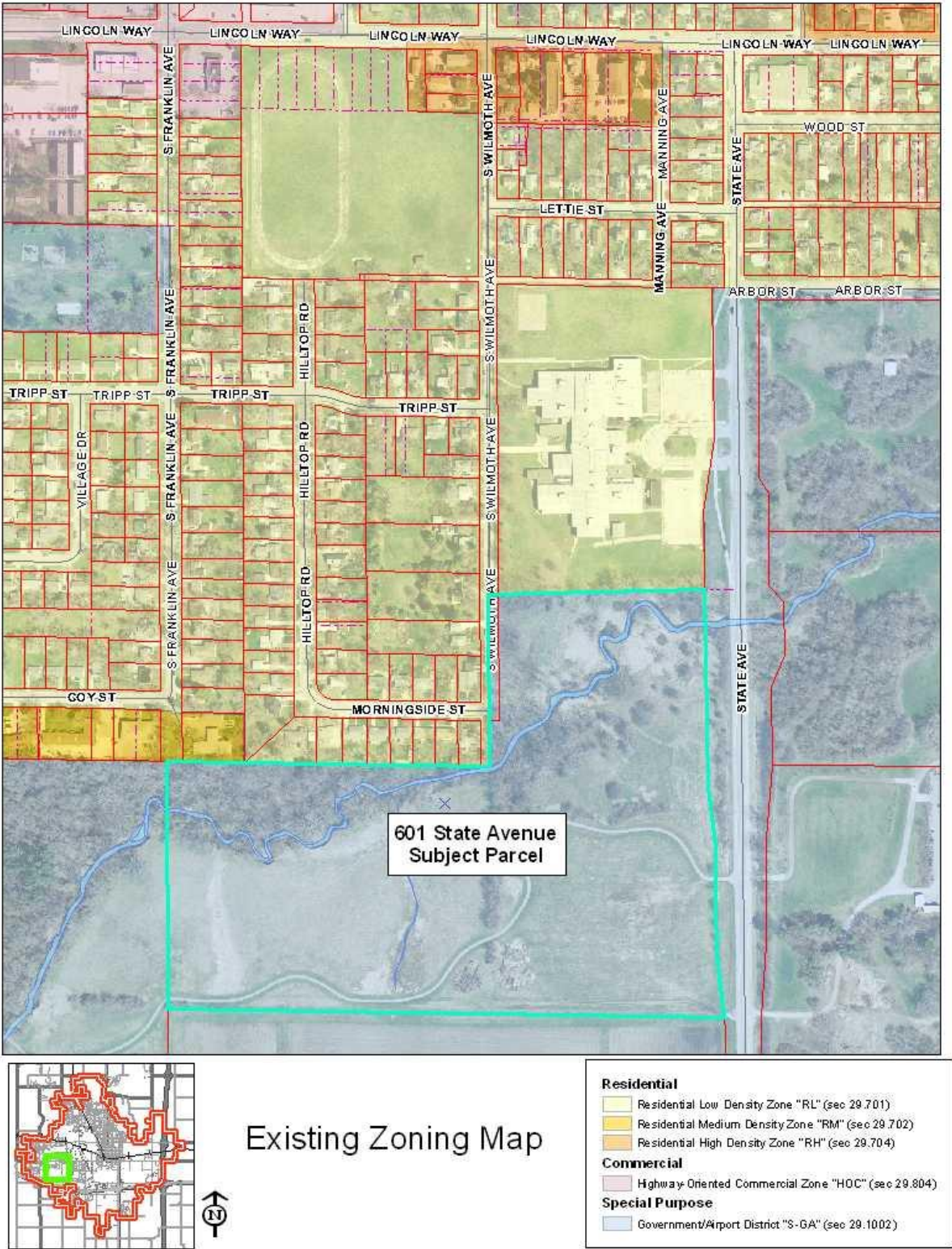
ATTACHMENT A



ATTACHMENT B



ATTACHMENT C



Attachment D

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

Objectives. In assuring and guiding areas for growth, Ames seeks the following objectives.

- 2.A. *Ames seeks to provide at least 600 to 2,500 acres of additional developable land within the present City and Planning Area by the year 2030. Since the potential demand exceeds the supply within the current corporate limits, alternate sources shall be sought by the community through limited intensification of existing areas while concentrating on the annexation and development of new areas. The use of existing and new areas should be selective rather than general.*
- 2.B. *Ames seeks to assure the availability of sufficient suitable land resources to accommodate the range of land uses that are planned to meet growth. Sufficient land resources shall be sought to eliminate market constraints.*
- 2.C. *Ames seeks a development process that achieves greater compatibility among new and existing development.*
- 2.D. *Ames seeks a development process that achieves greater conservation of natural resources and compatibility between development and the environment.*
- 2.E. *Ames seeks to integrate its planning with that of Story County and surrounding counties in assuring an efficient and compatible development pattern, and in assuring that there are adequate agricultural resources to serve the region.*

Attachment D

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

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

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

Attachment D

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

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

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

COUNCIL ACTION FORM

**SUBJECT: CITY INITIATED REZONE FROM GOVERNMENT-AIRPORT (S-GA)
TO LOW DENSITY RESIDENTIAL (R-L) AT 601 STATE AVENUE**

BACKGROUND:

On September 23, 2014 City Council directed staff to prepare a Land Use Policy Plan map amendment to apply the Low Density Residential designation to the entire 29 acre parcel at 601 State Avenue. The proposed map amendment would allow for the entire site to be zoned Residential Low (R-L) density, rather than a split zoning of a Floating Suburban (FS) zoning district and R-L zoning district. On September 23 Council also referred a corresponding R-L zone change to the Planning and Zoning Commission for a recommendation to the Council.

The subject site currently has a split Land Use Policy Plan (LUPP) Future Land Use Map designation of Residential Low Density and Village/Suburban Residential depicted generally by the location of College Creek. A Greenway Overlay also exists over the site in support of the natural areas of College Creek and the City's bike/multi-use path through the property. **The separate proposed LUPP amendment, if approved, would include the whole site as Low Density Residential and keep the Greenway Overlay.** (See attached zoning and land use maps.)

The subject site is currently zoned Government/Airport District (S-GA) as a Special Purpose District intended for areas owned by governmental authorities or for uses related to governmental authorities. The site was acquired on March 11, 2013 by a private property owner, Breckenridge Group LLC. Previously, the subject site had been owned by Iowa State University before its sale to the Ames Community School District. Breckenridge has been seeking to rezone the site for residential development since the spring of 2013. **If this rezoning is approved, Breckenridge would be able to proceed with a subdivision application to develop the property.**

With the subject site designated as Low Density Residential, the implementing zoning district for the site would be R-L. The R-L zoning designation allows for single family development on individual lots. Maximum density within the zoning district is 7.26 units per net acre.

The site has frontage or access to three existing streets of Franklin, Wilmoth, and State. Principal access to the site would be from State Avenue. Staff analysis indicates that public infrastructure is in place or can be extended to serve the site at the time of subdivision. Notably, the nearby intersection of State Avenue and Mortenson Road operates below expected levels of service under existing conditions and new development on this site would incrementally worsen its operations. Other transportation facilities in the area operate consistent with City policies.

If the property is rezoned to R-L, the site will then require subdivision review for development. At the time of subdivision review, the City will review a specific development proposal against the approval criteria of the subdivision ordinance. Development of the site would be required to conform to relevant and applicable design and improvement standards in the subdivision regulations and to other City ordinances and standards.

Public Notice was mailed to property owners within 300 feet of the subject site and a sign was posted adjacent to the subject property.

The Planning and Zoning Commission held a public hearing for the rezoning on October 22, 2014 and recommended approval of the zone change by a 6-0 vote. The property owner submitted a letter stating that they protested the changing of the land use designation and the rezoning of the site to R-L. Under provisions of the Code of Iowa Chapter 414, if 20% of the property owners of land included in the area affected by the rezoning file a protest to that change, it can only be approved by a $\frac{3}{4}$ vote of the City Council. This means that as the sole property owner of the proposed change, it can protest the approval and the R-L rezoning requires five Council Members to vote affirmatively on this action.

ALTERNATIVES:

1. The City Council can approve the ordinance rezoning 601 State Avenue from S-GA to R-L.
2. The City Council may choose to not rezone the site from S-GA to R-L.
3. The City Council can defer action on this request and refer it back to City staff for additional information.

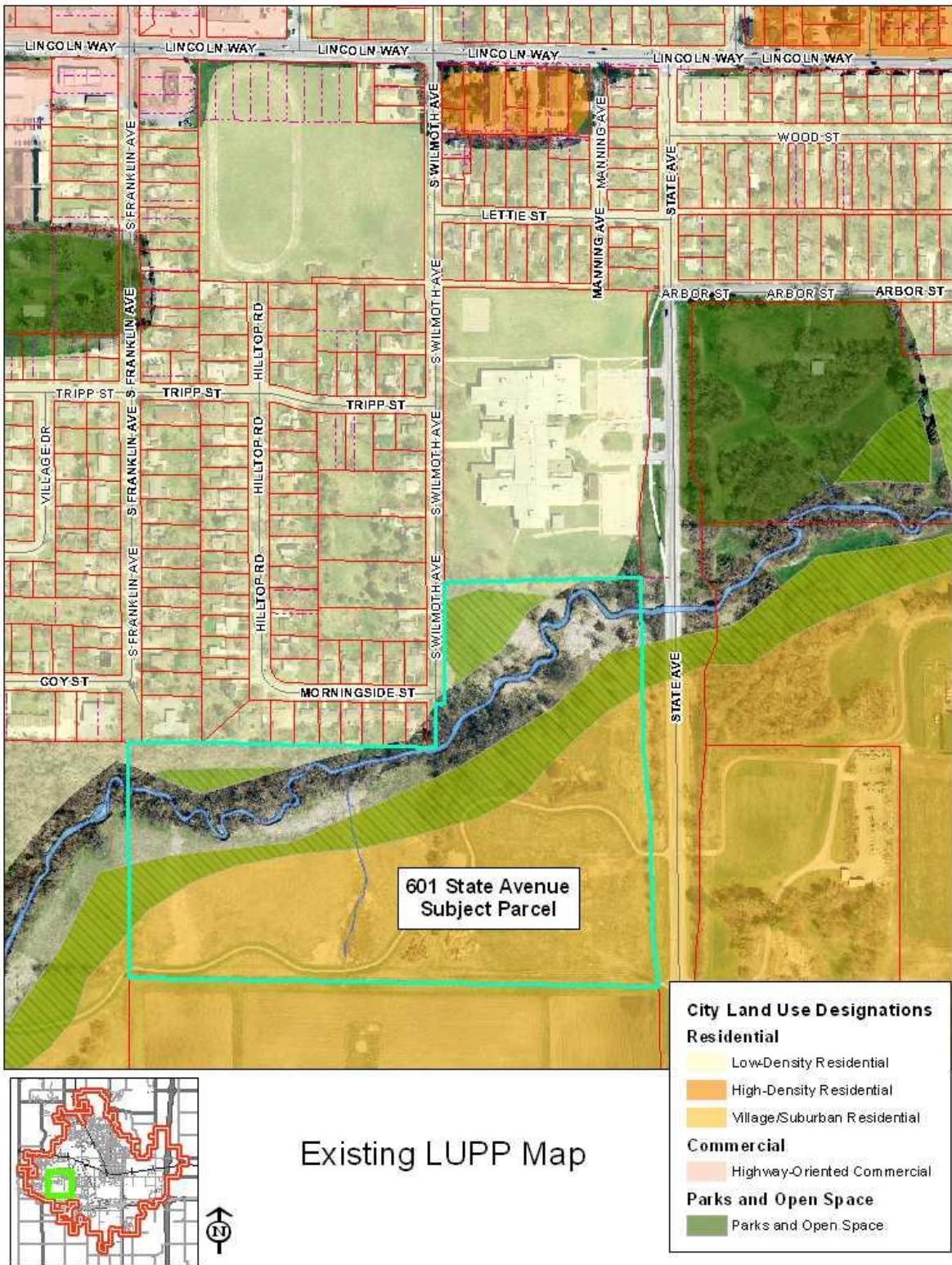
CITY MANAGER'S RECOMMENDED ACTION:

Rezoning this site to R-L will allow for it to be developed residentially in manner that is consistent with its surroundings. LUPP Goals 2, 5, 6 and their objectives support providing for additional housing opportunities and for integration of infill development with existing neighborhoods. Upon approval of the R-L rezoning, Breckenridge would then be able to proceed with development of this site.

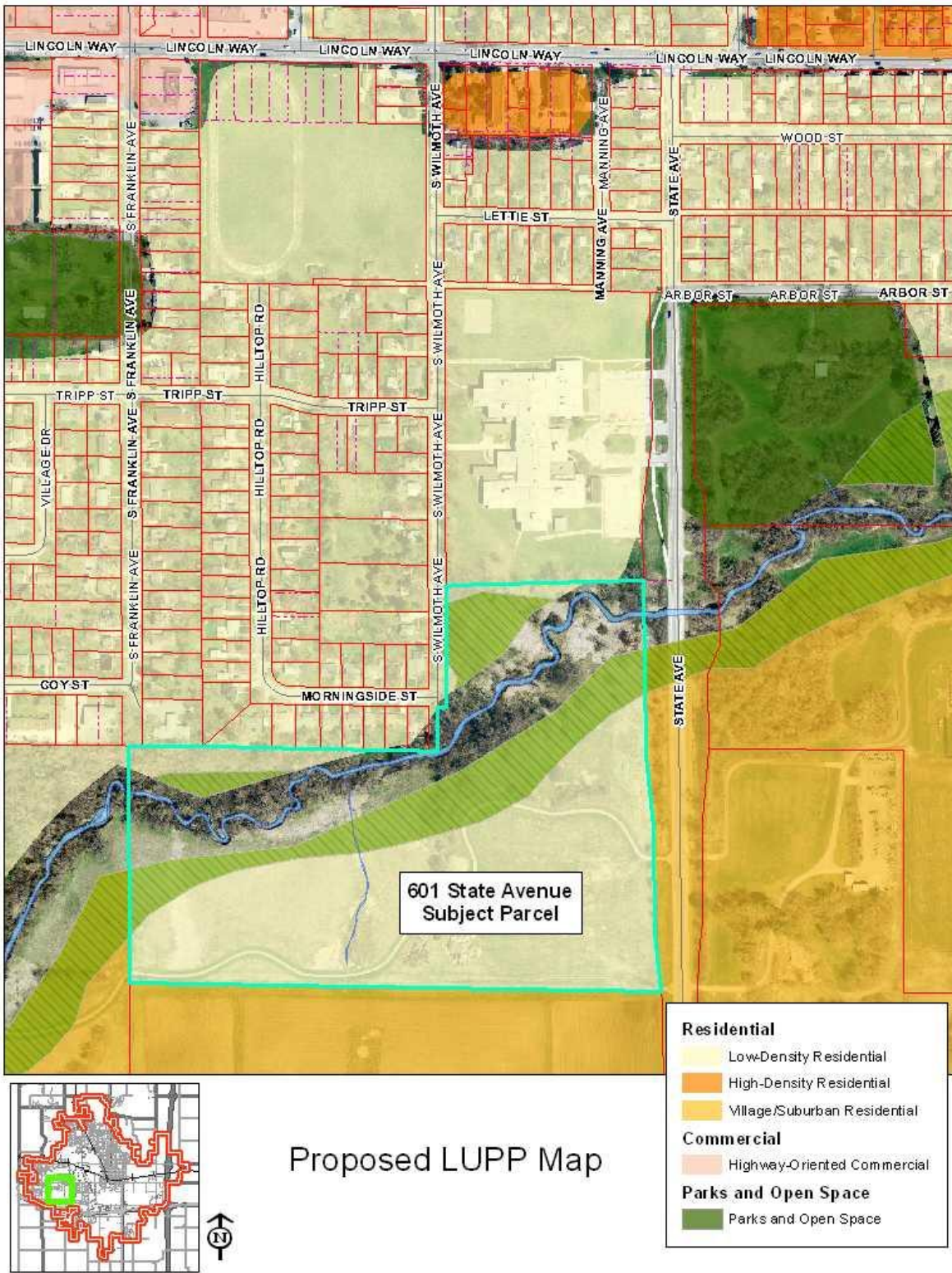
Assuming that the City Council previously approved the LUPP amendment designating this site for Low Density Residential, it is the recommendation of the City Manager that the City Council adopt Alternative 1, thereby approving the rezoning of 601 State Avenue from S-GA to R-L.

It must be noted that, since the property owner has protested the rezoning of this property, five City Council members must vote affirmatively to approve the rezoning.

