

**AGENDA**  
**SPECIAL MEETING OF THE AMES CITY COUNCIL**  
**AND REGULAR MEETING OF THE AMES CITY COUNCIL**  
**CITY COUNCIL CHAMBERS**  
**AMES CITY HALL**  
**FEBRUARY 10, 2015**

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

**CALL TO ORDER: 5:15 p.m.**

**FY 2015/16 BUDGET WRAP-UP**

1. Council Budget Presentations:
  - a. Arts Funding (COTA)
  - b. Human Services (ASSET)
  - c. Public Art
  - d. Outside Funding Requests
2. Public Input on Capital Improvements Plan (CIP) and Budget
3. Final Council Decisions:
  - a. Set salaries for Council appointees
  - b. Amendments to 2015-2020 CIP
  - c. Vote on motion to approve 2015-2020 CIP, as amended
  - d. Amendments to FY 2014/15 budget
  - e. Vote on motion to approve proposed budget amendments for FY 2014/15
  - f. Motion to set March 3, 2015, as date of public hearing on proposed budget amendments for FY 2014/15
  - g. Amendments to proposed FY 2015/16 budget
  - h. Vote on motion to approve proposed budget for FY 2015/16, as amended
  - i. Motion to set March 3, 2015, as date of final public hearing on proposed budget for FY 2015/16

**REGULAR CITY COUNCIL MEETING\***

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

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

1. Motion approving payment of claims
2. Motion approving Minutes of Special Meetings of January 30, February 3, 4, and 5, 2015, and Regular Meeting of January 27, 2015
3. Motion approving Report of Contract Change Orders for January 16-31, 2015
4. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Class C Liquor & Outdoor Service – Cy’s Roost, 121 Welch Avenue
  - b. Class C Liquor & Outdoor Service – Mickey’s Irish Pub, 109 Welch Avenue

- c. Class E Liquor, C Beer, and B Wine – Fareway Store #386, 619 Burnett Avenue
  - d. Class E Liquor, C Beer, and B Wine – Fareway Store #093, 3619 Stange Road
  - e. Class C Liquor – El Azteca, 2727 Stange Road
  - f. Class B Liquor – Holiday Inn Ames, 2609 University Boulevard
  - g. Class C Beer and B Wine – Gateway Expresse, 2400 University Boulevard
  - h. Class C Liquor – Taking It Easy Lounge, 129 Lincoln Way
  - i. Class C Liquor – Ge’ Angelo’s, 823 Wheeler Street, #9
  - j. Special Class C Liquor – Shogun of Ames, 3704 Lincoln Way
  - k. Class C Liquor – The 5 & Dime, 115 5<sup>th</sup> Street
5. Motion approving new Class B Beer Permit & Class C Native Wine - Café Milo, 4800 Mortensen Road
  6. Motion approving 5-day (February 21-25) Class C Liquor License for Olde Main Brewing Company at Reiman Gardens, 1407 University Boulevard
  7. Resolution setting date of public hearing on Notice of Intent to issue \$15,000,000 Essential Corporate Purpose General Obligation Bonds, \$5,950,000 General Obligation Refunding Bonds and Associated Tax Levy for Debt Service
  8. Resolution setting date of public hearing for February 24, 2015, on vacating storm water flowage easement and storm sewer easement for 5328 Tabor Drive
  9. Resolution approving 2014 Resource Recovery Annual Report
  10. Resolution approving Commission On The Arts (COTA) Special Grants for Spring 2015
  11. Resolution authorizing offer of health insurance benefits to Electric Services temporary employee
  12. Resolution awarding contract to Itron, Inc., of Liberty Lake, WA, in an amount not to exceed \$304,084 for Water Meter Automatic Meter Reading System
  13. Resolution awarding contract to Storey Kenworthy of Ames, Iowa, in the amount of \$82,707.38 and Alternate #1 in the amount of \$3,304.55 for Modular Furniture for City Hall Renovation Phase 2 project
  14. Resolution awarding contract to Midwest Underground Supply of Bondurant, Iowa, in the amount of \$38,500 for Wood Chipper
  15. Resolution approving contract and bond for Controls and Relaying Panels for 69kV Substation Panel and Transmission Line Terminal Upgrades - Dayton and Stange Substations
  16. Resolution accepting completion of 2012/13 Arterial Street Pavement Improvements - State Avenue (Oakwood Road to U. S. Highway 30 Overpass)
  17. Resolution accepting completion of 2012/13 Asphalt Resurfacing/Seal Coat Removal/Asphalt Reconstruction Program (Carroll Avenue)
  18. Resolution accepting completion of 2013/14 Concrete Pavement Improvements Contract No. 1 (Knapp Street and Lynn Avenue)
  19. 2013/14 Downtown Street Pavement Improvements (5<sup>th</sup> Street):
    - a. Resolution approving Change Order No. 2
    - b. Resolution accepting completion
  20. 4316 Ontario Street (Sawyer Elementary School):
    - a. Resolution approving Plat of Survey
    - b. Resolution approving Acquisition Plat for street right-of-way on Ontario Street
    - c. Resolution approving Quit Claim Deed conveying street right-of-way
  21. Resolution approving Plat of Survey for 3605 Lincoln Way

**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.**

**ADMINISTRATION:**

- 22. Staff Report on Developing a Brand Communications Plan
- 23. Resolution approving Agreement between City of Ames and Xenia Rural Water District concerning continued water service to certain parcels adjacent to ISU Research Park Phase III
- 24. Municipal Airport:
  - a. Staff overview of airport improvements
  - b. Resolution approving Airport Improvements Funding Agreement with Iowa State University

**PLANNING & HOUSING:**

- 25. Resolution approving/motion denying 2015 Urban Revitalization tax abatement requests

**HEARINGS:**

- 26. Hearing on River Valley Park Complex Irrigation Project:
  - a. Resolution approving final plans and specifications and awarding contract to T & T Sprinkler Services, Inc., of Ankeny, Iowa, in the amount of \$107,125
- 27. Hearing on Distributed Control System for Power Plant:
  - a. Motion accepting report of bids and delaying award
- 28. Hearing on vacating Storm Water Easement at 301, 303, 305, and 321 South 5<sup>th</sup> Street:
  - a. Resolution approving vacating Storm Water Easement
- 29. Hearing on adoption of 2014 National Electric Code:
  - a. First passage of ordinance adopting 2014 National Electric Code, with local edits

**ORDINANCES:**

- 30. Second passage of ordinance establishing 517 Lincoln Way Urban Revitalization Area
- 31. Third passage and adoption of ORDINANCE NO. 4208 pertaining to vending

**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*.**

**DESCRIPTION/JUSTIFICATION**

Following the floods of 2010, the City Council established a goal of mitigating the impact of future flooding in Ames. A comprehensive Flood Mitigation Study was completed in late 2013 that considered many possible mitigation alternatives across a wide range of factors, including: degree of reduction of flood water elevation, estimated annual damage reduction, construction costs, ongoing operations and maintenance costs, environmental impacts, and likelihood of obtaining federal grant funding.

**COMMENTS**

On December 10, 2013, the City Council approved a series of flood mitigation measures. These included discrete elements targeted at: A.) Undertaking a 'stream restoration' of Squaw Creek; B.) Working with IDOT to improve the conveyance capacity of the US Highway 30 bridge; C.) Working through the Squaw Creek Watershed Management Authority to pursue flood mitigation alternatives in the upper reaches of the watershed; and D.) Conducting a workshop to review and discuss the range of possible floodplain regulatory approaches.

This project involves a 'restoration' of the Squaw Creek channel. While the exact scope of work is yet to be defined, a central component would include conveyance improvements within the channel approximately 2,000 feet either side of the South Duff Avenue bridge. This would reduce the water surface elevation of a 1% annual chance flood (i.e. – a "100-year" flood) by approximately 2 feet on South Duff Avenue, a major damage center. As part of this project, staff will evaluate alternatives for providing natural stabilization and restoration options. A consultant will be retained in FY 2015/16 to begin the detailed design work. Outside grant funding through FEMA, REAP, and other possible sources will be pursued. The budget for this project will be updated for the FY 2016/17 CIP once the detailed design work is further along.

A possible future conveyance improvement activity (not included in the five-year CIP) is the lengthening of the Highway 30 bridge by the Iowa Department of Transportation. That work would involve extending the span of the bridge by approximately 430' to the west, at an estimated cost of \$7,740,000 (in 2013 dollars).

The cost change is the result of updated cost estimates. Using previously issued General Obligation Bonds in the first year resulted in the revenue change.