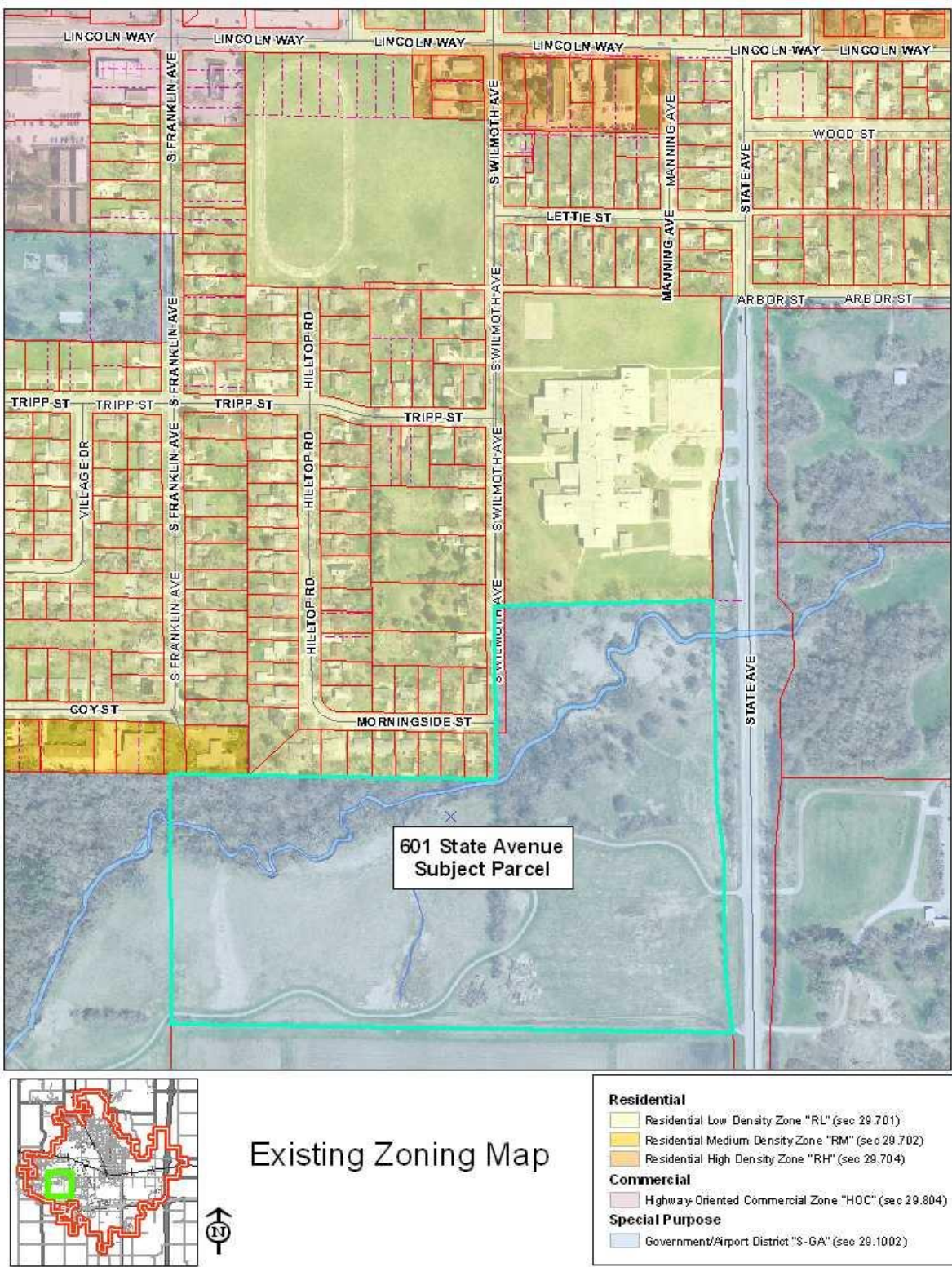
ATTACHMENT A



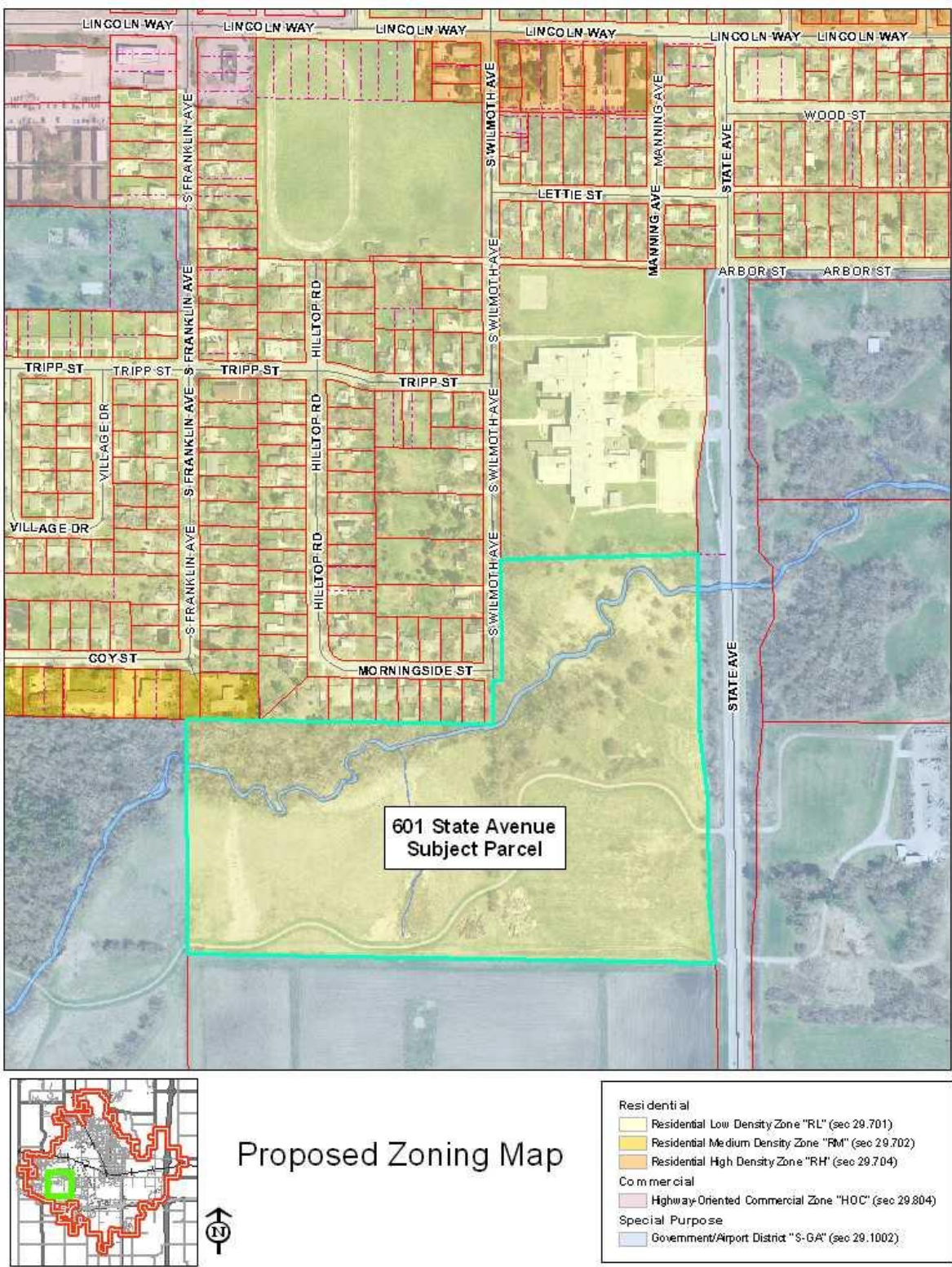
ATTACHMENT B



ATTACHMENT C



ATTACHMENT D



Attachment E

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ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF AMES, IOWA, AS PROVIDED FOR IN SECTION 29.301 OF THE *MUNICIPAL CODE* OF THE CITY OF AMES, IOWA, BY CHANGING THE BOUNDARIES OF THE DISTRICTS ESTABLISHED AND SHOWN ON SAID MAP AS PROVIDED IN SECTION 29.1507 OF THE *MUNICIPAL CODE* OF THE CITY OF AMES, IOWA; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND ESTABLISHING AN EFFECTIVE DATE

BE IT HEREBY ORDAINED by the City Council of the City of Ames, Iowa;

Section 1: The Official Zoning Map of the City of Ames, Iowa, as provided for in Section 29.301 of the *Municipal Code* of the City of Ames, Iowa, is amended by changing the boundaries of the districts established and shown on said Map in the manner authorized by Section 29.1507 of the *Municipal Code* of the City of Ames, Iowa, as follows: That the real estate, generally located at 601 State Avenue, is rezoned from Special Government/Airport (S-GA) to Residential Low-Density (RL).

Real Estate Description: A subdivision of Lot 1, Ames Middle School 2003, City of Ames, Story County, Iowa.

Section 2: All other ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: This ordinance is in full force and effect from and after its adoption and publication as provided by law.

ADOPTED THIS _____ day of _____, _____.

COUNCIL ACTION FORM

**SUBJECT: IOWA STATE UNIVERSITY RESEARCH PARK EXPANSION –
DESIGNATION OF URBAN RENEWAL AREA, ADOPTION OF URBAN
RENEWAL PLAN, AND APPROVAL OF TAX INCREMENT FINANCING
DISTRICT ORDINANCE**

BACKGROUND:

At the October 14, 2014 City Council meeting, the City Council directed staff to complete the necessary steps to adopt an urban renewal area (URA) for the expansion of the Iowa State University Research Park (ISURP). To accomplish this directive, the following steps have occurred on these dates:

October 21

The City invited the Ames Community School Board of Education and Story County Board of Supervisors to a consultation. One representative from the Supervisors attended. These affected taxing entities provided no follow-up written comments as they are allowed to do under state urban renewal law.

October 28

The City published notice in the newspaper of public hearings (i.e., Urban Renewal and TIF Ordinance) to occur on November 10th. Notice was also mailed to the other taxing entities.

October 28

The Story County Board of Supervisors adopted a resolution allowing for right-of-way within the County to be included within the urban renewal area boundaries.

November 5

The Planning and Zoning Commission reviewed the draft urban renewal plan and forwarded its written recommendation to the City Council. The recommendation found that the plan conforms to the Ames Land Use Policy Plan, and is included in Appendix A of the plan.

Upon closing the public hearing, the City Council may approve a resolution adopting the urban renewal plan and establishing an urban renewal area. In addition, the City Council may approve an ordinance creating the tax increment financing (TIF) district. **The City Manager requests that the City Council waive the required three readings and pass the TIF ordinance on November 10th.** This request is to expedite the hiring of a consultant for the design of the necessary infrastructure improvements.

A map of the proposed urban renewal area is included as Attachment 1; and a map of the proposed tax increment finance district is included as Attachment 2. The complete urban renewal plan and draft TIF ordinance are separate attachments.

URBAN RENEWAL PLAN:

The necessary components of an urban renewal plan are defined by Chapter 403 of the Code of Iowa. It describes the project and its objectives, and includes a summary of the process of its preparation and adoption. The bulk of the plan identifies those components of the Land Use Policy Plan that are supported by the proposed urban renewal plan. The plan includes the delineation of the geographic boundaries of the approximately 285 acre area that includes parts of the existing research park and its expansion area. All actions associated with the urban renewal project must occur within the broader boundaries of the plan area.

Because a portion of this urban renewal area lies outside the city limits of Ames, the Story County Board of Supervisors were asked to approve the inclusion of that land (the west half of the University Boulevard right-of-way) in the urban renewal area. That approval was granted on October 28 and is included in the plan.

URBAN RENEWAL PROJECT:

This urban renewal project is intended to promote economic development for the Iowa State University Research Park. This will primarily be done with extensions of necessary public infrastructure. This will include the streets, water mains, sanitary sewer, storm sewer, and other public improvements. The plan contemplates use of Tax Increment Financing (TIF) in multiple phases to fund the City infrastructure. The maximum dollar amount available for TIF is \$7,000,000. As noted in a previous report to the City Council, new zoning will need to be adopted and applied to the Research Park in the future to allow for incorporation of supportive commercial uses with permitted research and development (R&D) and industrial uses.

Economic development objectives of this urban renewal project were found by Planning and Zoning Commission to be consistent with the Land Use Policy Plan. Specifically, Goal 1 and Goal 2 speak to support of management of growth and to provide for a diversity of employment opportunities in support of the overall community.

TAX INCREMENT FINANCING:

It is estimated that the City will contribute approximately \$2.8 million for the provision of utilities and streets for the Phase III expansion of the ISURP. This was detailed in the report to the City Council on October 14. It was also noted that the City will rely on TIF to fund the infrastructure improvements. The increased incremental property tax revenue from industrial development will provide for repayment of bonds. The proposed TIF district comprises just a portion of the proposed urban renewal area, but funds generated from this smaller area may be spent anywhere within the broader boundaries of the urban renewal plan area.

ALTERNATIVES:

1. The City Council can approve a resolution adopting the ISU Research Park Urban Renewal Plan and establishing the urban renewal area, and approve an ordinance on three readings creating a tax increment financing district.
2. The City Council can choose not to approve these items.

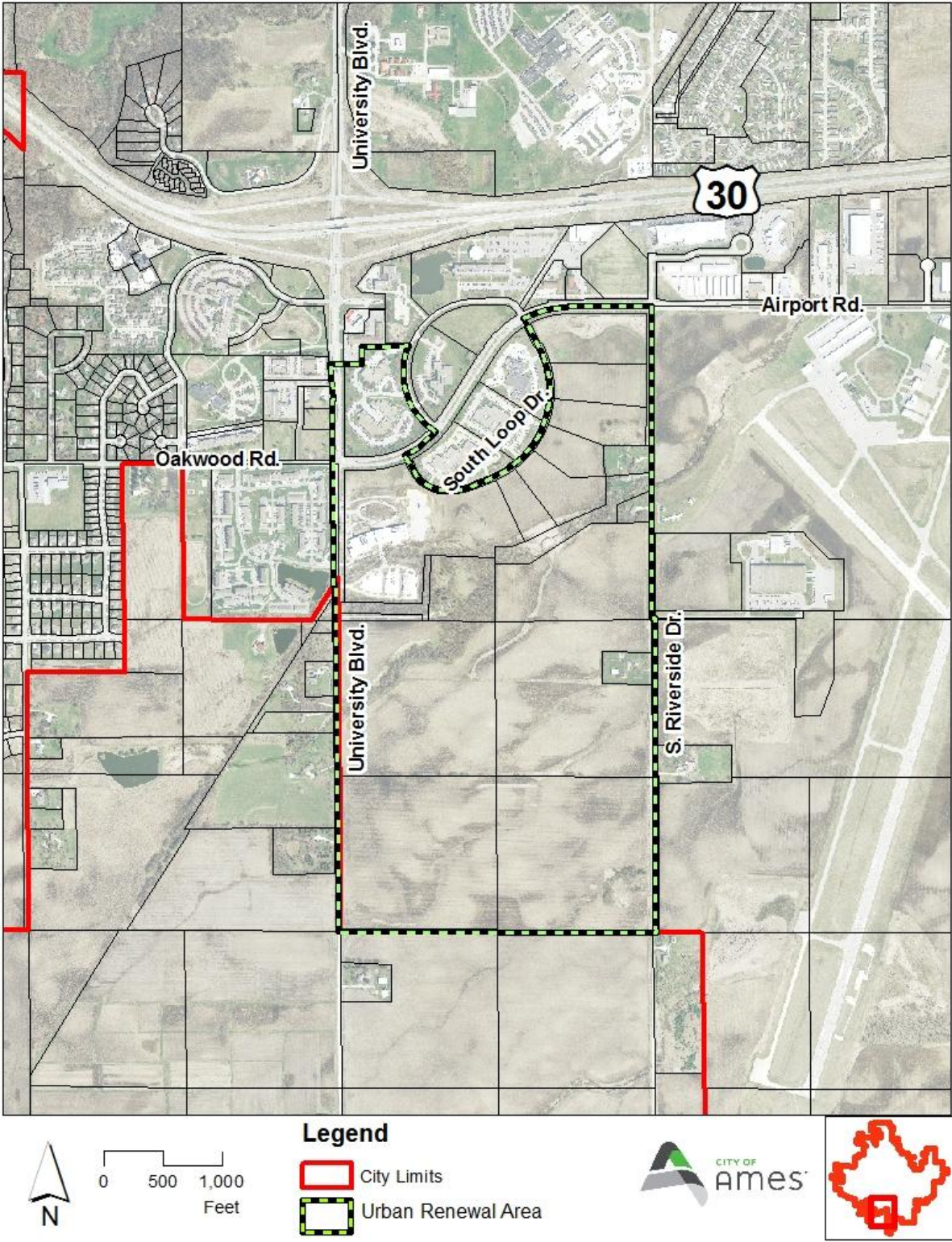
MANAGER'S RECOMMENDED ACTION:

Staff has implemented the direction of the City Council in preparing the urban renewal plan, holding the consultation with the affected taxing entities, forwarding the plan to the Planning and Zoning Commission, and setting November 10 for the public hearing on the establishment of the urban renewal area. On October 14 the City Council approved a Development Agreement with the ISU Research Park related to the shared costs of the infrastructure installation, and also approved the RISE grant agreement with the Iowa Department of Transportation.

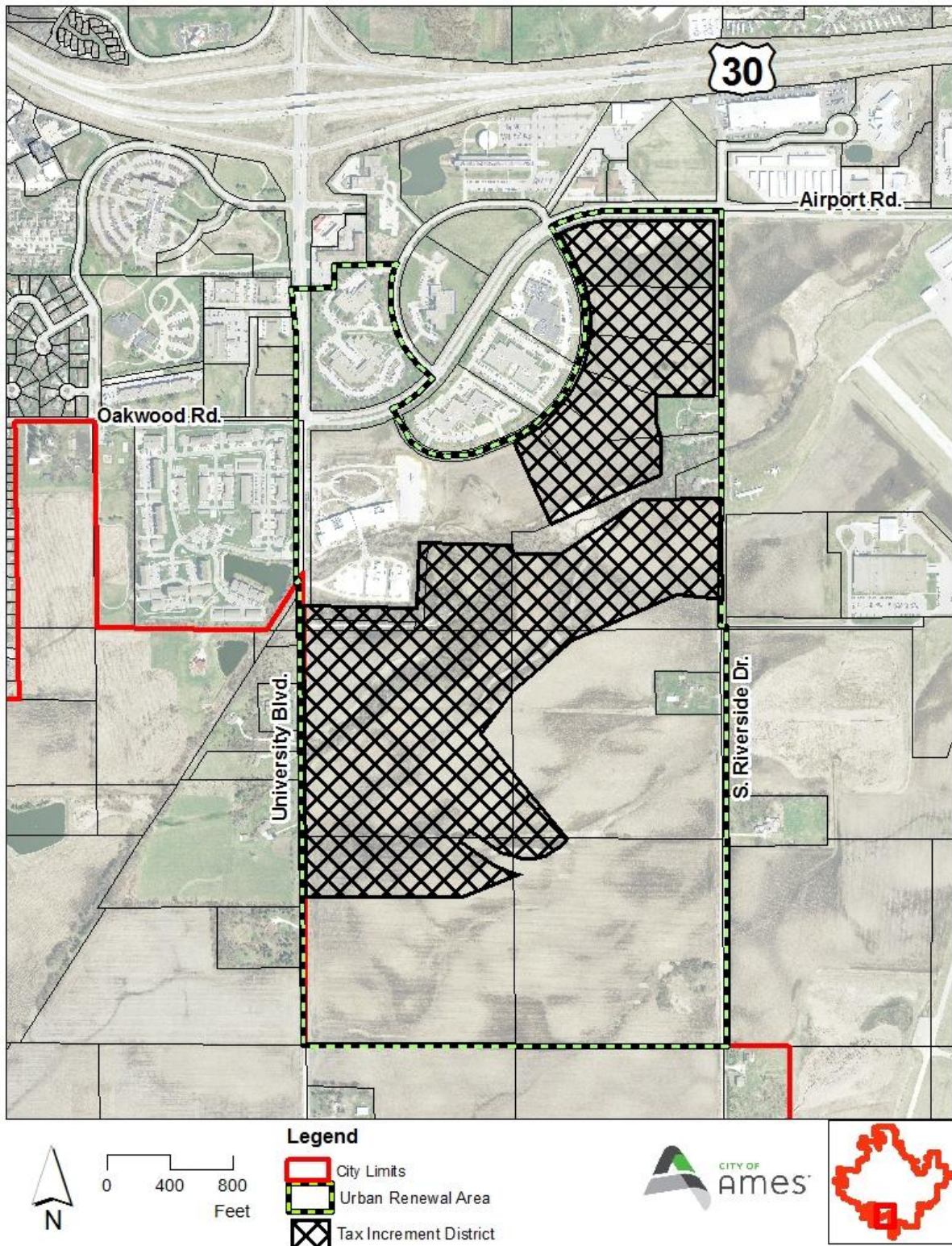
Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby (1) approving the resolution adopting the ISU Research Park Urban Renewal Plan and establishing the urban renewal area, and (2) approving the ordinance creating a tax increment financing district.

Since it will not be possible to incur expenses to begin the design of the required infrastructure in advance of the approval of the TIF ordinance, staff recommends that the TIF ordinance be approved on its second and third reading on November 10th as well. It is staff's intent to bring the recommendation before the Council to contract for the needed engineering services for the Phase III expansion in the near future.

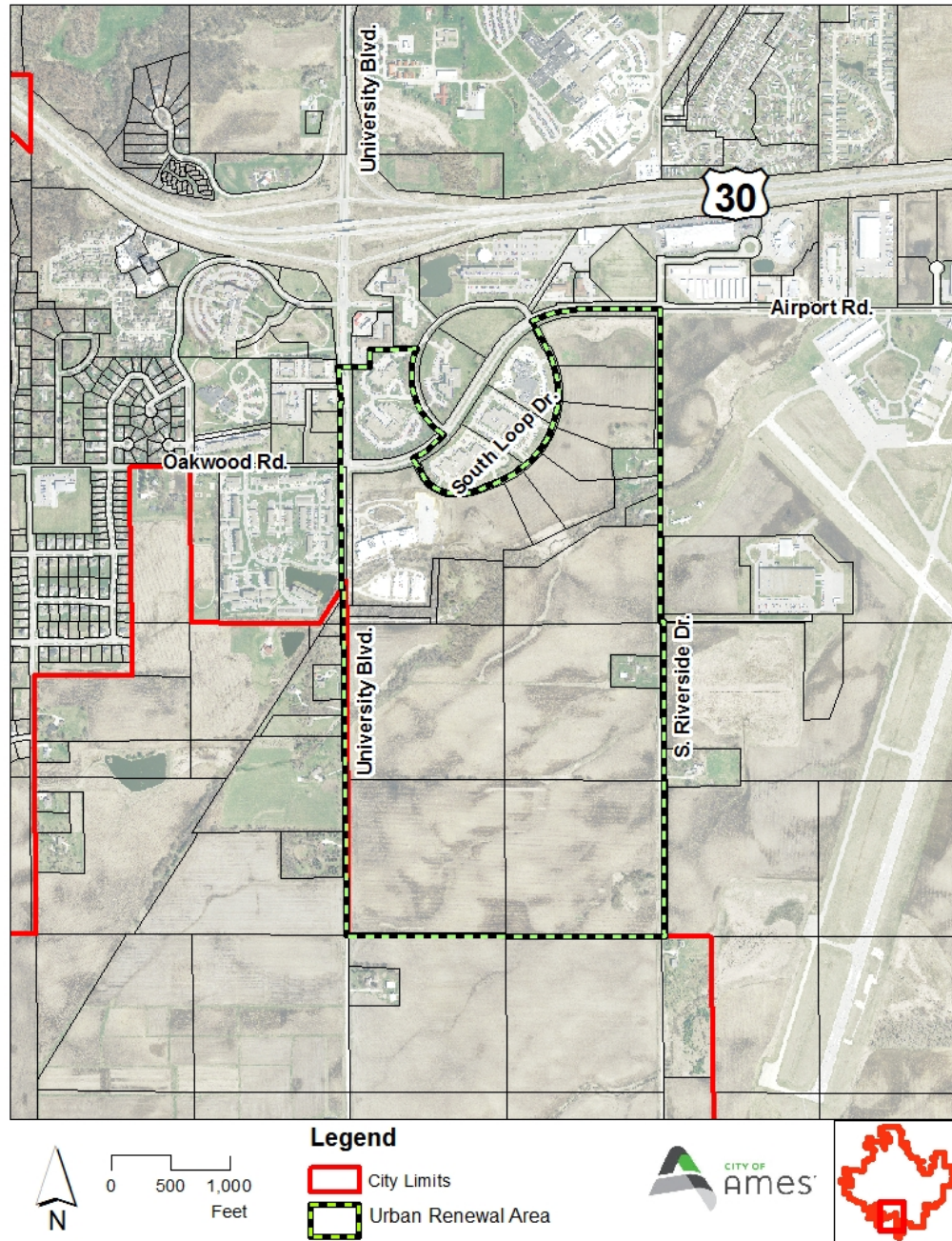
ATTACHMENT 1: PROPOSED ISU RESEARCH PARK URBAN RENEWAL AREA



ATTACHMENT 2: PROPOSED TIF DISTRICT



Urban Renewal Plan For ISU Research Park



Prepared by the
Dept. of Planning and Housing
and
Presented to the Ames City Council

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Urban Renewal Plan

This Urban Renewal Plan for the Iowa State University Research Park (the Plan) was prepared at the direction of the Ames City Council and in conformance with the Code of Iowa Chapter 403 Urban Renewal. This Plan comprises the necessary components as described in Chapter 403.17(24). In addition, it describes and documents the procedures followed in bringing the Plan forward, in approving the Plan, and in allowing the division of revenues from taxation (tax increment financing).