**LOCATION**

South Duff Avenue and Squaw Creek

**FISCAL YEAR PRIORITY**

	TOTAL	2015/16	2016/17	2017/18	2018/19	2019/20
<b>COST:</b>						
Design/Engineering	639,000	500,000	139,000			
Easements	578,000	578,000				
Construction	4,637,000		4,637,000			
<b>TOTAL</b>	<b>5,854,000</b>	<b>1,078,000</b>	<b>4,776,000</b>			
<b>FINANCING:</b>						
General Obligation Bonds	1,338,000	144,000	1,194,000			
General Obligation Bonds (previously issued)	500,000	500,000				
FEMA Hazard Mitigation Grants	4,016,000	434,000	3,582,000			
<b>TOTAL</b>	<b>5,854,000</b>	<b>1,078,000</b>	<b>4,776,000</b>			

**PROGRAM - ACTIVITY:**  
Utilities – Storm Sewer

**DEPARTMENT:**  
Public Works

**ACCOUNT NO.**

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

**AMES, IOWA**

**JANUARY 30, 2015**

The Ames City Council met in special session at 2:13 p.m. on January 30, 2015, in the Council Chambers of City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding and the following Council members present: Amber Corrieri, Tim Gartin, Chris Nelson and Peter Orazem. Council Member Matthew Goodman arrived at 3:10 p.m. Council Member Gloria arrived at 3:23 p.m. *Ex officio* Member Lissandra Villa was absent.

**GT1 RETURN-TO-SERVICE PROJECT:** Moved by Corrieri, seconded by Nelson, to adopt RESOLUTION NO. 15-055 setting February 19, 2015, as bid due date and February 24, 2015, as the date of public hearing.

Roll Call Vote: 4-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**COOLING TOWER REPLACEMENT PROJECT:** Moved by Corrieri, seconded by Gartin, to adopt RESOLUTION NO. 15-056 approving preliminary plans and specifications for Cooling Tower Replacement Project; setting March 4, 2015, as bid due date and March 24, 2015, as the date of public hearing.

Roll Call Vote: 4-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**FY 2015/16 BUDGET OVERVIEW:** City Manager Steve Schainker told the Council that the FY 2015/16 budget he was recommending totaled \$257,905,216. He reported that the recommended budget reflects an overall property tax rate decrease of 2.5% from \$10.86/\$1,000 of taxable valuation to \$10.59/\$1,000 of taxable valuation.

Mr. Schainker reported positive indicators of an economic resurgence. Demand for additional industrial, commercial, and residential development continues to increase as Ames experiences further growth in Iowa State University enrollment as well as in the number of new jobs created. That growth in development is substantiated by the fact that FY 2014/15 reflects an increase in building permits by 18% over the previous year's total. Due to the upturn in the local economy, \$61,471,000 worth of new property valuation was added to the tax rolls. Local Option Sales Tax receipts are projected to increase by \$362,250 in FY 2015/16 (5%) over the prior year's adopted level.

It was noted by Mr. Schainker that the property tax rate decrease reflected in the proposed budget is intended to mitigate the impact of the increase in the state-mandated rollback percentage from 54.40% to 55.73% for residential properties and the 2.5% increase in property valuations due to reassessments of existing properties as the result of an improving real estate market. Expenditures to finance the operations supported by the General Fund are budgeted to increase by 3.3% in FY 2015/16. City Manager Schainker credited City staff members for their efforts in that regard. He said that, as a result of their hard work, the relatively small increase in expenses will require only an additional \$292,291 in property tax revenue to balance the budget and maintain a 23.4% available balance in the General Fund.

Mr. Schainker brought the Council's attention to the fact that the FY 2015/16 budget reflects funding of \$1,040,035 from the State government to meet their obligation to replace lost property tax revenue as the result of the new state legislation that now applies a 90% rollback on the assessed values for commercial and industrial properties.

Finance Director Duane Pitcher presented a summary of the overall budget. He stated that the City's levy makes up 33.65% of a property's total tax bill: the School District makes up 44.48% (if in the Ames Community School District); 19.83% is the County's share (includes the City Assessor); and 2.04% goes to Des Moines Area Community College. Mr. Pitcher gave a comparison of City Property Tax Valuations and Total Levies to be collected for fiscal year 2014/15 for the 13 largest cities in Iowa. Ames has the second-lowest total city tax levy per \$1,000 valuation. Finance Director Pitcher presented a breakdown of the tax levy, including General, Employee Benefits, and Transit. The levy rate per \$1,000 without debt service equates to 7.098 Net debt service adds 3.490. The change in dollar value equates to a change in the dollar value of the levy of 1.33% (\$103,650). He noted that, without Local Option Tax, the levy would be \$12.43.

Finance Director Pitcher presented an analysis of changes in taxable value for residential, commercial, industrial, and utilities (not including utilities subject to excise tax). He specifically noted that the total change in taxable value will be an increase of 3.94%. The net change on existing residential property will be \$92,830,441. The net change on existing commercial property will decrease by \$39,082,350 and industrial properties will decrease by \$6,701,640 due to the rollback.