This Plan designates the urban renewal area as an economic development area as defined in Chapter 403.17(10). The general location of the urban renewal area is found in Attachment 1.

Plan Preparation and Adoption

PREPARATION AND COMMISSION ACTION

The City of Ames Department of Planning and Housing (the Department) prepared this Plan, initially presenting it to the Ames City Council on October 14, 2014. The City Council directed the Department to submit the Plan to the Planning and Zoning Commission (the Commission) for their review and to provide a recommendation as to its conformity with the general plan of the City—the Ames Land Use Policy Plan.

The Commission met on November 5, 2014 and heard a summary of the report and a recommendation from the Department. The Commission found that the Urban Renewal Plan is consistent with the Ames Land Use Policy Plan and recommend it's adoption by the City Council. The recommendation of the Commission is found in the Appendix.

NOTIFICATION AND CONSULTATIONS

During the preparation of this Plan, the City met the notification and consultation requirements of Code of Iowa Chapter 403.5. Notice was provided to the affected taxing entities (Story County Board of Supervisors and the Ames Community School District) since the urban renewal area includes an allowance for the division of revenues from taxation (tax increment financing). The notice of a consultation and a copy of the Plan was sent by regular mail to the taxing entities on October 15, 2014 for a consultation that was held on October 21, 2014. The taxing entities, their addresses and their representatives to the consultation are listed in the Appendix.

The taxing entities were notified that they had seven days following the consultation to provide any recommendations for modifications of the Plan. None were received.

CITY COUNCIL ACTION

The Ames City Council held a public hearing on November 10, 2014 to consider the adoption of the Plan, the resolution to establish the urban renewal area, and the ordinance to allow for the division of revenue from taxation (tax increment financing). Notification for the public hearing was as prescribed by Code of Iowa Chapter 403.5(3). Public notice was published in the Ames Tribune on October 28, 2014, a copy of which is included in the Appendix. In addition, a copy of the notice was sent by regular mail to the affected taxing entities.

At the public hearing, the City Manager presented a summary of the report and a recommendation to the City Council. The City Council was also presented with the recommendation of the Planning and Zoning Commission.

Agricultural Land

Code of Iowa Chapter 403.17.10 allows agricultural land (as defined by Code of Iowa Chapter 403.17(3)) to be included in an economic development area only with the consent of the owner of the land. The proposed urban renewal area comprises three parcels owned by the ISU Research Park and two parcels owned by Erben Hunziker and Margaret Hunziker Apartments, LLC. that meet the definition of agricultural land. The property owners provided their consent to allow their parcels to be included in the urban renewal area, which can be found in the Appendix.

Property Description

The proposed urban renewal area comprises twenty parcels. Additional rights of way are also included. A portion of this area lies outside the corporate limits of the City of Ames and is generally described as the west 33 feet of the University Boulevard/530th Avenue right-of-way easement under the jurisdiction of Story County. This area can be included in the urban renewal area with the consent of the Story County board of supervisors, in accordance with Code of Iowa Chapter 403.17(4). The supervisors provided their consent at their meeting on October 21, 2014, which can be found in the Appendix.

A map of the area is found in Attachment 2. The legal description of the urban renewal area is:

Beginning at the Southwest (SW) corner of the Northwest Quarter (NW ¼) of Section 22, Township 83 North, Range 24 West of the 5th PM, Story County, Iowa; thence North along the West line of said Section 22 to the Northwest (NW) corner of said Section 22, also the Southwest (SW) corner of Section 15, Township 83 North, Range 24 West of the 5th PM, Story County, Iowa; thence North along the West line of said Section 15 to the centerline of Airport Road, also being the Northwest corner of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 15; thence easterly along the centerline of Airport Road to the centerline of South Loop Drive; thence following the centerline of South Loop Drive to the centerline of Airport Road; thence easterly along the centerline of

Airport Road to the East right-of-way line (extended) of South Riverside Drive; thence South along the East right-of-way line of South Riverside Drive to the South line of the North Half (N ½) of said Section 22; thence West along the South line of the North Half (N ½) of said Section 22 to the Southwest (SW) corner of the Northwest Quarter (NW ¼) of said Section 22 also being the point of beginning; and

The East 33 feet of the Northeast Quarter (NE ¼) of Section 21, Township 83 North, Range 24 West of the 5th PM, Story County, Iowa, being the west half of the right-of-way of S 530th Avenue and lying within unincorporated Story County; and

The East 33 feet of Parcel "C" of the Southeast ¼ of the Southeast ¼ (SE ¼ SE ¼) of Section 16, Township 83 North, Range 24 West of the 5th PM, as described in a Plat of Survey recorded in the office of the Story County Recorder on October 12, 1998 on Slide 4 page 1 of the Recorder's Plat Cabinet as Instrument Number 98-14136, being the west half of the right-of-way of S 530th Avenue and lying within unincorporated Story County; and

The East 33 feet of that part of the Southeast ¼ of the Southeast ¼ of Section 16, Township 83 North, Range 24 West of the 5th PM, bounded as follows: On the Northeast by the East line of said Southeast ¼ of the Southeast ¼ of Section 16; On the Northwest by a line parallel with and distant 50 feet Northwesterly, measured at right angles, from the center line of the main track (now removed) of the Des Moines and Minnesota Railroad Company (now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across said Section 16; On the Southwest by the South line of said Southeast ¼ of Section 16; And on the Southeast by said above described original main track center line, as described in a Deed recorded in the office of the Story County Recorder on February 8, 1991 as Instrument Number 05678, being the west half of the right-of-way of S 530th Avenue and lying within unincorporated Story County; and

The East 50 feet of Wessex Subdivision as described in a Subdivision Plat recorded in the office of the Story County Recorder on January 6, 1998 as Instrument Number 98-00182, also known as Lot "B" of said Wessex Subdivision and being the west half of the right-of-way of University Boulevard (Elwood Drive); and

Lot 3 except Parcel K (CFN 12-96), of Iowa State University Research Park Second Addition; and

The right-of-way of University Boulevard lying between a point 825 feet North of the centerline of Airport Road and the centerline of Airport Road and Oakwood Road, and

The northerly half of the right-of-way of Airport Road abutting Lot 3 except Parcel K (CFN 12-96), of Iowa State University Research Park Second Addition.

Urban Renewal Project Description

The proposed urban renewal area (hereinafter referred to as the “Area”) comprises approximately 285 acres of land adjacent to the existing Iowa State University Research Park (ISURP). In general, it is bounded on the west by University Boulevard, on the east by S. Riverside Drive, on the south by the Ames city limits, and on the north by Airport Road. It also includes a parcel on the north side of Airport Road.

The Project provides support for economic development and the necessary infrastructure for the expansion of the Iowa State University Research Park. The research park was established in 1987 and has continued to consistently expand throughout the years. The research park currently contains over 500,000 square feet of building space and pays almost \$1 million in property taxes each year. ISURP administration seeks to expand the area of the park and to significantly expand on the current employment base of 1,200 by recruiting leading and emerging firms in the bio-technology, agriculture, technology, and software industries. Support services for employment uses may also be integrated into the research park. Phase III is the first phase of the research park’s expansion into new lands recently annexed into the City of Ames.

To help accomplish this expansion, the ISURP received a legislative appropriation of \$12 million for an ISU Economic Development Core Facility building. This building will house ISU’s economic development offices, which will include ISURP administration offices, Office of Economic Development and Industry Relations, the Center for Industrial Research and Service, the Iowa Small Business Development Center, the Pappajohn Center for Entrepreneurship, ISU’s Office of Intellectual Property and Technology Transfer, the Iowa State Research Foundation, and the Cultivation Corridor regional economic development project. This appropriation and subsequent grant of RISE funding from the Iowa Department of Transportation, along with tax-increment financing, will provide the necessary funding for streets, water service, sanitary sewer, storm sewer, and other necessary infrastructure.

The project will provide improvements to University Boulevard and S. Riverside Drive adjacent to the development. Capacity improvements at the intersection of University Boulevard and Airport Road are also a part of the project. There will also be a new road, generally running east/west, connecting University Boulevard and S. Riverside Drive which will provide access to the ISU Economic Development Core Facility building as well as the new industrial development. The project will also include the installation of the sanitary sewer and water mains along University Boulevard, S. Riverside Drive, and the new east/west street.

Urban Renewal Plan Objectives

This urban renewal area is being created to expand the available inventory of fully serviced industrial land within Ames and target office and research and

development uses. The objectives of this plan are consistent with the Land Use Policy Plan and are listed below.

- To facilitate the expansion of the Iowa State University Research Park.
- Establish the Research Park as a nationally recognized Innovation District.
- Support employment uses with complementary commercial and service uses.
- To provide employment opportunities in the high-tech research and industrial sector and increase the employment base of the community.
- To increase the assessed valuations of the property tax base of the city.
- To provide these lots at below-market prices as an incentive for development.
- To create a public-private partnership to encourage development in the New Lands.
- To create a mechanism to fund the necessary infrastructure of that expansion.

Conformance with Land Use Policy Plan

The Land Use Policy Plan, adopted by the City Council in 1997 and subsequently amended, provides guidance on support of the growth of the City and economic development. The LUPP includes a narrative discussion of the goals and objectives of the City as well as maps and diagrams of City's policies. The Project is situated in area mapped with a Land Use Designation of Planned Industrial. See Attachment 3

GROWTH DETERMINANTS (LUPP PP. 12)

Population projections for the City of Ames, completed in 2011, show a population of between 61,270 to 72,771 by the year 2030. This increase in population from the 2010 census figures of 58,965 will require increases in housing and employment opportunities.

GOALS FOR A NEW VISION (LUPP PP. 18-27)

Goals for a New Vision of the Land Use Policy Plan describe ten goals in broad categories, as well as a number of objectives to meet those goals. Those that more greatly influence the development of an industrial urban renewal area are quoted below. Some goals are not included as they bear little relationship to this economic development issue. The text of the LUPP is shown below in serif font.

Emphasis is added to the more pertinent passages.

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

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

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

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

Objectives. In assuring and guiding areas for growth, Ames seeks the following objectives.

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

- 2.E. Ames seeks to integrate its planning with that of Story County and surrounding counties in assuring an efficient and compatible development pattern, and in assuring that there are adequate agricultural resources to serve the region.

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

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

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

Goal No. 7. It is the goal of Ames to provide greater mobility through more efficient use of personal automobiles and enhanced availability of an integrated system including alternative modes of transportation.

Objectives. In achieving a more mobile community, Ames seeks the following objectives.

- 7.A. **Ames seeks to establish a comprehensive and integrated transportation system that includes automotive, public transit, pedestrian, bicycle and ride-sharing modes.**
- 7.B. **Ames seeks a transportation system that is linked with the desired development pattern of the overall community and areas therein.**

- 7.C. Ames seeks to establish new transportation corridors that have been planned, in part, to minimize impacts on significant natural resources.
- 7.D. **Ames seeks to increase the efficiency of existing traffic movement in reducing air pollutants from automobiles** (e.g. improving intersection movements to minimize delays and conserve energy).
- 7.E. Ames seeks a development pattern that protects and supports the airport and its flight approach zones.

Goal No. 9. It is the goal of Ames to promote expansion and diversification of the economy in creating a base that is more self-sufficient and that is more sustainable with regard to the environment.

Objectives. In creating an economic base that is more self-sufficient and environmentally sustainable, Ames seeks the following objectives.

- 9.A. **Ames seeks more diversified regional employment opportunities involving technology-related services and production, office centers and retail centers.**
- 9.B. Ames seeks to attract and support a small- and medium-size business center that utilizes the skills and products of the area's trained workforce.
- 9.C. **Ames seeks to expand its research and technology development through greater private, public and university coordination and cooperation.**
- 9.D. **Ames seeks economic activities that are compatible and sustainable with its environment.**

FUTURE LAND USE ALLOCATIONS (LUPP P. 33)

"An additional 55-325 acres should be allocated for future industrial uses. Included are approximately 45-240 acres for planned industrial involving industrial park-type settings, plus 14-85 acres for general industrial involving non-park settings."

FUTURE LAND USE POLICY PLAN MAP

The area of the proposed urban renewal area is identified on the Land Use Policy Plan Map as Planned Industrial. See Attachment 3.

NEW LANDS POLICY OPTIONS (LUPP PP. 62-63)

The area of the proposed urban renewal area is described as New Lands Area on page 53. The New Lands Area proposes the following information relating to industrial land.

“Industrial Expansion Areas. In further supporting the community’s goal for economic expansion, additional industrial uses are needed. Expansion areas are recommended for both private sector activities and ISU research park activities. It is recommended that the New Lands area provide the base for the community’s industrial expansion....”

“Planned Industrial. It is recommended that much of the new industrial uses be associated with planned industrial parks. These planned industrial parks should be located in conjunction with a limited - access highway. A limited- access highway location provides adequate ingress and egress for the regional - scale activities without imposing the associated extraneous traffic on the community’s internal traffic system.

“Uses. All future large-scale industrial activities should be located in planned industrial parks. Locating large-scale activities in parks assures adequate land area, access, utilities provisions and environmental controls. The park locations also assure that appearances are compatible with the community’s entries along which planned industrial locations are recommended.

OTHER LUPP ISSUES

The Land Use Policy Plan presents no contradiction in the use of this land as planned industrial and as the expansion of the ISU Research Park. There are no issues associated with the proposed industrial land use that are contradicted by the Natural Resources Inventory or Natural Resources Suitability Analysis (pp.80-82).

SUMMARY

The urban renewal plan and the proposed urban renewal project are consistent with and supported by the goals of the Ames Land Use Policy Plan. This is demonstrated by:

- The area will support an increased employment base moving the City closer to its 2030 employment projections.
- The area provides 200 gross acres of land moving the City closer to its anticipated increase of 300 to 375 acres of new industrial land.
- Development of the area assures the immediate availability of planned industrial developable land.
- The project improves existing connection and provides new connections in the City’s transportation network.
- The project leverages private development with its investment of public resources.
- The project supports and the area is adjacent to an existing planned industrial area and public infrastructure is immediately adjacent.
- The area lies within a planned industrial designation of the Land Use Policy Plan Map.
- The scale of the project is consistent with the Land Use Policy Plan’s description of planned industrial in which “all future large-scale industrial activities should be located in planned industrial parks.”

- The area lies within the New Lands Area, which is identified for the community's industrial expansion.

Conformance with Zoning and Current Use

The Area is currently zoned A-Agriculture. This zoning designation was applied upon annexation in September, 2014, consistent with the requirements of the Ames Zoning Ordinance. A zoning map amendment to the PI-Planned Industrial designation has been filed with the City and its approval is anticipated prior to development. The land is currently being used for agricultural purposes.

City's Debt Obligations

This urban renewal area will include a provision for tax increment financing. In accordance with Code of Iowa Chapter 403.17(24)(c), the following financial information is provided.

CURRENT GENERAL OBLIGATION AND REVENUE BOND DEBT

					As of 9/30/'14
	Date of Issue	Interest Rates	Amount Originally Issued	Maturity Date	Outstanding 9/30/'14
General obligation bonds:					
Corporate purpose	2006	4.000%	\$ 5,285,000	2018	\$ 2,100,000
Corporate purpose	2007	3.75-4.15%	\$ 9,130,000	2019	\$ 4,820,000
Corporate purpose	2008	3.75-4.15%	\$ 5,855,000	2020	\$ 4,745,000
Corporate purpose	2009	2.00-3.50%	\$ 11,165,000	2021	\$ 7,145,000
Corporate purpose	2010	2.00-2.50%	\$ 6,690,000	2022	\$ 4,745,000
Refunding	2011	2.00-3.35%	\$ 5,980,000	2021	\$ 2,150,000
Corporate purpose	2011	1.00-2.40%	\$ 6,675,000	2023	\$ 5,090,000
Corporate purpose	2012	1.50-3.00%	\$ 11,325,000	2032	\$ 11,045,000
Corporate purpose/refunding	2013	2.00-3.125%	\$ 21,220,000	2032	\$ 20,420,000
Corporate purpose	2014	2.00- 2.50%	\$ 9,965,000	2026	\$ 9,965,000
Total general obligation bonds			\$ 93,290,000		\$ 72,225,000
Revenue bonds:					
Hospital improvement	2011	3.00-5.625%	\$ 65,000,000	2036	\$ 64,060,000
Hospital improvement/refunding	2012	2.07%	\$ 26,000,000	2027	\$ 22,270,000
Total revenue bonds			\$ 91,000,000		\$ 86,330,000
TOTAL ALL BONDS					\$ 158,555,000

CURRENT CONSTITUTIONAL DEBT LIMIT AND CAPACITY

	As of 9/30/'14
Total Actual Valuation	\$ 3,536,735,367
State Mandated Debt Limit*	\$ 176,836,768
City Reserve (25% of Limit) [†]	<u>(\$ 44,209,192)</u>
Un-Reserved Debt Capacity	\$ 132,627,576
Outstanding Debt	\$ 72,225,000
Total Debt Subject to Limit	\$ 72,225,000
[†] Available Un-Reserved Debt Capacity City Policy(\$)	\$ 60,402,576
Available Un-Reserved Debt Capacity City Policy (%)	45.54%
*Total Debt Capacity Available (\$)	\$ 104,611,768
Total Debt Capacity Available (%)	59.16%

Notes:

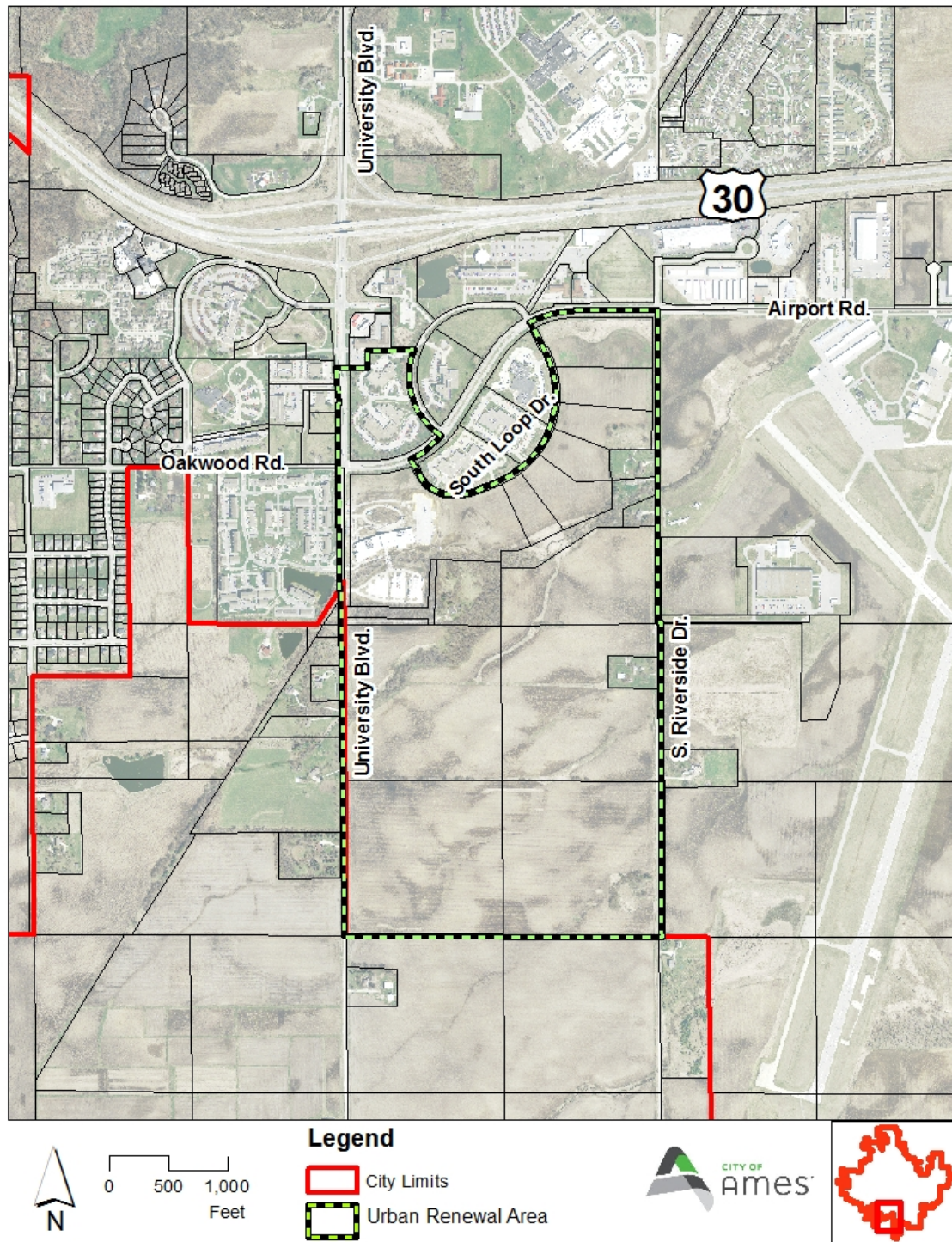
*Iowa statutory debt limit is 5 percent of total city valuation

[†]City policy reserves 25 percent of available debt capacity

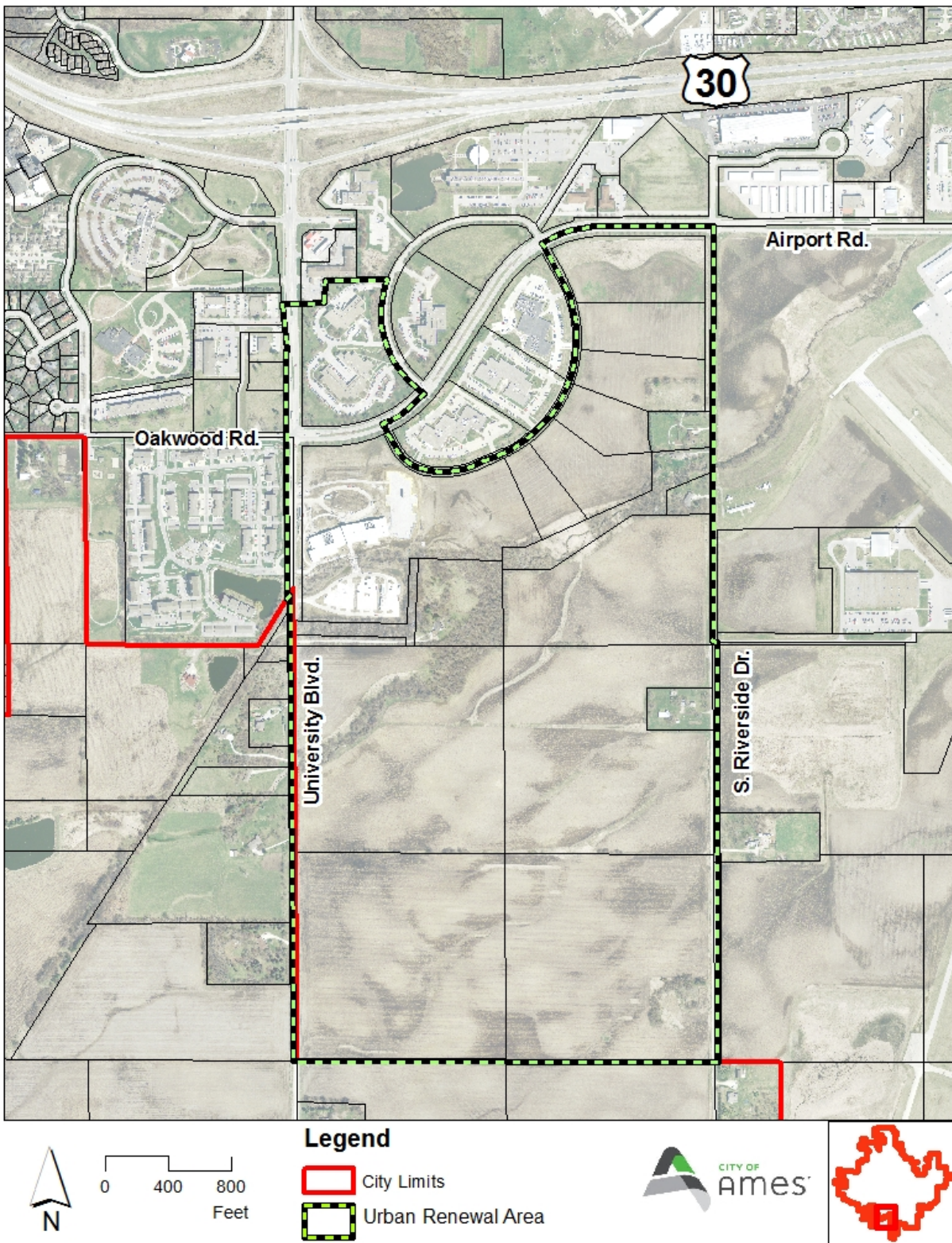
PROPOSED AMOUNT OF INDEBTEDNESS

The project will rely on the use of tax-increment financing to pay for some the infrastructure improvements. TIF districts will be created in phases as the funding for each phase of development is needed. The first phase of development utilizing TIF would be approximately \$4 million dollars. The additional phases of TIF financing may increase the overall funding to \$7 million.

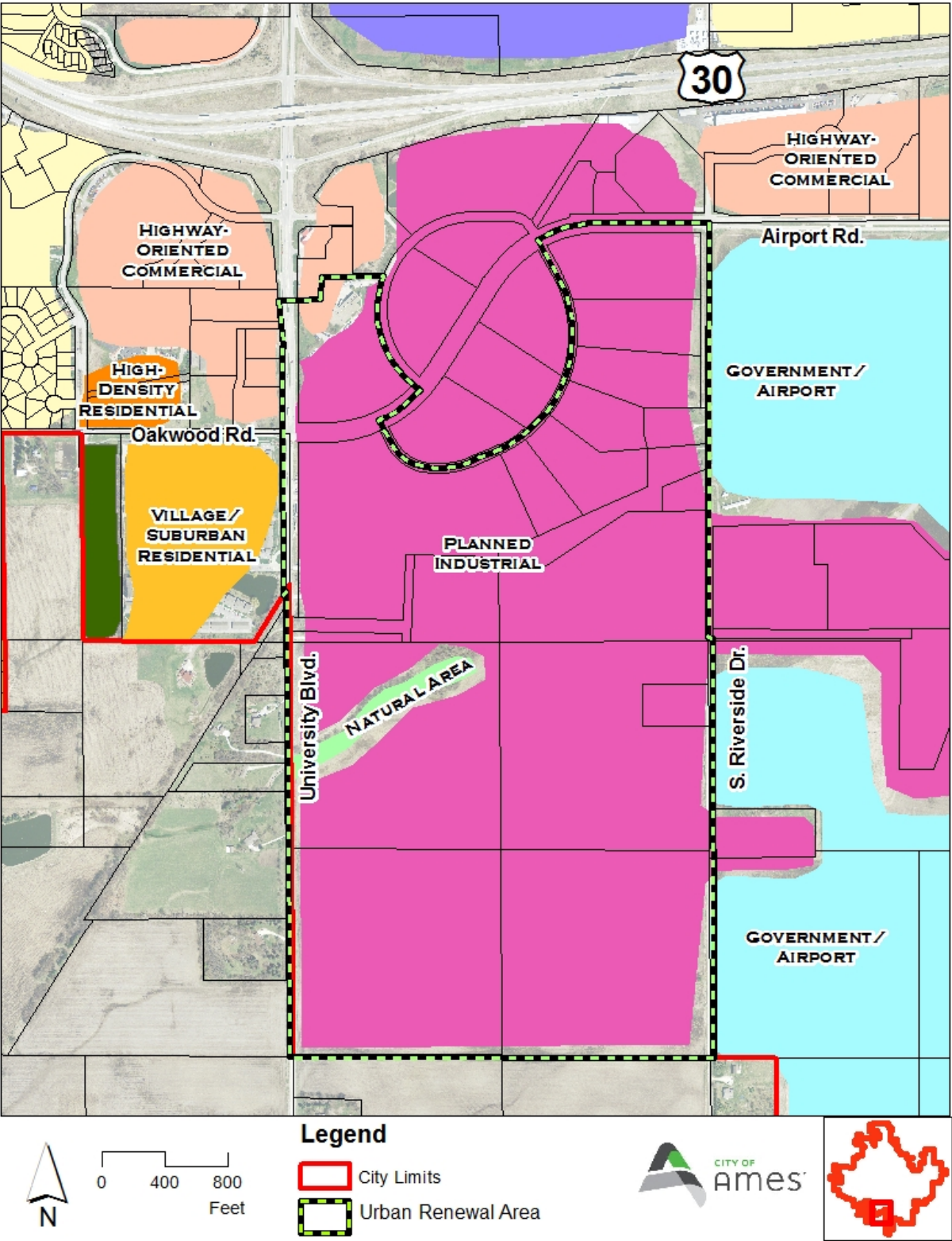
ATTACHMENT 1: VICINITY MAP



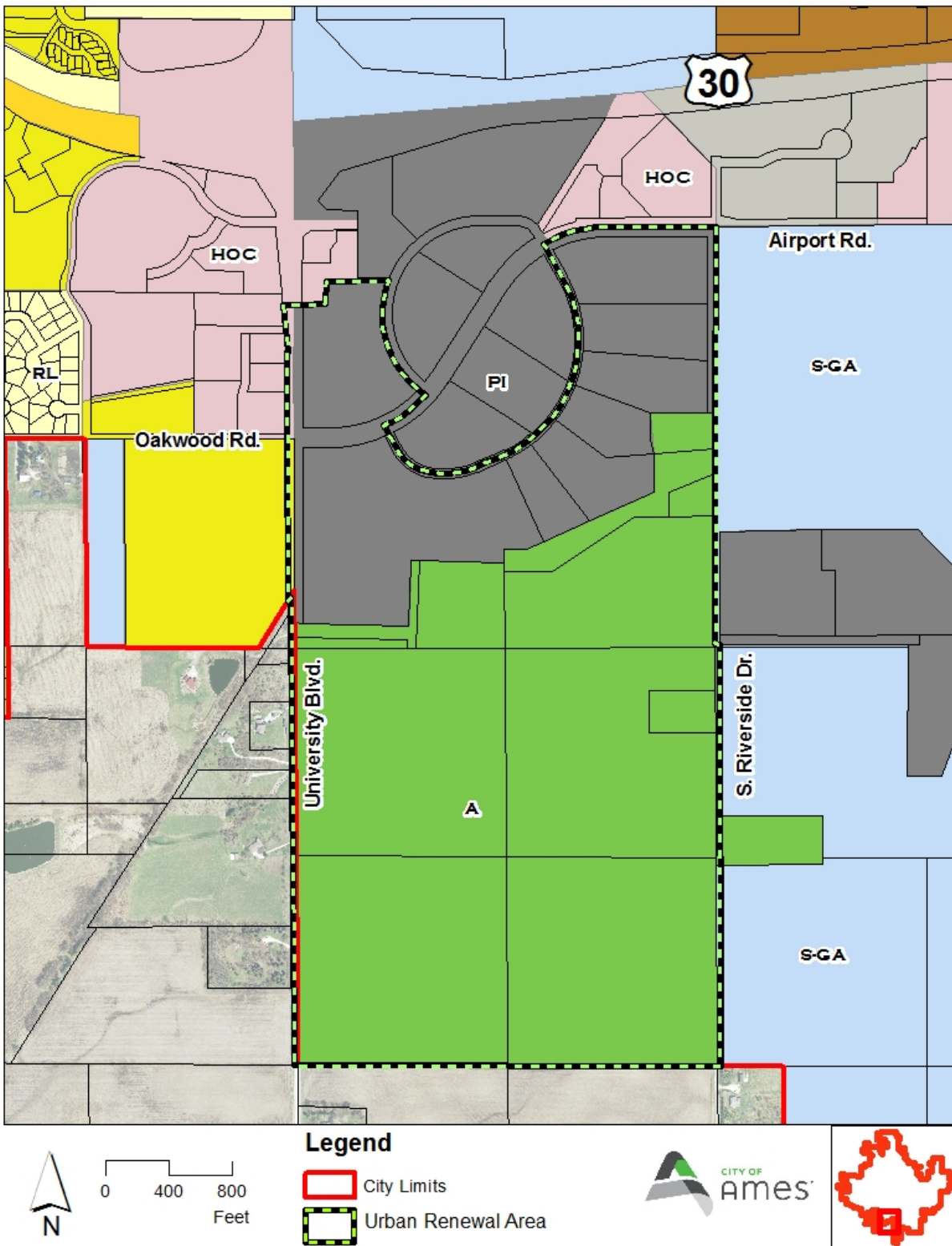
ATTACHMENT 2: PROJECT AREA



ATTACHMENT 3: LUPP FUTURE LAND USE MAP



ATTACHMENT 4: ZONING MAP



Appendix A

Recommendation of the Planning and Zoning Commission of November 5, 2014.



Ames City Council and Mayor
515 Clark Avenue
Ames, IA 50010

Dear City Council and Mayor:

The Ames Planning and Zoning Commission received and reviewed the draft Urban Renewal Plan for the Iowa State University Research Park Urban Renewal Area. At its regular meeting on November 5, the Commission found that the proposed Plan conforms to the Ames Land Use Policy Plan by noting that:

- The area will support an increased employment base moving the City closer to its 2030 employment projections.
- The area provides 200 gross acres of land moving the City closer to its anticipated increase of 300 to 375 acres of new industrial land.
- Development of the area assures the immediate availability of planned industrial developable land.
- The project improves existing connection and provides new connections in the City's transportation network.
- The project leverages private development with its investment of public resources.
- The project supports and the area is adjacent to an existing planned industrial area and public infrastructure is immediately adjacent.
- The area lies within a planned industrial designation of the Land Use Policy Plan Map.
- The scale of the project is consistent with the Land Use Policy Plan's description of planned industrial in which "all future large-scale industrial activities should be located in planned industrial parks."
- The area lies within the New Lands Area, which is identified for the community's industrial expansion.

Sincerely,

A handwritten signature in blue ink that reads 'Debra Lee'.

Debra Lee
Chairperson

Planning and Housing Department

515.239.5400 *main*
515.239.5404 *fax*

515 Clark Ave. P.O. Box 811
Ames, IA 50010
www.CityofAmes.org

Appendix B

Affected Taxing Entities and Their Representatives

Affected Taxing Entity	Mailing Address	Representative to Consultation
City of Ames	PO Box 811 Ames, IA 50010	Kelly Diekmann, Planning and Housing Director
Ames Community School District	415 Stanton Avenue Ames, IA 50014	None attended
Story County	900 6th Street Nevada, IA 50201	Rick Sanders, Supervisor

Appendix C

Notice of Consultation to Affected Taxing Entities [Notice to Supervisors shown.].



October 15, 2014

Story County Board of Supervisors
900 6th Street
Nevada, IA 50201

RE: Proposed Urban Renewal Area

Dear Story County Board:

The City of Ames is preparing an Urban Renewal Area and considering the creation of a Tax Increment Financing District as allowed by Code of Iowa 403.19. I am enclosing a copy of the draft Urban Renewal Plan.

In accordance with Code of Iowa 403.5 (2), you or a representative you appoint, are invited to attend a consultation with the Planning and Housing Director, appointed by the Ames City Council as their representative. The consultation will be held in Room 235 of City Hall, 515 Clark Avenue, Ames, Iowa on Tuesday, October 21, 2014 at 4:00 P.M. In accordance with state law, the representative will have seven days following the consultation to submit written recommendations for modifications to the proposed Tax-Increment Financing. The City will review the written recommendations and provide written responses no later than seven days before the public hearing scheduled for November 10, 2014.

Please feel free to contact me if you have any questions.

Sincerely,

Kelly Diekmann
Planning and Housing Director

CC: Charlie Kuester, Planner
Diane Voss, City Clerk
Judy Parks, City Attorney

Enclosure

Planning and Housing Department

515.239.5400 *main*
515.239.5404 *fax*

515 Clark Ave. P.O. Box 811
Ames, IA 50010
www.CityofAmes.org

Appendix D

Notice of public hearing published in the Ames Tribune on October 28, 2014 and mailed to the Affected Taxing Entities.

NOTICE OF PUBLIC HEARING ON DESIGNATION OF THE IOWA STATE UNIVERSITY RESEARCH PARK URBAN RENEWAL AREA AND ON PROPOSED URBAN RENEWAL PLAN AND PROJECT

Notice Is Hereby Given: That at 7:00 o'clock p.m., at the City Hall Council Chambers, Ames, Iowa, on the 10th day of November, 2014, the Ames City Council will hold a public hearing on the question of designating as the Iowa State University Research Park Urban Renewal Area, pursuant to Chapter 403, Code of Iowa, certain property generally described as follows: 285 acres of land adjacent to and within the existing Iowa State University Research Park; said land bounded on the west by University Boulevard, on the east by S. Riverside Drive, on the south by the Ames city limits, and on the north by Airport Road; and also including a parcel on the north side of Airport Road. The subject matter of the public hearing will also include a proposed Urban Renewal Plan and project for the Iowa State University Research Park Urban Renewal Area identified above, pursuant to Chapter 403, Code of Iowa, a copy of which Plan is on file for public inspection in the office of the City Clerk. The general scope of the proposed urban renewal plan, as more specifically described therein, includes the following: Promoting economic development for the Iowa State University Research Park in Ames, to be done primarily with extensions of necessary public infrastructure. development. The initial purpose of the Plan is to make it possible to use tax increment financing in multiple phases to fund the City infrastructure, to include streets, water mains, sanitary sewer, storm sewer, and other public improvements. The future uses of the area are contemplated to be commercial, industrial, and permitted research and development. At the hearing any interested person may file written objections or comments and may be heard with respect to the subject matter of the hearing.

Diane Voss, City Clerk

Appendix E

Owner's Consent to Inclusion of Agriculture Property.



September 30, 2014

To Whom it May Concern:

As the owner of, The South Half of the Northwest Quarter of Section 22, Township 83 North, Range 24 West of the 5th P.M., Story County, Iowa, containing 79.72 acres, which includes 1.99 acres of existing public right of way, agree to the inclusion of this land in the urban renewal area.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dean Hunziker", is written over a horizontal line.

Dean Hunziker

Trustee

AMES

105 South 16th Street
Ames, Iowa 50010-8009
(515) 233-4450

ANKENY

1255 N. Ankeny Blvd., Suite 101
Ankeny, IA 50023
(515) 963-8618

BOONE

700 Story Street
Boone, Iowa 50036
(515) 432-8699

NEVADA

1104 6th Street
Nevada, Iowa 50201
(515) 382-5667

Appendix E

Owner's Consent to Inclusion of Agriculture Property.