The Police and Fire Trust Fund was explained by Mr. Pitcher. For FY 2015/16, the tax rate is estimated to be 0.71198. According to Finance Director Pitcher, it is assumed that the contribution rate will continue to decrease.

The Debt Service cost allocation for 2015/16 was reviewed by Mr. Pitcher. He reiterated that, for FY 2015/16, the Debt Service Levy equates to 3.49%. The 2015/16 CIP General Obligation issue will equate to a total of \$13,892,990. He named the projects for which the CIP General Obligation Bond proceeds will be used. Of that total amount, \$2,000,000 for the East Lincoln Way Sewer Extension will be abated by Sewer Revenue; \$2,938,990 for the ISU Research Park Improvements will be abated by TIF Revenue, and \$943,000 for the Airport Terminal will be abated by Airport Revenue. Mr. Pitcher noted the summary of current and proposed total debt service from 2014/15 to 2019/20, which was contained in the Special Reports hand-out.

Mr. Pitcher gave a detailed analysis of dollar value and percentage change of total levy by property type. Residential increased by 6.57%, Commercial decreased by 6.57%, Industrial decreased by 6.60%, and Utilities decreased by 8.23%. Sample tax calculations for residential, commercial, and industrial properties were provided by Mr. Pitcher.

The costs of City services for 2014/15 per residence from property taxes (based on a \$100,000 home) were summarized, as follows:

Streets/Traffic	\$	144
Police Protection		135
Fire Protection		88
Library		76
Recreation and Parks		52
Transit		36
General Support Services		24
Planning		10
Storm Sewer System		5
Resource Recovery		6
Animal Control		5
Facilities/Cemetery/Airport		6
Inspections/Sanitation		3
TOTAL	\$	<u>590/\$100,000</u>

City Manager Schainker reviewed the Full-Time Equivalents (FTEs) recommended for 2015/16. The Manager’s recommendation for 2015/16 is to have a 3.25 increase in FTEs. An increase of 1.50 FTE is recommended for transit drivers due to increased service levels that are required to meet the anticipated ridership increase. For Public Works Engineering, 1.75 FTE will be needed to assist with the increased workload due to capital improvement projects and storm water permit activities.

Mr. Schainker also brought the Council’s attention to the modest increases being proposed for Parks and Recreation activities, a change in the Police Department fees and charges, and a change in the Storm Water Permit for FY 2015/16. Council Member Gartin said he would like to discuss the fees charged for using the City Auditorium. He advised that he had been told that the fees are becoming too prohibitive for some of the sponsors of the programs.

Projected Utility Rate Summary. Mr. Schainker reviewed the projected utility rates, as follows:

Water	4% increase in 2015/16; 0% in 2016/17 and 2017/18; and 4% in 2018/19 and 2019/20
Sanitary Sewer	5% increase in 2015/16; 0% in 2016/17 and 2017/18; 7% in 2018/19; and 0% in 2019/20
Electric	0% in 2015/2016 and 2016/17; 4% in 2017/18; and 0% in 2018/19 and 2019/20
Storm Sewer	0% in 2015/16; \$.25 per ERU in 2016/17; 0% in 2017/18; \$.25 per ERU in 2018/19; and 0% in 2019/20

City Manager Schainker cautioned that staff is not recommending an increase in Electric rates in 2016/17, but a 5% increase is estimated in customer bills due to an Energy Cost Adjustment.

Council Member Goodman arrived at 3:10 p.m.

Finance Director Pitcher provided a brief summary of changes in the tax asking for 2015/16. The total change in the General Levy will be \$292,291, Employee Benefit Levy will decrease by \$102,648, Transit Levy will be \$47,108, and Debt Service Levy will be \$103,650. This results in a total change in tax asking of \$340,401.

Carry-Overs. Finance Director Pitcher recalled that there are available funds from the prior year that have accumulated either because expenditures came in less than budgeted or revenues received surpassed the appropriated totals. He explained that the City Manager recommends that the additional funds be used for one-time expenses that are contained on Page 20 of the City Manager's letter. Mr. Schainker expounded stating that the City Council could take advantage of the additional funds by applying them to reduce property taxes. However, because this excess should be considered "one-time funding", he believes the wiser approach is to apply them to specific one-time projects where continued funding will not be required.

Mr. Pitcher advised that carry-over funding for FY 2013/14 and FY 2014/15 totals approximately \$1,700,000. That unusually high total is attributed to: [1] \$1,123,266 in additional revenue (building permit fees - \$598,467 and Local Option Sales Tax receipts -\$524,753) and [2] \$623,436 from a reduction in expenditures.

Budget Officer Nancy Masteller outlined the Fund Sheets beginning with the General Fund. She stated that the ending balance of the General Fund was substantially higher than what was anticipated: \$9,330,638 was the Actual for FY 2013/14; however, \$6,555,990 was the Adopted for 2014/15. Ms. Masteller noted the City's policy of retaining a 20% minimum fund balance; that would equate to \$5,948,475, which yields an Unreserved Fund Balance of \$992,192.

Ms. Masteller continued the explanation of Fund Sheets, including Special Revenue Funds [e.g., Local Option Sales Taxes, Hotel/Motel Tax, Road Use Tax, Public Safety Special Revenues - forfeitures, grants, Animal Shelter donations, and miscellaneous; City-Wide Affordable Housing, Community Development Block Grant, Tax Increment Financing, Employee Benefit Property Tax, Fire/Police Pension Retirement, FEMA/2010 Wind and Flood, Parks and Recreation Special Revenues, Don and Ruth Furman Aquatic Center Construction, Library Friends Foundation, Library Donations and Grants, Utility Assistance, Public Art Donations, Developer Projects, and Economic Development (Revolving Loans and Forgivable Loans)]. Also described by Ms. Masteller were Permanent Funds (Cemetery Perpetual Care Trust and Furman Aquatic Center Trust), Debt Service (payment of principal and interest on General Obligation Bonds, ISU participation in the repayment of bonds issued to fund Fire capital acquisitions), Capital Projects - Special Assessment, - Street Construction, - Airport Construction, - American Recovery and Reinvestment Act Energy Block Grant, - Various Construction Grants, and - Bond Proceeds.



Council Member Betcher arrived at 3:23 p.m.

Enterprise Funds were summarized by Budget Officer Masteller for the Water Utility, Water Construction (accounts for proceeds received from the State Revolving Loan Fund), Water Sinking, Sewer Utility, Sewer Improvements, Sewer Sinking (accounts for State Revolving Fund loan payments for sewer utility projects), Electric Utility, Parking Operations and Improvements, Transit Operations, GSB Transit Trust, Transit Capital Reserve, and Transit Intermodal Facility (for construction of the Facility).

Regarding the Parking Operations and Improvements, City Manager Schainker told the Council members that, at some time in the future, they might want to consider an increase in parking fees. It is felt that increased parking meter fees might also result in more utilization of the Intermodal Facility. At the inquiry of Council Member Gartin, City Manager Schainker advised that he would provide a report on Intermodal Facility utilization. He pointed out that the City does not manage the operations of that facility, but he could get the numbers.

Ms. Masteller continued with additional Enterprise Funds (Storm Sewer Utility, Ames/ISU Ice Arena, Ice Arena Capital Reserve (accounts for contributions from the City and ISU), Homewood Golf Course, and Resource Recovery.

Internal Services were summarized, including Fleet Services, Fleet Reserve, Information Technology, Technology Reserve, Risk Management, and Health Insurance.

City Manager Schainker noted that information was included with the Special Reports to the Council pertaining to the ASSET allocation, COTA funding, Outside Funding Requests Summary, Public Art Commission, Property Tax Impact of Using G. O. Bonds to replace federal/state grants to fund the Grand Avenue Extension Project, a report on the Parking Fund Status, a report on 2015/16 Inspections Staffing, a report on the Level of Maintenance on Trails During Winter Months, notes from the Town Budget Meeting, an e-mail from Debra Lee pertaining to requests for improvements to Oak-to-Riverside Neighborhood and the community in general, a request from the Ames Economic Development Commission related to the Eastern Annexation and its Master Plan, a letter from Main Street Cultural District in regards to its funding structure, and an e-mail from Merlin Pfannkuch pertaining to the functions and funding of the Ames Visitors and Convention Bureau.

Council Member Gartin asked to know if there were very many requests for assistance from Project Share that are not able to be met. Finance Director Pitcher stated that the City did not have that data; however, he would look into how that data can be provided to the Council.

Council Member Nelson asked for a cost and benefits analysis of adding Planning staff. City Manager Schainker commented that a workshop on the work schedule for Planning would be scheduled in the near future. If it is felt that the expected level of service was not being met, adding staff would be recommended. Mr. Schainker also noted that it would have to be

determined if the amount of work coming in was an anomaly, was only peaking at this time, or if it is the new normal. A decision on the addition of Planning staff will need to be made by Budget Wrap-Up, which is scheduled for February 10, 2015.