Building 4, Suite 4050
2711 South Loop Drive
Ames, IA 50010
515-296-PARK
www.isupark.org

October 1, 2014

Mr. Charles Kuester
Planner
City of Ames
515 Clark Avenue
Ames, IA 50010

RE: Urban Renewal Area

Dear Charlie:

The Iowa State University Research Park acquiesces in our inclusion into the City's proposed urban renewal area. The property is more particularly described as:

Parcel L in the Southeast Quarter of the Southwest Quarter of Section 15 AND part of the North Half of the Northwest Quarter of Section 22, all in Township 83 North, Range 24 West of the 5th P.M., Story County, Iowa, all together being more particularly described as follows: Beginning at the Northwest Corner of said Section 22; thence S89°19'57"E, 1319.43 feet to the Northeast Corner of the Northwest Quarter of the Northwest Quarter of said Section 22, said point also being the Southwest Corner of said Parcel L; thence following the boundary of said Parcel L N00°1 1' 8"E, 489.46 feet to the Northwest Corner thereof; thence S89°14'47"E, 296.62 feet; thence N56°46'25"E, 622.15 feet; thence N89°52'19"E, 512.38 feet to the Northeast Corner of said Parcel L; thence S00°10'26"W, 843.11 feet to the Southeast Corner thereof, said point also being the North Quarter Corner of said Section 22; thence S00°19'19"E, 241.41 feet along the East line of the Northwest Quarter of said Section 22 to the Northeast Corner of an existing parcel, described in a Quit Claim Deed filed at Inst. No. 94-05359; thence running coincident with the boundary of said existing parcel S89°36'11"W, 411.96 feet to the Northwest Corner thereof; thence S00°19'27"E, 272.09 feet to the Southwest Corner thereof; thence N89°35'28"E, 411.95 feet to the Southeast Corner thereof; thence S00°19'19"E, 793.23 feet along the East line of said Northwest Quarter to the Southeast Corner of the Northeast Quarter of the Northwest Quarter; thence N89°36'16"W, 2646.10 feet to the Southwest Corner of the Northwest Quarter of the Northwest Quarter; thence N00°23'42"W, 1319.25 feet to the point of beginning, containing 98.31 acres, which includes 2.42 acres of existing public right of way.

Please let us know if you have any questions or comments.

Sincerely,

IOWA STATE UNIVERSITY RESEARCH PARK

A handwritten signature in black ink, appearing to read 'Steven T. Carter'.

Steven T. Carter, President

U\URA Letter.docx

Appendix F

County's Consent to Inclusion of Unincorporated Land

RETURN TO:

SHELLY BELLILE
AUDITOR'S OFFICE

Instrument: 2014-0009668
Date: Oct 28, 2014 02:53:32P
Rec Fee: .00 E-Com Fee: .00
Aud Fee: .00 Trans Tax: .00
Rec Management Fee: .00
Non-Standard Page Fee: .00
Filed for record in Story County, Iowa
Susan L. Vande Kame, County Recorder

Prepared by: City of Ames, 515 Clark Ave., P.O. Box 511, Ames, IA 50010
Phone #515-239-5105

RESOLUTION #15-33

WHEREAS, the City of Ames, Iowa (the "City") has begun the process of establishing the Iowa State University Research Park Urban Renewal Area, pursuant to Chapter 403 of the Code of Iowa; and

WHEREAS, a portion of the property which is proposed to be included in the Iowa State University Research Park Urban Renewal Area is located outside the city limits and is legally described on Exhibit A hereto, (the "Property"); and

WHEREAS, in accordance with paragraph 4 of Section 403.17 of the Code of Iowa, a city may exercise urban renewal powers with respect to property which is located outside but within two miles of the boundary of a city only if the city obtains the consent of the county within which such property is located; and

WHEREAS, the City Council of the City has requested that the Board of Supervisors of Story County adopt a resolution giving its consent that the City may exercise urban renewal powers with respect to the Property;

NOW, THEREFORE, it is hereby resolved by the Board of Supervisors of Story County, Iowa, as follows:

Section 1. The Board of Supervisors of Story County hereby gives its consent that the City of Ames may exercise urban renewal powers pursuant to Chapter 403 of the Code of Iowa with respect to the Property.


Section 2. This Resolution shall be deemed to meet the statutory requirements of paragraph 4 of Section 403.17 of the Code of Iowa and shall be effective immediately following its approval and execution.

Passed and approved this 28th day of October, 2014.



Chairperson, Board of Supervisors
Paul Toot

Attest:



County Auditor Lucy Martin

EXHIBIT A

Legal Description

The East 33 feet of the Northeast Quarter (NE $\frac{1}{4}$) of Section 21, Township 83 North, Range 24 West of the 5th PM, Story County, Iowa, being the west half of the right-of-way of S 530th Avenue and lying within unincorporated Story County; and

The East 33 feet of Parcel "C" of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 16, Township 83 North, Range 24 West of the 5th PM, as described in a Plat of Survey recorded in the office of the Story County Recorder on October 12, 1998 on Slide 4 page 1 of the Recorder's Plat Cabinet as Instrument Number 98-14136, being the west half of the right-of-way of S 530th Avenue and lying within unincorporated Story County; and

The East 33 feet of that part of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 16, Township 83 North, Range 24 West of the 5th PM, bounded as follows: On the Northeast by the East line of said Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 16; On the Northwest by a line parallel with and distant 50 feet Northwesterly, measured at right angles, from the center line of the main track (now removed) of the Des Moines and Minnesota Railroad Company (now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across said Section 16; On the Southwest by the South line of said Southeast $\frac{1}{4}$ of Section 16; And on the Southeast by said above described original main track center line, as described in a Deed recorded in the office of the Story County Recorder on February 8, 1991 as Instrument Number 05678, being the west half of the right-of-way of S 530th Avenue and lying within unincorporated Story County; and

ORDINANCE NO. _____

An Ordinance Providing for the Division of Taxes Levied on Certain Taxable Property and Establishing the 2014 Tax Increment District in the Iowa State University Research Park Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

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

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on certain taxable property in the Iowa State University Research Park Urban Renewal Area, each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by the City of Ames to finance projects in such urban renewal area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

“City” shall mean the City of Ames, Iowa.

“County” shall mean Story County, Iowa.

“Urban Renewal Area” shall mean the Iowa State University Research Park Urban Renewal Area, such Area having been identified in the Urban Renewal Plan approved by the City Council of the City by resolution adopted on November 10, 2014.

“2014 Tax Increment District” shall mean certain taxable property located within the Urban Renewal Area described as follows:

ISU RESEARCH PARK URBAN RENEWAL AREA
2014 TIF LEGAL DESCRIPTION

Part of the Southwest Quarter of Section 15, and part of the North Half of Section 22, all in Township 83 North, Range 24 West of the 5th P.M., Story County, Iowa, all together being described as follows: Beginning at the Northwest Corner of said Section 22; thence N00°04'27"E, 149.78 feet along the West line of said Section 15; thence S88°36'58"E, 713.46 feet; thence N03°04'35"E, 414.92 feet; thence S87°45'55"E, 585.84 feet; thence S00°11'18"W, 49.93 feet; thence S89°14'47"E, 296.62 feet; thence N56°46'25"E, 622.15 feet; thence N89°52'19"E, 512.38 feet to the East line of the Southwest Quarter of said Section 15; thence S00°10'26"W, 669.05 feet along said line; thence N89°49'34"W, 37.81 feet; thence N84°05'51"W, 276.32 feet; thence S68°34'11"W, 656.51 feet; thence S51°07'52"W, 509.09 feet; thence S33°40'40"W, 379.47 feet; thence S39°49'19"E, 815.40 feet to the beginning of a curve; thence southwesterly, westerly and northwesterly, 522.64 feet along said curve having a radius of 387.50 feet, concave to the north, a central angle of 77°16'42" and being subtended by a chord which bears S83°12'51"W, 483.92 feet; thence N58°08'48"W tangent to said

curve, 178.94 feet; thence S31°51'12"W, 75.00 feet; thence S58°08'48"E, 178.94 feet to the beginning of a curve tangent to said line; thence southeasterly and easterly, 241.14 feet along said curve having a radius of 462.50 feet, concave to the north, a central angle of 29°52'22" and being subtended by a chord which bears S73°04'59"W, 238.42 feet; thence S66°30'18"W, 349.16 feet; thence S89°27'41"W, 1016.22 feet to the West line of said Section 22; thence N00°24'00"W, 349.46 feet to the Southwest Corner of the Northwest Quarter of the Northwest Quarter of said Section 22; thence N00°23'42"W, 1319.25 feet to the point of beginning, containing 80.25 acres, and

ISU Research Park, 3rd Addition, Lots 4, 5, 6, 7, 8, and 9, all within Ames, Story County, Iowa.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the 2014 Tax Increment District. After the effective date of this ordinance, the taxes levied on the taxable property in the 2014 Tax Increment District each year by and for the benefit of the State of Iowa, the City, the County and any school district or other taxing district in which the 2014 Tax Increment District is located, shall be divided as follows:

(a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the 2014 Tax Increment District, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the 2014 Tax Increment District on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the City to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the City to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, to the extent authorized in Section 403.19 (2) of the Code of Iowa, taxes for the instructional support program levy of a school district, to the extent authorized in Section 403.19(2) of the Code of Iowa, and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the

2014 Tax Increment District exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the 2014 Tax Increment District shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the 2014 Tax Increment District shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the City for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the City to finance or refinance in whole or in part projects in the Urban Renewal Area.

(d) as used in this section, the word "taxes" includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication, as provided by law.

Passed and approved by the Council of the City of Ames, Iowa, on November 10, 2014.

Mayor

Attest:

City Clerk

COUNCIL ACTION FORM

SUBJECT: 2014/15 ARTERIAL STREET PAVEMENT IMPROVEMENTS
(LINCOLN WAY – SQUAW CREEK BRIDGE TO OAK AVENUE)

BACKGROUND:

This annual program is for reconstruction or rehabilitation of arterial streets to restore structural integrity, serviceability, and rideability. Locations are chosen in accordance with the most current street condition inventory.

The 2014/15 project location is Lincoln Way from the Squaw Creek Bridge to S. Oak Avenue. The work involves a mill and overlay of the existing pavement, full depth pavement repairs, curb and gutter spot repairs, reconstruction of pedestrian curb ramps, storm and sanitary sewer pipe spot repairs, removal and replacement of storm sewer intakes, removal and replacement of sanitary sewer manholes, and updating the Lincoln Way/Hazel Avenue traffic signal to radar vehicle detection. Also as part of this project, the Electric Department will be improving/replacing existing street light poles along this section of Lincoln Way.

On November 5, 2014, bids on this project were received as follows:

Engineer's Estimate	\$585,800
Manatt's, Inc.	\$659,854.40

Engineering and construction administration are estimated at \$98,978, bringing total **estimated project costs to \$758,832.40**. This program is shown in the 2014/15 Capital Improvements Plan (CIP) with funding in the amount of \$700,000 from General Obligation Bonds and \$50,000 from the Electric Utility Fund. Additional funding is available in the amount of \$30,000 from the 2014/15 Storm Sewer Improvement Program and \$30,000 from the 2014/15 Sidewalk Safety Program, bringing total **available funding to \$810,000**.

ALTERNATIVES:

- 1a. Accept the report of bids for the 2014/15 Arterial Street Pavement Improvements (Lincoln Way – Squaw Creek Bridge to Oak Avenue).
- b. Approve the final plans and specifications for the 2014/15 Arterial Street Pavement Improvements (Lincoln Way – Squaw Creek Bridge to Oak Avenue).
- c. Award the 2014/15 Arterial Street Pavement Improvements (Lincoln Way – Squaw Creek Bridge to Oak Avenue) to Manatt's, Inc. of Ames, Iowa, in the amount of \$659,854.40.

2. Do not proceed with the project at this time.

MANAGER'S RECOMMENDED ACTION:

By approving this project now, it will be possible to restore the structural integrity of the designated streets with construction to be completed during Iowa State University's 2015 summer session.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the report of bids, approving the final plans and specifications, and awarding the 2014/15 Arterial Street Pavement Improvements (Lincoln Way – Squaw Creek Bridge to Oak Avenue) to Manatt's, Inc. of Ames, Iowa, in the amount of \$659,854.40.

COUNCIL ACTION FORM

SUBJECT: 2013/14 CYRIDE ROUTE PAVEMENT IMPROVEMENTS PROGRAM #2
(GARDEN ROAD, GARNET DRIVE, VIOLA MAE AVENUE)

BACKGROUND:

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

The 2013/14 locations included for this project are Garden Road (South Duff Avenue to end of road), Garnet Drive (Garden Road to Jewel Drive) and Viola Mae Avenue (Garden Road to Ken Maril Road). This work (Program #2) involves a mill and overlay of the existing pavement and improvements to pedestrian curb ramps. The first project under this program (Program #1) included improvements to Jewel Drive, Emerald Drive, Ken Maril Road, and Duluth Street. That project, which is substantially completed, is estimated to have final costs in the amount of \$812,000.

On November 5, 2014, bids on this project were received as follows:

Engineer's Estimate	\$964,900
Manatt's, Inc.	\$899,833.27

Engineering and administrative costs are estimated to be \$144,800, bringing **total estimated project costs to \$1,044,633.27**. This program is financed in the amount of \$2,000,000 from General Obligation Bonds (G.O. Bonds). With the expenses of \$812,000 from Program #1, **\$1,188,000 is available to fund Program #2** (this project).

ALTERNATIVES:

- 1a. Accept the report of bids for the 2013/14 CyRide Route Pavement Improvements #2 (Garden Road, Garnet Drive & Viola Mae Avenue).
 - b. Approve the final plans and specifications for this project.
 - c. Award the 2013/14 CyRide Route Pavement Improvements #2 (Garden Road, Garnet Drive & Viola Mae Avenue) to Manatt's, Inc. of Ames, Iowa, in the amount of \$899,833.27.
2. Do not proceed with the project at this time.

MANAGER'S RECOMMENDED ACTION:

These streets, which are primarily on a CyRide route, suffer from significant deterioration. By approving this project, the structural integrity of the designated streets will be restored during the 2015 construction season.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the report of bids, approving the final plans and specifications, and awarding the 2013/14 CyRide Route Pavement Improvements #2 (Garden Road, Garnet Drive & Viola Mae Avenue) to Manatt's, Inc. of Ames, Iowa, in the amount of \$899,833.27.

COUNCIL ACTION FORM

SUBJECT: MAIN STREET CULTURAL DISTRICT REQUESTS FOR SNOW MAGIC

BACKGROUND:

Main Street Cultural District (MSCD) plans to host its Snow Magic Celebration in the downtown from November 14 through January 3. The event will kick off on November 14 with the tree lighting ceremony, open houses, and horse and carriage rides. To facilitate this event, MSCD has made the following requests:

- Use of electricity for holiday lighting along Main Street and waiver of electricity costs for the season (approximately \$50 loss to the Electric Fund)
- Use of Tom Evans Plaza from 4:00 p.m. to 7:00 p.m. on November 14th for the tree lighting ceremony
- Closure of four parking spaces on Main Street and one parking space on Douglas Avenue from 4:00 p.m. to 7:00 p.m. on November 14th to facilitate the pick up and drop off of passengers on free horse drawn carriage rides through the downtown (\$2 loss to the Parking Fund)
- A blanket Temporary Obstruction Permit for the Central Business District from November 14th to January 3rd to allow stores to display merchandise and open house signage
- A blanket Vending Permit for the entire Central Business District for November 14, November 29, December 6, and December 13 to allow businesses to sell wares on the sidewalk, and waiver of the Vending Permit fee (\$50 loss to City Clerk's Office).

In addition to these requests, MSCD has requested a Temporary Obstruction Permit to place a 4-foot by 6-foot sign on City property (Power Plant) east of the intersection of Main Street and Duff Avenue to advertise shopping downtown this holiday season. (See Attachment) This request has not been made in previous years for the Snow Magic event. City Code allows for temporary signs of this size to be placed up to 90 days in one location.

The City Council should note that signs placed on City property typically advertise an event that has a specific date and time. The City cannot regulate the content of a particular sign placed on City property. It can, however, limit the use of signs on City property to only those that advertise a specific event. **If the City Council approves the use of City property for a sign generally encouraging "shopping downtown", the City would be obligated to approve requests in the future from any business or organization that wishes to use City property to advertise shopping at its stores.**

MSCD has also requested suspension of parking regulations and enforcement to allow free parking in the entire Central Business District on all Saturdays from November 15th through January 3rd (597 metered spaces for nine hours on eight Saturdays at \$0.20/hour yields a maximum loss of \$8,600 from the Parking Fund). Similar requests have been made in prior years, but for fewer days of free parking.

This is a larger parking fee waiver than in past years. If the City Council is uncomfortable waiving this amount of parking revenue, MSCD has indicated that waiving parking on the four Saturdays with events (November 29, December 6, 13, and 20) would be appreciated (approximately \$4,300 loss to the Parking Fund).

The City Council should note that the Parking Fund is currently breaking even. Although this and other parking meter fee waivers in the course of a year total only 2-3% of the current fund balance, the fund balance is anticipated to continue to decline over time. **If the City Council plans to make substantial waivers of parking meter fees in the future, staff recommends that parking meter rates be evaluated to ensure the fund maintains a healthy balance.**

ALTERNATIVES:

1. Approve the MSCD requests for a blanket Temporary Obstruction Permit in the Central Business District from November 14 to January 3; a blanket Vending Permit and waiver of fee for the Central Business District for November 14, November 29, December 6, and December 13; a waiver of fees for the use of electricity for holiday activities/lighting from November 14 through January 3; the closure of five parking spaces and waiver of fees on November 14 from 4:00 to 7:00 p.m. for horse-drawn carriage rides; suspension of parking regulations, enforcement, and waiver of fees **to allow free parking in the Central Business District on four Saturdays** (November 29, December 6, December 13, and December 20), and **do not approve a Temporary Obstruction Permit to place a sign on City property.**
2. Approve the requests recommended in Alternative No. 1, and also approve one or both of these other two MSCD requests:
 - a. Suspend parking regulations and enforcement, and waive fees **to allow free parking in the Central Business District every Saturday from November 15 through January 3**
 - b. Approve a **Temporary Obstruction Permit to place a sign on City property**
3. Deny the MSCD Snow Magic requests.

MANAGER'S RECOMMENDED ACTION:

Snow Magic provides an opportunity to draw residents and visitors to the downtown and supports local businesses during the holiday shopping season. However, the waiver of parking fees in the Central Business District for a full eight days will have a significant consequence on the City's Parking Fund. That fund covers the expenses of maintaining City parking areas and of enforcing parking regulations to ensure turnover in the area.

Additionally, the placing of an advertising sign on City property that generally encourages shopping downtown opens the possibility of the City being required to allow similar advertising signs on City property downtown or elsewhere in the future.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the requests the requests as stated by the applicant, but limiting free parking in the entire Central Business District to four Saturdays during the holiday season, and denying the request for a Temporary Obstruction Permit for a sign on City property.



November 4, 2014

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

Dear Honorable Mayor Campbell and City Council Representatives,

On behalf of the Main Street Cultural District Board of Directors and its members, I'd like to request your support of our annual Snow Magic Celebration. Our goal is to create a magical shopping experience this holiday season and encourage visitors and citizens alike to shop in downtown Ames. To support this goal, the MSCD would like to host a number of activities:

- November 14, 4-7pm – Kickoff, tree lighting, open houses and free horse and carriage rides
- November 29 – Small Business Saturday open houses and Santa Sighting
- November 29-December 13 – Snowflake Scavenger Hunt in multiple businesses
- December 6 – Legend of Snow Magic open houses and Santa Sighting
- December 13 – Caroling Day open houses and Santa Sighting

At this time, MSCD requests the Council consider the following specific requests:

1. Use of Tom Evans Plaza on November 14 from 4-7pm for the Snow Magic tree lighting ceremony. MSCD also requests the use of electricity in and near Tom Evans Plaza and further requests the waiver of electricity costs for power to light holiday decorations during the duration of the holiday season.
2. Permission to place a temporary 4 foot by 6 foot sign at the intersection of Main Street and Duff, by the lighted tree, for the duration of Snow Magic.
3. Use of and waiver of fees for four parking spaces on the south side of Main Street just west of Burnett Avenue and the use of one parking space on the west side of Douglas Avenue between Main and 5th as pickup and drop off locations for the free horse and carriage rides. MSCD requests the spaces for Friday, November 14 from 4-7pm.
4. Suspension of parking regulations, enforcement, and a waiver of fees for the Central Business District (CBD) for Saturdays from November 15-January 3. Convenient and free parking will be a great benefit for our customers and remove a perceived barrier to visiting downtown.
5. A Temporary Obstruction Permit for the entire CBD November 14-January 3 to allow stores to display merchandise and open house signage. At least four feet of open sidewalk space will be available at every location to keep sidewalks open to pedestrian traffic.
6. A Blanket Vending Permit for the entire CBD for November 14, November 29, December 6 and December 13 for businesses to sell on the sidewalk if they so choose. MSCD further requests the permit fee be waived as the businesses selling products will be members of the MSCD. We intend for regular street vendors who have permits through the City to continue their operations as usual in the CBD during this time.

Thank you for your consideration of these requests and we sincerely appreciate your continued support of the Main Street Cultural District. We look forward to seeing you throughout the holiday season for Snow Magic in downtown Ames!