**ADJOURNMENT:** Moved by Gartin to adjourn the meeting at 4:03 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor

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

**AMES, IOWA**

**FEBRUARY 3, 2015**

The Ames City Council met in special session at 5:17 p.m. on February 3, 2015, in the 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, and Peter Orazem. Council Member Chris Nelson arrived at 5:56 p.m. *Ex officio* Member Lissandra Villa was absent.

**FY 2015/16 BUDGET PROPOSALS:** Moved by Goodman, seconded by Corrieri, to approve the proposed FY 2015/16 budget. (Vote will be taken on March 3, 2015.)

**Library Services.** Mayor Campbell noted that Library Director Lynne Carey had a family emergency and could not be present at this meeting. In her absence, Jerri Heid, Youth Services Manager, reported that the new and renovated (fifth addition) to the Library opened on September 14, 2014, with over 4,000 people attending the Open House.

Ms. Heid presented the proposed budget for Library Operations, including Administration, Operations Services, Resource Services, Youth Services, Adult Services, Customer Account Services, and Information Services.

Under Resource Services, Ms. Heid there is new catalog system called Polaris, In 2012/13, there were 185,521 virtual items in the Library. Today, the Library has 33,000 virtual e-books and downloadable items. It is open 24/7, even though the building itself is not open. The catalog system allows patrons to put holds on items. Ms. Heid explained the other benefits offered by the new system. She showed a video of how the new Automated Materials Handling System works when items are returned via the book drop in the back of the building. The System reduces the number of times Library staff touches a returned item before replacing it on the shelves. The new Automated Check-Out and Media Box services were explained.

According to Ms. Heid, volunteers make up 5.8% of the Library's workforce. At the inquiry of Council Member Gartin, Ms. Heid advised that there are 600 volunteers assisting with various programs at the Library.

Ms. Heid explained the reorganization of the divisions of the Library that occurred after the Library moved into its new and renovated building on Douglas Avenue in September 2014.

At the inquiry of Council Member Goodman, Assistant City Manager Melissa Mundt advised that during the three-week period when the Library closed, staff was being trained on the new systems, receiving safety training, and transitioning into the renovated building on Douglas. Although the circulation may have been impacted during the three-week closure, attendance has exceeded expectations since the new facility opened. According to Ms. Heid, during the first week of the reopening (September 14 - 18), 31,000 items were checked-out; the average is 25,000 items per week since that time. Prior to moving to the temporary location, the average in 2011 was 52,000 items/month.

**Water Operations.** John Dunn, Water and Pollution Control Assistant Director, provided an overview of the service objectives of divisions and programs of the Water Department: Administration, Production, Treatment, and Pumping, W&PC Metering, and W&PC Laboratory.

Under Water Treatment, the number of Full-Time-Equivalency (FTE) was decreased by one as a result of the Operator Intern Program, where a full-time Water Plant Operator position was eliminated and replaced by four interns (students from Iowa State University).

Director Dunn advised that, in 2015, the Water Pollution Control Facility has completed 25 consecutive years of 100% compliance with its discharge permit. He also recognized Joe Krebs, Water Pollution Control Plant Operator, for winning the Water Environment Federation's Operations Ingenuity Contest. According to Mr. Dunn, Mr. Krebs was one of ten people nationally to win the Contest. The award was presented to Mr. Krebs at the Federation's conference held last October in New Orleans.

Council Member Nelson arrived at 5:56 p.m.

**Public Works.** Public Works Director John Joiner gave an overview of the major work activities for the Public Safety Program, which included Traffic Maintenance, Traffic Engineering, and Other Community Protection (Street Lights).

At the inquiry of Council Member Nelson, Mr. Joiner explained the Traffic Sign Database, which is being developed under a federal mandate.

Budget highlights of the Utilities Program, which included Resource Recovery and Utility Maintenance were given. A highlight of 2015 will be the 40<sup>th</sup> Anniversary of the opening of the Resource Recovery Plant. Director Joiner advised that Gary Freel will be retiring in fewer than two months after 39 years of service with the City. Mr. Joiner expressed gratitude on behalf of the City for Mr. Freel's outstanding service.

Highlights of the Storm Sewer Maintenance and Utility Maintenance programs were given. Reports were also summarized for the Street System program, including Street Surface Maintenance, Street Surface Cleaning, Snow and Ice Control, and Right-of-Way Maintenance; Parking; and Airport under the Transportation Program.

Under Snow and Ice Control, Mr. Joiner noted that 20 snow and ice events had been budgeted for; there have been nine (9) to date with a total of 28 inches of snow. Snow and Ice Control Policies will be analyzed during Spring and Summer 2015 and brought back to the Council for review and approval.

Operations Manager Justin Clausen noted the two Web sites there are available for people to report concerns about sidewalks and streets after snow events: [snowstreets@city.ames.ia.us](mailto:snowstreets@city.ames.ia.us) and [snowwalks@city.ames.ia.us](mailto:snowwalks@city.ames.ia.us)

It was noted that a portion of the Emerald Ash Borer Plan funding was included under Right-of-Way Maintenance. This also includes the Urban Forester Program in connection with the Department of Natural Resources.

The Council was briefed on Airport Operations. It was noted that the Fixed Base Operator Contract is due to expire on June 30, 2015; however, under the extended agreement approved by Council in June 2013, the current FBO will continue until the completion of the new Terminal Building.

Lastly, Mr. Joiner provided highlights of the budgets for the Cemetery, Administration, and Engineering. Under Administration, Mr. Joiner noted that administrative support services have been combined with Planning and Housing and Inspections to create a “one-stop shop.” Under Engineering, an additional FTE for a new Design Technician has been included in the FY 2015/16 Budget. The addition of this position will allow the expansion of in-house design capabilities, allowing projects to be completed more quickly and at a lower cost (a savings of approximately \$90,000).

City Manager Steve Schainker told the Council that the staff time associated with administering the MS4 Permit (Municipal Separate Storm Sewer System Permit issued by the EPA) has not been covered by the Permit Fees, as originally hoped. Two new permits are being introduced: Subdivision Storm Water Plan Review and Grading Plan Review under Public Works Engineering. Even with those, the projected expenses for administering the MS4 Permit will exceed revenues by \$74,800. That difference is being covered from the Storm Water Utility Fund.

Council Member Gartin asked what the schedule was for the Transportation Plan update. Director Joiner responded that there would be an AAMPO Policy Committee meeting on March 24. There will be several opportunities for community engagement. At the end of summer, the Council will see the final draft. In September, the final Plan will be brought to the AAMPO. Traffic Engineer Damion Pregitzer advised that, in April/May, after the Issues and Visioning Workshop, they will go back out to the public for comments.

Mr. Schainker distributed and explained the Analysis of Self-Funded Storm Sewer Utility. He noted that the current ERU rate is \$3.45/month. To fund the Utility fully from fees including all existing and planned debt service will require an average of \$545,010 in additional fee revenue each of the five years of the current Capital Improvements Plan. That would mean a 44% increase or a little over \$1.50 per ERU, if initiated in FY 2015/16. The increase would be in addition to the two planned increases in 2016/17 and 2018/19. It was noted that the fee increase would be higher if it is started later. Mr. Schainker advised this will require a policy decision on the part of the Council. He said that he was not advocating that Council discuss it today, but wanted to ensure that the City Council fully understands the issue.

**Fleet Services.** Director Corey Mellies outlined the Customer Service goals set by Fleet for 2016. A graph was shown outlining the City versus contracted services. The fleet is being kept in good repair while savings are being realized. Mr. Mellies advised that an objective is to have 70% of the technicians’ time be billable. Fuel continues to be the largest line item in the Fleet budget. A chart showing the fluctuating fuel prices was explained. The plan for acquisition of electric vehicles was shared by Mr. Mellies.

**Facilities.** Director Mellies advised that the Facilities budget mainly provides for the routine operating and maintenance expenses of two facilities: City Hall (including parking, grounds and the Veterans’ Memorial) located at 515 Clark Avenue and the Maintenance Facility (including associated parking lots) located at 2207 Edison Street. According to Mr. Mellies, there will be a slight maintenance increase in FY 2015/16 to improve the appearance inside and out by updating wall finishes and repairing worn and damaged services and sidewalks at City Hall. As far as the strategic plan to reduce the City’s carbon emissions, the focus will be on changing user behaviors that will result in energy savings.

**Finance Services.** Finance Director Duane Pitcher presented the budgets for Economic Development and Finance Services, including Administration and Budget, Accounting and Reporting, Information Technology, Communication Services, and Purchasing Services.

Under Economic Development, Mr. Pitcher stated that local companies that had received support from the City were Boehringer Ingelheim Vetmedica, Workiva, and the expansion of the ISU Research Park.

City Council Contingency and Special Allocations were explained. Mr. Pitcher defined Council Contingency as a fund that allows the Council to be able to respond to needs that were not foreseen at the time of budget preparation. He noted that the allocation for FY 2015/16 is recommended to be \$50,000. If it is not spent, it does not get carried over to the next year.