Sincerely,

Andrea Hammes Dodge, Board Member
Main Street Cultural District

P.S. Visit www.amesdowntown.org for more Snow Magic highlights!



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DOWNTOWN
this holiday season

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Main Street
CULTURAL DISTRICT
Ames, Iowa

Staff Report

FUNDING PROCESS FOR MAIN STREET CULTURAL DISTRICT

November 10, 2014

BACKGROUND:

The City Council received a letter from the Main Street Cultural District (MSCD) dated October 17, 2014, requesting that MSCD no longer be required to annually submit a grant application to receive funding. The letter further requested that MSCD receive \$49,000 in City funds for FY 2015-16.

In 2011 the City Council established an application process for outside funding requests during the 2012-13 fiscal year and beyond. The Council now uses this application process to fund activities hosted by MSCD, Campustown Action Association, Ames International Partner Cities Association, Hunziker Youth Sports Complex, Ames Historical Society, and several other organizations. The information from the applications is used to generate scopes of services for contracts with each of the organizations, which are then brought to the City Council at one time for approval.

During the creation of the grant process in 2011, the City Council exempted the Ames Economic Development Commission and the ISU Sustainability Coordinator from the grant application process. **The justification to exempt these organizations was that they both were acting in an official capacity on behalf of the City government.** It is important to note, however, that contracts are still required between the City and these exempted organizations. The form of contract for both processes is largely identical. However, the scope of services for an exempted organization contract is determined through City Council discussion rather than being developed from an application.

The City, MSCD, and Main Street Iowa (MSI) have a three-party agreement outlining the requirements of the MSI program, which is renewed every two years. This agreement requires passage of a resolution of support by the City Council in order for MSCD to remain in compliance with the program. The City Council must also stipulate the sources of funding for MSCD.

MSI staff has indicated to City staff that requiring a grant application for funding a Main Street organization is unusual. No other MSI community uses a grant application process. However, it is typical to have some sort of agreement outlining the scope of services the Main Street organization plans to pursue. **MSI staff was specifically asked by City staff whether “there is a risk to certification, funding, resources, or something else if the City continues to require this application process.”** The response from MSI staff indicated that “it is only a risk if the ‘grant’ is not funded.”

OPTIONS:

1. The City Council can decide to require the Main Street Cultural District to participate in the existing grant process and, therefore, to submit an application through the Ames Fall Grant Program in order to receive funding for FY 2015-16.

Under this option, the funding request and proposed services will be reviewed and a recommendation made to the City Council for a funding amount during budget approval in February. A contract will be prepared using information obtained from the application and approved by both parties.

2. The City Council can exempt the Main Street Cultural District from the Ames Fall Grant Program process.

Like other exempt organizations, MSCD, will be expected to submit a proposed scope of services along with its funding request, which staff will review and incorporate into a contract for the City Council to consider.

If it is the intent of the City Council to continue requiring other organizations to utilize the grant application process, it would be advisable for the City Council to identify what is the basis for exempting MSCD, and not the other organizations.

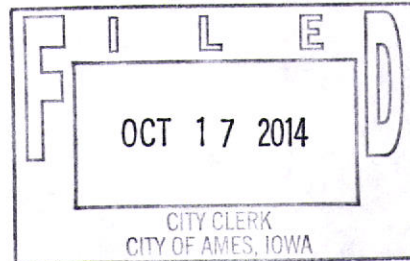
3. STAFF COMMENTS:

MSCD has made a request regarding both the process and the funding level for FY 2015/16. The immediate issue before the City Council is to determine which process that MSCD should follow to request City funding. The determination of the funding request of \$49,000 should be made during the Council's final budget deliberations in February.

PKts. 10-17-14



10/17/14



Dear Mayor and City Council,

I am submitting a letter to you requesting a change in procedure for the Main Street Cultural District funding process. In the past years, the MSCD has been required to apply for a grant from the city for support funding followed by a contract. It has been recommended to us by the certification staff of the MSI (Main Street Iowa) in August to request a change in this process. Specifically, they suggested removing the need for a grant application. In order to belong to MSI, it is a requirement for the City of Ames to be an active and viable source of revenue for the membership of the MSCD in MSI. It is the MSCD's hope that you will find this a reasonable request making the process more efficient and less cumbersome for both parties involved.

I have enclosed a list that outlines our goals, services and activities along with preliminary 2015 budget numbers. The MSCD promotes a healthy prosperous downtown, which results in real and tangible benefits to the community residents, service providers, financial institutions, retail businesses throughout the community and the city government.

We would like to request from the city their support in the amount of \$49,000.00 for 2015-2016. The basis for this substantial increase is due to the very large event expenses we are incurring to present Oktoberfest, Firefly Country Night and Foodies and Brew. All events have been very successful and we would like to continue bringing these types of events to Main Street. These events have been widely appreciated, successful and brings to downtown community members and people from surrounding areas. Our event expenses in 2014 for those three events alone came in around \$85,000.00. Oktoberfest was a two day event. It will go back to a one day event in 2015 and budget estimates at this point in time will be approximately \$55,000.00 for the three events. Our **total** 2015 event expense budget, which includes the downtown beautification expenses, will be right around \$70,000.00. The estimated total expense budget for both event *and* administration for 2015 is \$129,600.00. It is a *huge* undertaking for our small organization to meet sponsorship goals each year.

The MSCD has taken on these high risk and expensive events for many reasons. Two very important ones are listed below.

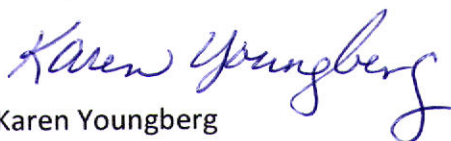
1. It is important to have events such as these if we want to provide entertainment "at home" instead of our community (and the surrounding areas) always looking to Des Moines for quality entertainment. A good thing to have for young professionals coming into the area.
2. It is a long range goal of the MSCD to have events which create enough profit to allow us to come to the city with contributing funds in order to partner for continued improvements and beautification. Examples: Downtown public restrooms, east end of Main Street beautification, better way-finding signage to Main Street, etc.

I would also like to take a moment to review with the City of Ames the amount of Challenge Grant money two downtown businesses have been awarded recently from IEDA. Caleb Mathews was awarded \$100,000 in 2012 for the remodeling/renovations of 232 Main Street and Haila has just been awarded Challenge Grant money in the amount of \$75,000.00 for their remodeling/renovation of 413 Kellogg. Our membership with MSI has been proven to be of great benefit and value for our downtown district. Only Main Street Iowa members are eligible for this grant. MSI suggestions and recommendations help us to be a more organized and effective MSCD. We are required every year to meet MSI certification.

As always, the MSCD is very thankful for its relationship and support with the city. We have grown and spruced up quite a bit since 2004 when the city first began its support. The façade program is another huge factor in downtown looking better over the past couple of years.

Ames is a shining star as a Main Street Iowa Community. Thank you for considering our request and your continued support of the Main Street Cultural District. I am available at your request for further questions or discussion.

Sincerely,



Karen Youngberg

Treasurer MSCD

MAIN STREET CULTURAL DISTRICT SERVICES AND ACTIVITIES

July 2015- June 2016

Mission: To advance and promote downtown Ames as the destination district in the heart of our community.

Goals:

- Showcase the vitality of arts and cultural venues, unique businesses and the heritage of downtown Ames, which adds to the quality of life for residents and visitors.
- Organize event and retail promotions that increase customer patronage of the district.
- Enhance partnerships amount the public and private sectors in retail, culture service and hospitality
- Maintain an environment with green spaces, public art, well-designed window displays and convenient access for visitors.
- Promote historic preservation of buildings and infrastructure through second use projects, upper story renovation, façade improvement, residential development and new construction.
- Retain current and recruit new businesses to create a healthy balance and variety of retail, professional and service entities

City supported services and activities to support these goals:

- Plan, organize, promote and carry out Art Walk, Music Walk and Snow Magic
- Partner with community organization, City of Ames or other entity to organize 4th of July parade
- Plan, organize, promote and carry out Firefly County Night concert, Foodies and Brew concert and festival, and Oktoberfest concert and festival
- Assist the City of Ames to invite applications for Façade Improvement Program and in ranking applications as needed.
- Assist property and businesses owners in obtaining information and support for property improvements
- Maintain website and Facebook to provide information on business types and locations, cultural venues, community events, volunteer opportunities, etc.
- Maintain current investors and solicit new investors, including partnerships with event sponsors.
- Encourage and support property and business owners to obtain historical information, expertise and financial incentives to take historic preservation approach on building improvements.
- Assist City of Ames in obtaining input on City initiatives, programs and policies that affect the Main Street Cultural District
- Serve as the point of contact for requests for maintenance in the right of way within the Main Street Cultural District.
- Lead beautification efforts within the District, including flower plantings within rights of way and decorative lights on buildings.

- Activities to retain current to recruit new businesses and tenants
- Organize, promote and carry out periodic meetings of business owners in the District
- Maintain artist paintings on benches
- Inform Main Street businesses of IEDC Challenge Grant and assist with application process

MSCD PRELIMINARY 2015 BUDGET

Revenue Sources

Dues \$31,000

City of Ames \$49,000

Sponsorships \$49,600

\$129,600

Event Expense and Beautification \$72,000

(Includes Octoberfest, Foodies and Brew, Firefly Country Concert @ \$55,000)

(Annual Meeting, Art Walk, Music Walk, Snow Magic, Spring Swing, 4th of July Parade @ \$11,750)

(Beautification @ \$5,250)

Administrative Expenses \$55,300

Misc. Expense \$ 2,300

(Dollar Days for January and July, Membership expense, Marketing expense, Business Development)

\$129,600

Staff Report

ECONOMIC DEVELOPMENT POLICY

November 10, 2014

BACKGROUND

One of the City Council's goals is to promote economic development in our community. An objective for this goal is to review and update the City's existing Economic Development Policy. The initial task for the staff under this objective is to provide the City Council with a report outlining the current policy as well as the various incentive programs that are being offered to promote economic development. This report is intended to satisfy this assignment.

Back in 1988, the City Council reviewed a suggested Economic Development Plan with staff in a workshop setting. Input received at this meeting formed the basis of the plan that is summarized below. Since that time, the general philosophies discussed at that workshop have generally guided the City staff's recommendations regarding incentives. While the original plan focused on job creation and tax revenue increases, over the years the goal of economic development has been expanded to include a revitalization component.

THE GOAL FOR ECONOMIC DEVELOPMENT

The City of Ames' ultimate goal for economic development is to generate a steady, moderate rate of growth that is manageable and that assures a continued high quality of life for our citizens.

OBJECTIVES RELATED TO THE GOAL OF ECONOMIC DEVELOPMENT

- Increase the number of new jobs in the City
 - From untapped local labor pool
 - From outside of the local labor pool
- Increase the tax base of the City by:
 - Increasing the property tax base
 - Increasing the sales tax base
- Expand existing businesses and industries in the City

- Assign local resources to accomplish economic development in market sectors that have been identified as having the greatest potential
- Focus on economic development efforts that maintain and improve the existing quality of living in Ames
- Concentrate economic development efforts that make an orderly and efficient use of existing land, resources, and infrastructure

GUIDING PRINCIPLES FOR CITY INCENTIVES

Staff recommendations for the use of incentives are based on the following principles:

- City incentives will be used to fill gaps in funding package needed by the developer.
- City incentives will be the last dollars into the funding package to assure City funds have leveraged other funding sources.

(Many times City incentives are required as a local match to state economic development incentive programs.)

- City incentives will be used if the proposed project scores well on the evaluation matrix.

(Historically this means at least 30 points for the Community Investment Fund and at least 20 points for the Revolving Loan Fund)

- City incentives will not be used to fund specific retail uses for economic development purposes.

FUNDING EVALUATION MATRIX

The City staff has attempted to develop an objective means to evaluate requests for the use of City funds for an economic development projects. Towards this end, two funding criteria matrixes are utilized in this analysis - the **General Industrial/Manufacturing Matrix** (Attachment I) and the **High Tech Matrix** (Attachment II). You will note the rating criteria match the goals supported by the City Council for economic development.

TYPES OF INCENTIVES THAT HAVE BEEN OFFERED TO CREATE JOBS AND EXPAND PROPERTY TAX BASE

- **Federal**
 - *CDBG Public Facilities Set Aside Funds (PFS)*
 - *Community Development Block Grant Funds (CDBG)*
 - *Industrial Revenue Bonds (taxable or tax exempt financing)*
- **State**
 - *Community Economic Betterment Account Funds (CEBA)*
 - *Economic Development Set Aside Funds (EDSA)*
 - *Revitalize Iowa's Sound Economy Funds (RISE)*
 - *Job Training Partnership Act (JTPA)*
 - *Value-Added Agriculture Products & Process Financial Assistance Program*
 - *New Jobs and Income Program*
 - *High Quality Jobs Program*
 - *Various other state direct assistance and tax credit programs*
- **Private**
 - *Ames Seed Capital Funds*
 - *Private Utility Funds*
- **City of Ames**
 - *Industrial Property Tax Exemption*

The Ames City Council has approved an ordinance for a partial exemption from property tax of the actual value added to real estate by the new construction of industrial real estate, research facilities, warehouses, owner-operated cattle facilities, and distribution centers. The amount of actual value added that is eligible to be exempt from taxation is as follows:

Year 1 - 75%
Year 2 - 60%
Year 3 - 45%
Year 4 - 30%
Year 5 - 15%

Applications are filed with the Ames City Assessor and must be submitted by February 1 after the year of construction. Companies may file for prior approval. It is the City Assessor who ultimately determines whether a property qualifies for this incentive. The City Council can not pick and choose which project will receive this incentive. Once the ordinance has been passed by the Council, this incentive is available to any property throughout the City that qualifies.

- *Community Investment Fund*

The City of Ames and the Ames Economic Development Commission can provide up to \$50,000 in financial assistance to provide a local match for State financial assistance programs and to fill financing gaps in economic development projects. The assistance is typically in the form of a no-interest or low interest loan, but it can take the form of a forgivable loan for projects with high paying jobs and significant capital investment.

- *Revolving Loan Fund*

The City of Ames Revolving Loan Fund was developed to provide for a local match for various state financial assistance programs. The purpose of the loan is to assist businesses in relocating or expanding in Ames. The program was designed for gap financing with city loan representing no more than 15% of total financing. The emphasis is on the projects that expand the tax base and create quality jobs. Loans are typically made for five years at 1/2 of prime. The maximum amount of any one loan is \$50,000. Generally, award amounts are between \$1,000-\$2,000 per job created. Applications can be made at any time. Loan applications are reviewed by a Revolving Loan Fund Committee and are subject to Ames City Council approval.

- *Special Assessment*

Rather than requiring the developer to pay for the construction of required infrastructure up front, the City pays for this obligation and collects payments from the developer over a ten year period.

- *Utility Funds*

The City opts to pay for off-site infrastructure improvements that would normally be the responsibility of the developer.

- *Tax Increment Financing*

The City uses the incremental taxes received on an economic development project that would have been paid by the developer to the City, County, and School District to:

- 1) contribute/rebate to the economic development project and thereby reduce the financial obligation of the developer for the project.

For example, for many years the City hoped to stimulate the redevelopment of the Campustown business district. Because of multiple ownership of properties in the district as well as the higher cost of redeveloping this area, relatively little renovation was occurring. The first major property owner to approach the City was Kingland Systems who hoped to redevelop the majority of the block east of Welch Avenue. In an effort to jump start redevelopment in this important area, the City Council approved a Tax Increment Financing rebate incentive for up to 10 years.

- 2) reallocate the tax payments received from the developer to pay for construction of certain infrastructure needed as a result of the economic development project.

For example, in order to facilitate an increase in high paying jobs and property tax revenues, the City provided funds to construct needed infrastructure in the Community Development Park and ISU Research Park.

OTHER CITY INCENTIVES TO PROMOTE REVITALIZATION

The City has utilized the following incentives to promote revitalization of a specific area.

- *Urban Revitalization - Tax Abatement Program*

For an area designated an “Urban Revitalization Area,” improvements made to properties that improve the assessed value of the property by 5% or more may qualify for Urban Revitalization Tax Abatement. The application process for this program is administered by the Department of Planning and Housing. The application must be received and construction begun prior to February 1 of the assessment year for which the exemption is first claimed, but not later than the year in which all improvements included in the project are first assessed. Applications are approved by the City Council at the first meeting in February. If approved, the City Assessor evaluates the application before and after the improvement for the effect on property value. Applicants choose one of three potential abatement schedules in which the amount of the partial exemption is equal to a percent of the Actual Value-added by the improvements, determined as:

	3-year schedule	5-year schedule	10-year schedule
Year 1	100%	100%	80%
Year 2	100%	80%	70%
Year 3	100%	60%	60%
Year 4		40%	50%
Year 5		20%	40%
Year 6			40%
Year 7			30%
Year 8			30%
Year 9			20%
Year 10			20%

Examples where the urban revitalization tax abatement incentive program has been utilized includes: Commercial-HOC (Attachment III), Campustown (Attachment IV), Downtown (Attachment V), University Impacted-West (Attachment VI), 9th Street/Roosevelt School Property (Attachment VII), S.E. 16th Street (Attachment VIII), East University Impact/Sheldon Avenue (Attachment IX), and South Lincoln (Attachment X).

- *Façade Program*

The program improves buildings in Downtown Ames with a unified design consistent with its authentic, historical character that enhances its visual appeal, makes a more memorable impression, increases visits and promotes tourism. The City of Ames encourages such façade improvements with matching grants of up to \$15,000 that follow the Downtown Design Guidelines.

Larger projects that include façade improvements consistent with the design guidelines are also eligible for one of the three Urban Revitalization Property Tax Abatement options listed above on any increase in property value greater than 5%.

In accordance with the City Council goals, the staff is developing a façade program for the Campustown business district to be introduced in FY 2014/15.

GENERAL INDUSTRIAL/MANUFACTURING REVOLVING LOAN FUND CRITERIA MATRIX

Company Name _____

STEP 1: Financing from sources other than the City of Ames. Pass/Fail.

Financing by Applicant 75% or more = Pass

Financing by Applicant Under 75% = Fail

If Fail, STOP, no financing allowed. If Pass, go on to the rest of the criteria.

STEP 2: Determine Point Total

Tax Base Expansion - 15 Point Maximum

Move into vacant building

Only one of the following (New Buildings/Additions):

\$500,000 - \$1,000,000

\$1,000,001 - \$2,000,000

\$2,000,001 - \$3,000,000

\$3,000,001 - \$4,000,000

\$4,000,001 - \$5,000,000

\$5,000,001 - \$6,000,000

\$6,000,001 - \$7,000,000

\$7,000,001 - \$8,000,000

\$8,000,001 - \$9,000,000

\$9,000,001 - \$10,000,000

\$10,000,001 - \$11,000,000

\$11,000,001 - \$12,000,000

\$12,000,001 - \$13,000,000

\$13,000,001 - \$14,000,000

\$14,000,001 and over

Points Available	Points Awarded	
5 Points		
1 Point		
2 Points		
3 Points		
4 Points		
5 Points		
6 Points		
7 Points		
8 Points		
9 Points		
10 Points		
11 Points		
12 Points		
13 Points		
14 Points		
15 Points		
Section Total		0

Infrastructure - 10 Point Maximum

Infill area - no additional mains

Water capacity - large impact - 5% or greater of current capacity (est. 250,000 gallons per day)

Sewer capacity - large impact - 5% or greater of current capacity (est. 250,000 gallons per day)

Additional mains needed

Points Available	Points Awarded	
10 Points		
(5) Points		
(5) Points		
(5) Points		
Section Total		0

**Employment - Jobs to be created at or above
130% of the Story County Average (CEBA):**

(For calendar year 20XX)

Number of Jobs	Divided By 10	Points Awarded
	÷ 10	0

Quality of Jobs - 10 Point Maximum

Only one of the following:

- 100% of jobs at or above 100% of the Story County Average (CEBA) ()
- 90% of jobs at or above 100% of the Story County Average (CEBA) ()
- 80% of jobs at or above 100% of the Story County Average (CEBA) ()
- 70% of jobs at or above 100% of the Story County Average (CEBA) ()
- 60% of jobs at or above 100% of the Story County Average (CEBA) ()
- 50% of jobs at or above 100% of the Story County Average (CEBA) ()
- 40% of jobs at or above 100% of the Story County Average (CEBA) ()
- 30% of jobs at or above 100% of the Story County Average (CEBA) ()
- 20% of jobs at or above 100% of the Story County Average (CEBA) ()
- 10% of jobs at or above 100% of the Story County Average (CEBA) ()

Points Available	Points Awarded	
10 Points		
9 Points		
8 Points		
7 Points		
6 Points		
5 Points		
4 Points		
3 Points		
2 Points		
1 Point		
Section Total		0

Total Points Awarded 0

20 points can be considered for Revolving Loan Fund.

30 points or above can be considered for best terms:

NJIP - could be offered

CIF - may be eligible and may offer better terms

HIGH TECH REVOLVING LOAN FUND CRITERIA MATRIX

Bio-Tech, Software Development, Life Sciences, & Advance Technology

Company Name _____

STEP 1: Financing from sources other than the City of Ames. Pass/Fail.

Financing by Applicant 75% or more = Pass

Financing by Applicant Under 75% = Fail

If Fail, STOP, no financing allowed. If Pass, go on to the rest of the criteria.

STEP 2: Determine Point Total

Tax Base Expansion - 10 Point Maximum

Move into vacant building/leasable space
Build own building

Points Available		Points Awarded
5 Points		
10 Points		
Section Total		0

Management Team Experience

Does management team have experience in this market for at least 3 years? If yes, award points.
If no, 0 points.

Points Available		Points Awarded
5 Points		
Section Total		0

Growth Stage of Company

Concept
Research & Development
Product Produced
Multiple Sales Occurred

Points Available		Points Awarded
0 Points		
5 Points		
10 Points		
15 Points		
Section Total		0

Quality of Jobs - 10 Point Maximum*Only one of the following:*

100% of jobs at or above 130% of the Story County

Average (CEBA) ()

90% of jobs at or above 130% of the Story County

Average (CEBA) ()

80% of jobs at or above 130% of the Story County

Average (CEBA) ()

70% of jobs at or above 130% of the Story County

Average (CEBA) ()

60% of jobs at or above 130% of the Story County

Average (CEBA) ()

50% of jobs at or above 130% of the Story County

Average (CEBA) ()

40% of jobs at or above 130% of the Story County

Average (CEBA) ()

30% of jobs at or above 130% of the Story County

Average (CEBA) ()

20% of jobs at or above 130% of the Story County

Average (CEBA) ()

10% of jobs at or above 130% of the Story County

Average (CEBA) ()

**Points
Available****Points
Awarded**

10 Points		
9 Points		
8 Points		
7 Points		
6 Points		
5 Points		
4 Points		
3 Points		
2 Points		
1 Point		
Section Total		0

Total Points Awarded

0

20 points can be considered for Revolving Loan Fund.

30 points or above can be considered for best terms:

NJIP - could be offered

CIF - may be eligible and may offer better terms

**URBAN REVITALIZATION
HIGHWAY ORIENTED COMMERCIAL (HOC)
REDEVELOPMENT CRITERIA**

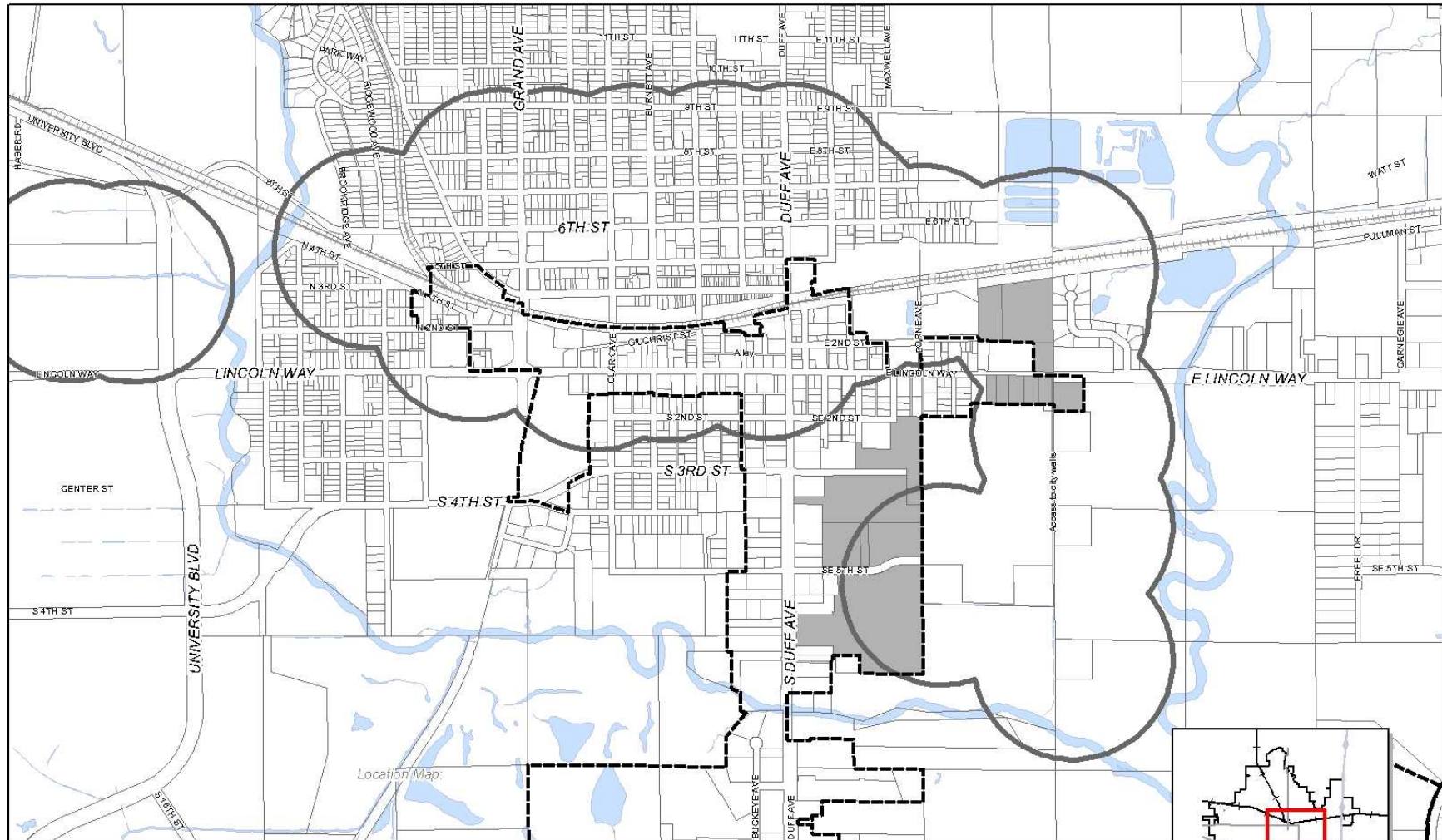
Properties eligible for tax abatement must be within the Highway-Oriented Commercial zoning district, and also fit within one or more criteria.

1. Properties from which the principal building has been removed and the property has been vacant for at least seven years.
2. Properties with a principal building that has been determined by the Building Official as meeting the definition of "Public Nuisance" in the Ames *Municipal Code*, Chapter 5, "Building, Electrical, Mechanical and Plumbing Code" (Currently Section 5.401(7)).
3. Development or redevelopment of Brown Fields. Brown Fields include abandoned or underused industrial and commercial facilities or sites available for re-use or redevelopment. Expansion or redevelopment of such a facility or site is complicated by environmental contaminations.
4. Properties with at least 20% of the property area being within 1,000 feet of a City of Ames water well and within the Floodway-Fringe Overlay zoning district. The Developer must demonstrate that the proposed project cannot be configured or designed in a manner to avoid significant extra impact to the project because of its location near a City well head.

Non-qualifying Uses. Notwithstanding compliance under the above categories, tax abatement shall not be granted for properties developed for or otherwise used for the following uses:

1. Mini-storage warehouse facilities or other industrial uses.
2. Transportation, communications, and utility uses.
3. Institutional uses.
4. Automotive, boat, and/or RV sales.
5. Adult entertainment businesses.
6. Detention facilities.
7. Agricultural or industrial equipment sales.

Commercial Urban Revitalization Program



Properties that are potentially eligible under the following criterion:

Commercial Criteria #4: Properties with at least 20% of the property area being within 1,000 feet of a City of Ames water well and within the Floodway-Fringe Overlay zoning district. The Developer must demonstrate that the proposed project cannot be configured or designed in a manner to avoid significant extra impact to the project because of its location near a City well head.

Legend

- Highway-Oriented Commercial Zoning District
- 1000 feet from City well
- Properties Potentially Eligible for Commercial Criteria #4



CAMPUSTOWN URBAN REVITALIZATION CRITERIA MATRIX

PROJECT MUST MEET CRITERIA OF ONE OF THESE COLUMNS			AND	PROJECT MUST MEET CRITERIA OF ONE OF THESE COLUMNS	
<i>Slum and Blighted</i> Properties where a majority of the assessed valuation of the properties has been determined to be substantially unsafe or to have an unsafe use by the City Council.	<i>Parking</i> A minimum of 70% of the total required parking is provided in a structure. If utilizing a parking deck, the restrictions in Chapter 29.406 12 of the Municipal Code must be adhered to.	<i>Adaptive Reuse</i> The building on the site was originally built before 1941.		<i>Underrepresented</i> Properties that are to include a business use where that actual sales of the business use is below the expected sales for the business use as determined by the City Council to be of benefit to the City (should be supported by a retail leakage study).	<i>Design Standards</i> Retail and office uses on the first floor adjacent to a public sidewalk must have direct access to the public sidewalk.
	AND <i>Mixed Use</i> The first floor must be used for permitted commercial and retail uses as shown in Table 29.803(2) of the Municipal Code. The second floor must be used for either commercial or retail uses as shown in the Table 29.803(2) or for household living. All floors above the second floor must be used for household living.	AND 70% of the area of existing exterior walls of the structure will remain		AND Historic materials and designs are preserved and/or restored.	AND <i>Signage</i> The signage design, scale, materials, and colors shall be in proportion to and consistent with the architecture of the building and support the business identity.
				AND <i>Brick Material</i> 100% of the front and 80% of the three remaining sides of the structure shall be faced with clay brick for the first four stories. On stories five through seven any other building materials except vinyl will be allowed.	<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;">OR</div> <i>Alternative Siding Material</i> If historically significant - use and repair of historically appropriate siding material is permitted and must be maintained for the term of the selected tax abatement schedule.
ALL RESIDENTIAL USES SHALL ALSO MEET THE FOLLOWING CRITERIA OR EQUIVALENT AS APPROVED BY THE CITY COUNCIL					
1. Limit commercial space in the same building to the ground floor 2. Provide separate entrances for commercial and residential uses 3. Locate all residential entrances to be visible from the street and provide secure access control at each 4. Prevent access from the exterior to the interior through doors that serve only as fire exits 5. Prohibit public access to structured parking, using overhead door and secure access control 6. Provide transparent glass windows into all stairwells 7. Provide camera monitoring of all pedestrian and vehicle entrances and areas				8. Minimum widths of all exit routes: 48" for halls, 42" for doors, 60" between rails for stairs 9. No balconies are permitted 10. Provide for natural daylight requirements of applicable codes with exterior windows 11. On facades facing any street use only fixed windows 12. Design of all other windows to prevent passing of sphere larger than 4" diameter 13. Prevent by physical means access to all roofs 14. Where access is not required, provide security fencing controlling access to all areas between new or existing buildings 15. Provide a minimum of four 100 w. metal halide light fixtures on each building façade: two at elevation between first and second floors and two at elevation between third and fourth floor	

URBAN REVITALIZATION DOWNTOWN CRITERIA

- Properties must be located within the designated Downtown Urban Revitalization Area.

AND

- Improvements must be made to one or more of the facades of a building on the property that follow the current Downtown Design Guidelines for façade improvements as approved by City Council;

AND

- The scope of the work must follow the current Downtown Design Guidelines for façade improvements as approved by City Council

AND

- If first floor is vacant before the façade improvements are made, then the front half of the first floor is required to have a retail use after the improvements are completed. If the first floor is not vacant before the façade improvements are made, and has a permitted use, then it is eligible. No residential structures are eligible.

AND

- The improvements must be maintained for the three years.

URBAN REVITALIZATION CRITERIA FOR UNIVERSITY IMPACTED AREA – WEST

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

1. Properties are located within the West University Impacted Overlay Zoning District

and

2. The National Park Service has determined that one or more of the properties has a structure(s) that meets the National Register Evaluation Criteria,

and

3. Improvements are being made to one of the National Register eligible structures which preserve 70% or more of the area of existing exterior walls of the structure or restore original or historic materials and designs.

NOTE: Improvements made to the structure or site on the property that the National Park Service has determined meets the National Register Evaluation Criteria are eligible for tax abatement, if the property value increases by 5% or more.

921 9th Street Qualifying Criteria

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

URBAN REVITALIZATION POLICY

Southeast 16th Street

The City Council will consider establishing Urban Revitalization Areas and Plans for properties that meet all of the following qualifying criteria:

1. The properties have frontage on Southeast 16th Street between South Duff Avenue and South Dayton Avenue.
2. Fill or other flood proofing will be placed on the site up to an elevation of, at least, 887 feet (NGVD29), when an engineer registered in Iowa provides written certification that raising the land would result in “no rise” to the Base Flood Elevation (100 year flood level).
3. The cost incurred after making the request for tax abatement for the placement of fill for flood proofing up to an elevation of 887 feet or above and/or channel improvements (See Criterion 6), if applicable, is expected to be equal to or greater than the value of the City’s portion of the tax abatement.
4. A public sidewalk is to be constructed along the south side of the Southeast 16th Street adjacent to the property.
5. The property will be used for uses permitted in the applicable zoning district except for the following as further defined and described in the Ames Zoning Ordinance:
 - a. Wholesale trade
 - b. Mini-storage warehouse facilities
 - c. Transportation, communications, and utility uses
 - d. Institutional uses
 - e. Adult entertainment businesses
 - f. Detention facilities
 - g. Agricultural or industrial equipment sales
 - h. Agricultural and farm related activities
6. Owners of property abutting a river must perform channel improvements (widening, straightening, clearing, etc.) and provide certification from an engineer registered in Iowa that the improvements will mitigate flooding. These improvements must be approved by the DNR, Army Corps of Engineers, and the City of Ames.

Since satisfaction of criterion 3, 5, and 6 cannot be guaranteed at the time of approving the tax abatement incentive, a developer agreement prior to the approval of the Urban Revitalization Plan will be required to assure that the City will repaid an amount equal to the tax abatement received for any criterion not met. In addition, the developer agreement should require that the conditions that allowed the determination of “no rise” be maintained by the property owner.

(Approved by Ames City Council on June 12, 2012)

URBAN REVITALIZATION

EAST UNIVERSITY IMPACTED

NORTH SHELDON AREA

REQUIRED	REQUIRED
<p>Existing or former residence recognized by Iowa State University as part of the Greek Residence system.</p> <p>AND</p> <p>Seventy percent (70%) of the area of the existing exterior walls of the structure will remain.</p> <p>NOTE: Sprinkler retrofit projects within this area qualify if all improvements add 5% or more to the actual value of the property.</p>	<p>The building on the site was originally built before 1941.</p> <p>AND</p> <p>Seventy percent (70%) of the area of the existing exterior walls of the structure will remain.</p> <p>AND</p> <p>Original or historical materials and designs will be preserved and/or restored.</p>

URBAN REVITALIZATION PLAN

South Lincoln Criteria Matrix

REQUIRED	AND	OPTIONAL	OR	OPTIONAL	OR	OPTIONAL	OR	OPTIONAL
<p><i>Underutilized</i></p> <p>Properties must be located within the designated South Lincoln Urban Revitalization Area. Properties within the designated South Lincoln Urban Revitalization Area are all considered to be underutilized.</p>		<p><i>Commercial or Mixed Use</i></p> <p>If within a “Key Redevelopment Site” as designated by the South Lincoln Sub-area Plan, at least 1,500 square feet of the first floor must be used for permitted Office or Trade Uses as shown in Table 29.1003(2) of the <u>Municipal Code</u>.</p>		<p><i>Mixed Use</i></p> <p>If <u>not</u> within a “Key Redevelopment Site” as designated by the South Lincoln Urban Revitalization Plan, at least 4,000 square feet of the first floor must be used for permitted Office or Trade Uses as shown in Table 29.1003(2) of the <u>Municipal Code</u>. There must be at least one floor above that is to be used exclusively for household living.</p>		<p><i>Activity Node</i></p> <p>Must provide space for, construct, and provide public access in perpetuity to an activity node at a location identified in the South Lincoln Sub-area Plan, which shall include:</p> <ul style="list-style-type: none"> • at least 500 square feet of space with facilities for casual use by two to four people, if the development property is less than or equal to 15,000 square feet; • at least 1,200 square feet of space with facilities for casual use by ten or more people, if the development property is more than 15,000 square feet, and less than or equal to 25,000 square feet; • at least 2,500 square feet of space with a roofed structure and other facilities for special events for at least thirty people, if the development property is more than 25,000 square feet. <p>AND</p> <p>Provide distinctive paving, lighting, furnishings, plantings, architectural elements, and other improvements as approved by the City (See Guidelines).</p>		<p><i>Recreation Site</i></p> <p>Must provide space for, construct, and provide public access in perpetuity to a recreation site at a location identified in the South Lincoln Sub-area Plan, which shall include at least 5,000 square feet of space with facilities for active, structured recreation by groups of people, if the development property is less than or equal to 15,000 square feet.</p> <p>AND</p> <p>Provide facilities for half-court basketball, volleyball, or other active recreation and lighting furnishings, plantings, architectural elements, and other improvements as approved by the City (See Guidelines).</p>
<p style="text-align: center;">The improvements must be maintained for the life of the tax abatement schedule applied for.</p>								

Staff Report

PROPOSAL TO MODIFY LITTERING ORDINANCE

November 10, 2014

BACKGROUND:

Efforts to maintain the appearance of the Ames community occasionally rely on enforcement actions to deter littering. Several recent incidents illustrate aspects of this behavior that are not covered by the current Municipal Code or the Iowa Code.

Iowa Code Section 321.369 prohibits putting debris on a highway. While the specific description of material is comprehensive in that it includes glass bottles, glass, nails, tacks, wire, cans, trash, garbage, rubbish, litter, offal, or any other debris, the fact that this is limited to the highway means that sidewalks and parks are not covered.

Municipal Code Section 17.10 prohibits depositing paper, cards, advertisements, handbills, and similar items. Property covered by this ordinance includes streets, alleys or other public places.

There are a number of littering behaviors not covered by either the Iowa Code or the Ames ordinance. For example, under a strict interpretation of these laws, officers cannot cite an individual who throws a bottle onto a sidewalk. A sidewalk is not a roadway, so it is not covered by the Iowa code; and it is not paper, so it is not covered by the Ames ordinance. Nearly any non-paper material deposited on the sidewalk, on the grounds of public buildings, or in the parks would not be covered by our current ordinance.

Another aspect of this problem occurs when yard waste and other plant materials are intentionally moved to or deposited in the street. Although Iowa Code Section 321.369 is relevant to some of these actions, depositing yard waste on other public properties does not appear to be addressed by the current ordinance.

In the current ordinance, this offense can be charged as a municipal infraction with a civil penalty of \$100 for a first offense and \$200 for a subsequent offense, or as a simple misdemeanor.

STAFF COMMENTS:

There are a growing number of instances where citizens have called City departments seeking help in preventing littering from occurring in their neighborhoods. Unfortunately, because of the current language in the Ames Municipal Code, staff is not able to address the situation to the satisfaction of our citizens.

Successful enforcement requires an appropriate ordinance. **The most direct remedy to this situation would be a revision of the Municipal Code Section 17.10 to prohibit more types of material from being deposited on public property.** The

impact of implementing this new ordinance is likely to result in fewer cases being dismissed and, ultimately, better compliance with the law.

If the City Council would like to address this issue, as suggested by the City staff, the appropriate action would be to refer this matter to the City Attorney to work with staff to develop revised language for Section 17.10, and for staff to bring the proposed revision back to the City Council for consideration at a future meeting.

Current City Ordinance 17.10

Sec. 17.10. DEPOSITING PAPER ON STREETS, IN VEHICLES.

- (1) It is unlawful for any person to throw or deposit or cause to be thrown or deposited, any paper, cards, advertisements, handbills or the like, into any street, alley or other public place or places, or in or upon any motor vehicles while parked on public property.
- (2) Violation of this Section shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation and \$100 for each repeat violation.
- (3) Alternatively, a violation of this section can be charged by a peace officer of the City as a simple misdemeanor.

(Ord. No. 812, Sec. 1; Code 1956, Sec. 76-69; Ord. No. 3003, Sec. 20, 2-23-88; Ord. No. 3497, Sec. 19, 8-25-98; Ord. No. 3551, 3-7-00)

Current Iowa Code Section 321.369

321.369 PUTTING DEBRIS ON HIGHWAY.

A person shall not throw or deposit upon a highway any glass bottle, glass, nails, tacks, wire, cans, trash, garbage, rubbish, litter, offal, or any other debris. A person shall not throw or deposit upon a highway a substance likely to injure any person, animal, or vehicle upon the highway. A person who violates this section or section 321.370 commits a misdemeanor punishable as a scheduled violation under section 805.8A, subsection 14, paragraph "d".

COUNCIL ACTION FORM

SUBJECT: **NEW WATER TREATMENT PLANT – CONTRACT 1 EASEMENTS**

BACKGROUND:

In 2010 the City Council approved a resolution declaring its intent to proceed with the new Water Treatment Plant and authorized the use of eminent domain as needed to acquire the land and easements necessary for this project. Construction of the new water plant is being performed under two separate construction contracts. Contract 1 includes the interconnecting piping between the old and new treatment plant locations, and Contract 2 includes construction of the actual treatment facilities. All land and easements for Contract 2 have been acquired. Within Contract 1, easements for the necessary piping are still needed.

Most of the pipeline route lies within property already owned by the City. However, easements are needed on the parent tract of the property at 800 and 1100 East 13th Street, which are owned by Liberty Court, LLC of Papillion, Nebraska. The easements needed include both temporary easements (7.86 acres) and permanent easements (3.86 acres) (See attached maps). This property, which is located in the floodplain, is zoned agricultural and is currently in row crop production.

Easement values are generally established by performing an appraisal to establish the “per acre” value of the land. Permanent easements are then assigned a value of 50% of the appraised per acre land value, and temporary easements are assigned a value of 10% of the appraised per acre land value.

When the design for Contract 1 neared completion, the necessary easements were identified and legal descriptions were drafted. Staff retained A&R Land Services of Ames as the City’s Right of Way (ROW) agent to assist the City with negotiating these easements. In early 2014, staff made an initial offer for the easements using the per acre price paid for the new water plant site at 1800 East 13th Street, and then adjusted the per acre price downward to account for the easement property being in the flood plain and for being zoned agricultural. That initial offer was based on a price of \$15,000 per acre, and was predicated on the City not having to undertake the time and expense for a formal appraisal and review appraisal. The property owner turned down this offer and told the City he believed the easements were worth in excess of a \$43,560 per acre.

Since the property owner and the City were so far apart in their compensation expectations, the ROW agent recommended that the City begin following the specific procedural steps outlined in Iowa Code Chapter 6B, in order to preserve the option to use eminent domain, should it become necessary. That process began by first obtaining

a “value finding appraisal” from a certified appraiser. That appraisal was completed in July 2014 by Commercial Appraisers of Iowa out of West Des Moines, Iowa, who evaluated the property and determined the fair market value to be approximately \$10,500 per acre. The appraiser also determined that the “best, highest use” for the subject property was for agricultural use, consistent with the City’s Land Use Policy Plan (LUPP). A separate review appraisal was completed that upheld the appraised fair market value of the land at \$10,500 per acre.

With that formal appraisal completed and independently confirmed, the City resumed negotiations with the property owner. Among other requirements, the State Code requires the City to make at least three “good faith offers” to voluntarily acquire the property before eminent domain may be considered. The City’s first “good faith” offer was based on the appraised land value of \$10,500 per acre. The property owner rejected the offer and counter-offered again with approximately \$43,560 per acre (\$1/sq ft). The owner indicated that he had interest from developers that put the land value even higher than this dollar amount, but did not provide evidence of any binding offer to purchase the land. City staff reviewed the counteroffer, and proposed a second “good faith” offer at \$11,600 per acre, based on the upper end range of comparable land values documented in the appraisal.

The property owner reviewed the City’s second “good faith” offer and countered with the following conditions.

- The City must agree to rezone the property from agricultural to commercial.
- The City must agree to a basis of \$18,500 per acre (\$50,246 total) for the easements.
- If the first two conditions were met, the owner would then donate to the City the easements needed for the Skunk River Recreational Trail, which is proposed to go through the east portion of the property.

Again, the City considered the owner’s counter offer. This particular tract of land was part of a proposal to amend the LUPP to allow a commercial convenience node back in 2007, which was firmly rejected 6-0 by the City Council. That decision was based in large part on the Council’s belief that a commercial use was not seen as being compatible with the surrounding land uses (cemetery, park, and lime and ash ponds), and because this particular parcel is in the floodway and floodway fringe and has an environmentally sensitive overlay designation. For those reasons, City staff was not inclined to entertain any offer that tied the easement acquisition to a rezoning of the property.

Staff presented a third “good faith” offer to the property owner, which included the following two alternatives:

- An offer of approximately \$14,000 per acre for the permanent and temporary easements related to Contract 1 for the new Water Treatment Plant. This

translated to a total payment for the permanent and temporary easements of \$37,500.

- Additionally, an alternative total amount of \$40,500 was offered if the property owner would also include the needed easements for the Skunk River Recreational Trail project.

The property owner reviewed the City's third "good faith" offer and countered with the following conditions.

- Pay an amount based on \$18,500 per acre
- Because rezoning of the property was off the table, the trail easements were no longer offered.

At this point, City staff could have moved forward with eminent domain proceedings, but thought it prudent to continue negotiations, inasmuch as the parties were less than \$13,000 apart in their total compensation offers. The staff time and costs associated with pursuing eminent domain and the continued inflation costs to the project from delayed construction would likely exceed \$13,000. Staff also believed that proceeding with eminent domain with this property owner for the water plant pipeline easements would hinder future negotiations for the trail. Since trail easements cannot be condemned, this could have meant that the Skunk River Recreational Trail segment from East 13th Street south to Lincoln Way would be left uncompleted for the foreseeable future. Staff decided to present a fourth "good faith" offer to the property owner which included the following terms.

- An offer of \$50,893.50 (based on the \$18,500 per acre price last offered by the property owner) for the permanent and temporary easements related to Contract 1 for the new Water Treatment Plant project.
- A slight increase in the number of permanent acres from 3.86 acres to 3.93 acres to allow for a connection to tie in the future well field in North River Valley Park.
- The offer also included \$3,327.50 (based on \$18,500 per acre) for 0.25 acres of permanent easement and 0.5 acres of temporary easement needed for the Skunk River Recreational Trail Project (see attached map).
- The property owner was informed that the offer of \$18,500 per acre would only be available if the owner agreed to grant the additional 0.07 acres of permanent water easement and to grant the easements needed for the trail.

At this point, Liberty Court accepted the City's offer.

The dollar amount per acre being agreed to is a significant premium (176%) above the appraised value. However, the incremental cost to the Water Utility (approximately \$13,000) may be less than the cost of pursuing eminent domain. The negotiated offer avoids condemnation, which allows the cost of the easements to remain eligible for inclusion in the project's State Revolving Fund loan. The voluntary agreement also provides an important easement for the

Skunk River Recreational Trail project. For these reasons, staff believes that the negotiated price is reasonable and is in the best interests of the City.

The Skunk River Recreational Trail project schedule is anticipated to follow an Iowa Department of Transportation Letting schedule with a project letting date in November 2015, with project construction anticipated from January to July 2016. A preliminary trail alignment has been established. However, the initial survey completed several years ago needs to be updated to confirm if adjustments are needed due to river bank movement of the Skunk River. The final plat of survey to finalize this easement is under way. Additional right of way acquisition discussions are being conducted with two additional property owners for other portions of this trail segment.

Funding for the water main easements is included in the New Water Treatment Plant project and will be financed as part of the Drinking Water State Revolving Fund loan. Funding for easements related to the Skunk River Recreational Trail project will be paid from the Shared Use Path System Expansion program in the CIP - 2013/14 Skunk River Trail Expansion (East Lincoln Way to South River Valley Park).

It should be noted that crop yield reductions and other direct impacts from construction of the interconnecting piping will be handled separately with the owner's farm tenant.

ALTERNATIVES:

1. Approve the purchase agreement to pay \$54,131 to Liberty Court L.L.C. for the necessary easements on property located at 800 and 1100 E. 13th St related to Contract 1 for the new Water Treatment Plant and to the Skunk River Recreational Trail as shown on the attached maps. The easement documents for the pipeline will be filed and recorded by staff immediately. The easement documents for the recreational trail will be filed once the updated plat of survey is completed.
2. Do not approve the purchase agreement, and direct staff to proceed with eminent domain proceedings for the necessary easements related to Contract 1 of the Water Treatment Plant, and direct staff to continue separate negotiations for the Skunk River Recreational Trail easements.

MANAGER'S RECOMMENDED ACTION:

Temporary and permanent easements are needed to make the necessary piping connections between the sites of the new and old Water Treatment Plants. City staff has followed the specific procedures outlined in the Iowa Code and have made several good faith efforts to find an acceptable offer for purchase of the necessary easements. All of these offers have been at, or above, the appraised fair market value for easements on this property. While the negotiated price is significantly higher than the appraised value of the land, staff believes the offer is reasonable and is in the best interests of the City for the reasons outlined above.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving a purchase agreement in the amount of \$54,131.00 with Liberty Court L.L.C. for the easements required for Contract 1 of the Water Treatment Plant Project and easements related to the Skunk River Recreational Trail project.

E. 13TH STREET (ROW VARIES)

NW CORNER
SEC 1-83-24
NE CORNER
SEC 2-83-24
FOUND ALUM
SURVEY DISK

NE CORNER
W 1/2 NW FRL 1/4,
SEC 1-83-24
FOUND ALUM
SURVEY DISK

Permanent Utility Easement Description:

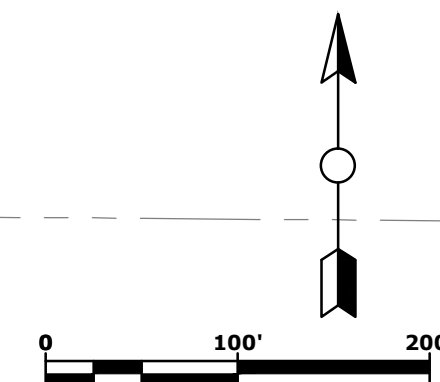
A strip of land of varying width within the property described in the retracement plat of survey described as follows: The area within a line beginning at the NE corner of said property at Point of Beginning [A] thence southerly along the east property line 119.71 feet; thence N89°43'49"W, 15.0 feet; thence S00°43'51"E, 1377.98 feet; thence S89°32'20"E, 129.99 feet; thence N45°00'00"E, 379.73 feet to a point along the property line of said parcel; thence easterly along said property line 42.52 feet, thence S45°00'00"W, 436.46 feet to a point along the south property line of said parcel that is 456.66' westerly of the SE corner of said parcel; thence westerly along the south property line to the SW corner of said parcel; thence northerly along the west property line to the NW corner of said parcel; thence easterly along the north property line to the Point of Beginning [A], except for the area within the line described as commencing at the NE corner of said parcel, thence 35 feet westerly along the north property line of said parcel thence 15 southerly and parallel to the east property line to the Point of Beginning [B], thence S00°43'51"E, 1485.42 feet; thence N89°32'20"W, 1273.13 feet; thence N89°09'26"W, 481.22 feet; thence N10°39'28"E, 485.08 feet; thence N00°49'49"E, 1014.05 feet; thence S89°46'02"E, 533.92 feet; thence S89°35'30"E, 1143.8 feet to the Point of Beginning [B]; the resulting easement area containing 3.93 Acres.

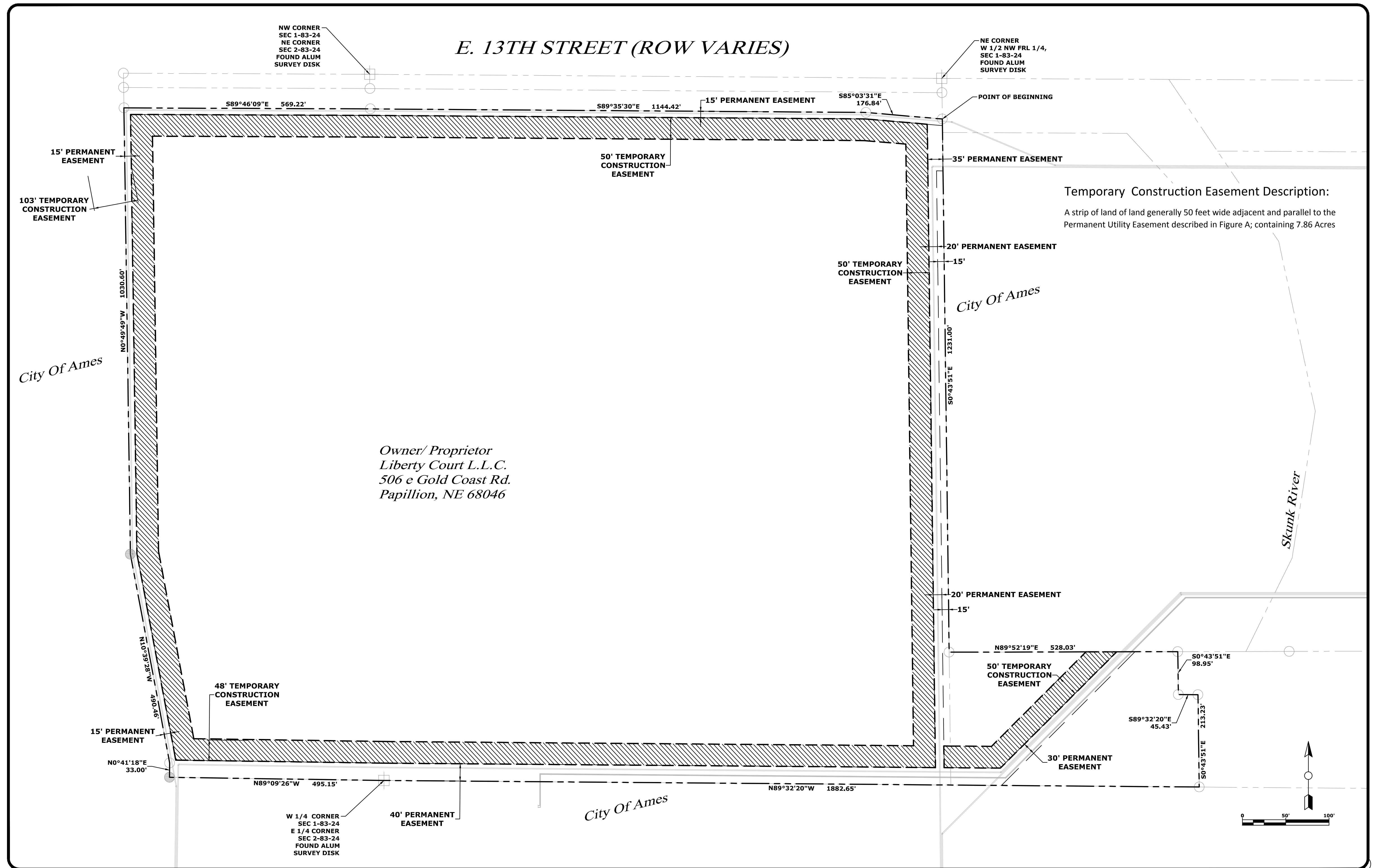
Owner/ Proprietor
Liberty Court L.L.C.
506 e Gold Coast Rd.
Papillion, NE 68046


City Of Ames

City Of Ames

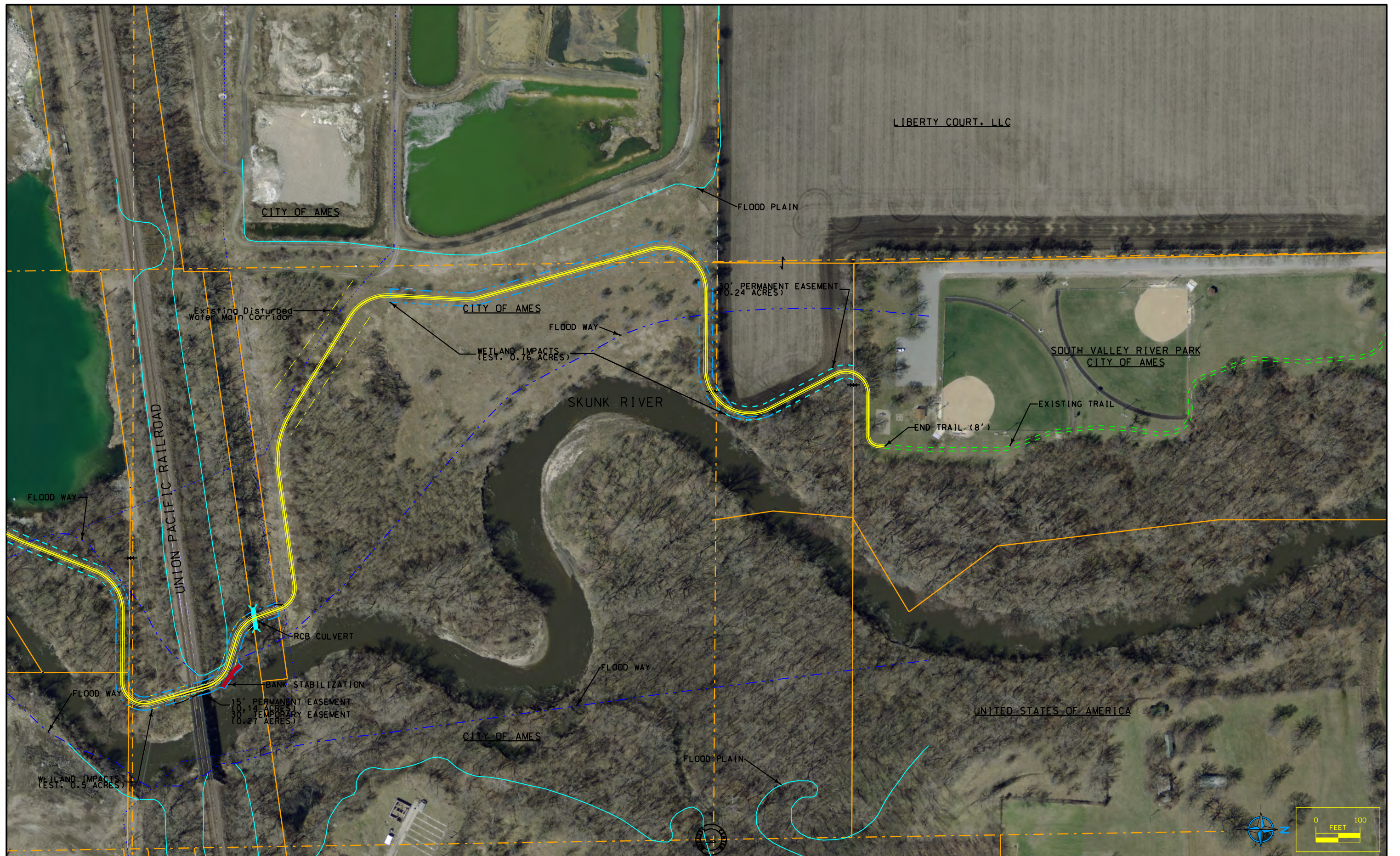
Skunk Riv





B	LAST UPDATE:	PROJECT NO.	 FOX Engineering Associates, Inc. 414 South 17th Street, Suite 107 Ames, Iowa 50010 Phone: (515) 233-0000 FAX: (515) 233-0103	AMES, IA	DATE	REVISION	CHECKED BY:	WATER MAIN EASEMENT FIGURE	PROJECT NO.	LAST UPDATE:	B
	06/20/14	3338-12C					DATE:		3338-12C	06/20/14	

DRAWING FILENAME: K:\proj\3000\3338-12C - Ames WTP Piping TO 4-3\Drawings\Civil\3338-12C Temp Easement.dwg : B



PROJECT NO: 09A006-00
PROJECT DATE: 01/08/2010
CAD DATE: 3/3/2010 9:27:08 AM
CAD FILE: X:\DM\IE\2009\09A006-00\CAD\Displays\09A006-00.pub

DESIGNED BY: A.LASTNAME
CHECKED BY: B.LASTNAME
DRAWN BY: C.LASTNAME

NO	DATE	BY	REVISION DESCRIPTION



**SKUNK RIVER RECREATIONAL TRAIL
HUNZIKER YOUTH SPORTS COMPLEX
TO SOUTH VALLEY RIVER PARK**
CITY OF AMES, IA

SUBJECT TO CHANGE

PUBLIC DISPLAY

SHEET NO.

PD.4