Mr. Pitcher advised that funds from Special Allocations are used for Outside Funding Requests. City Manager Schainker stated that some of the outside funding requests are coming in much higher than in the past (e.g., increases in excess of 20%). He noted that the City Council has given staff very little direction as to how it should evaluate those requests. It was suggested by City Manager Schainker that direction be given to staff when Budget Guidelines are discussed in November. Mr. Schainker stated that the Council may also want to set priorities and/or set aside a maximum amount of funding to be used for the Outside Funding Requests. Management Analyst Brian Phillips suggested that the Council have a discussion on what services they would like to see. City Manager Schainker advised that the Outside Funding Requests will be presented at Budget Wrap-Up. At that time, the Council can see how well the process is working and decide whether or not changes should be made for next year.

**COUNCIL COMMENTS:** Moved by Betcher, seconded by Goodman, to refer to staff, for placement on the Special Meeting Agenda for February 5, 2015, the letter from Theta Delta Chi dated January 27, 2015, requesting a Resolution of Support for rehabilitation of the property. Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Goodman, seconded by Gartin, to refer to staff, for a memo back to Council, the letter from Wheatsfield Co-Op dated January 29, 2015, requesting a waiver from the Ordinance that requires an underground storm water management system in its parking lot. Vote on Motion: 5-0-1. Voting aye: Betcher, Corrieri, Gartin, Goodman, Orazem. Voting nay: None. Abstaining Due to a Conflict of Interest: Nelson. Motion declared carried.

City Manager Schainker distributed a revised CIP page on Flood Mitigation - River Flooding. Noting the wording contained in Paragraph 3 of the revised page, Council Member Orazem said that, during discussion of the CIP on January 27, 2015, he made it clear that he felt there would be more people impacted than the businesses on South Duff Avenue.

**ADJOURNMENT:** Moved by Corrieri to adjourn at 7:22 p.m.

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

**AMES, IOWA**

**FEBRUARY 4, 2015**

The Ames City Council met in special session at 5:18 p.m. on February 4, 2015, in the 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, Matthew Goodman, Chris Nelson, and Peter Orazem. Council Member Gartin arrived at 7:06 p.m. *Ex officio* Member Lissandra Villa was also present.

**FY 2015/16 BUDGET PROPOSALS:** The Council heard and discussed highlights of the Community Enrichment, Public Safety, and Utilities Programs.

**Parks & Recreation.** Director Keith Abraham advised that, although the Recreation budget includes almost \$1,985,473 in expenses, \$1,355,778 is generated through fees and charges. The tax subsidy is approximately \$629,695 (32%). On the Parks side, expenses total \$1,352,435; revenues are \$76,000; and the tax subsidy is approximately \$1,276,435 (94%). Homewood Golf Course and Ames/ISU Ice Arena are both enterprise funds. Total Department expenses total \$3,337,908 with revenues of \$1,431,778, and the tax subsidy equates to \$1,906,130 (57%).

There will be no changes in the number of FTEs. The importance of volunteers to the Parks and Recreation Department was emphasized by Mr. Abraham. Permanent staff in the Department totals 19.5; however, there are also over 400 seasonal workers.

According to Director Abraham, the Department is always looking for ways to improve services that will also save money. He described many improvements the staff has come up with that will be discussed and perhaps come to fruition. Mr. Abraham noted the many agencies and “Friends” groups that partner with Ames Parks and Recreation that allow for the programs and activities to occur.

The Department will also be working on new Branding efforts relative to the parks, facilities, and programs. In order to take a more comprehensive look at the satisfaction level with its programming, parks, facilities, and trails and to determine the needs and wants of the community, a city-wide survey will be conducted.

New programming activities and events were described by Mr. Abraham. The Scholarship Funding program was explained. The City is seeking an arrangement with the Ames School District for space for indoor programs, which would free up space in the Community Center gymnasium for open recreation.

The goal of no trimming in the parks by changing installation locations and methods within the next ten years was explained by Director Abraham. He also noted the cost savings realized by having City staff perform the weed control activities versus contracting it out.

Council Member Betcher noted that the Council had received an e-mail citing concerns about the fee structure at the Auditorium. Ms. Betcher asked for a definition of the “seat fee.” Mr. Abraham explained that the fee charged is either as a per-hour charge or a per-seat charge. Mr. Abraham offered to respond to the person who had sent the email.

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

Administration decreased its budget by 4.8% from FY 2014/15 Adopted. The November 12, 2013, decision of the City Council to convert Plant from coal to natural gas was noted. Demand Side Management programs continue to be quite effective in keeping demand growth low. As a result of these programs, it is estimated that the peak demand has been reduced by over 15 megawatts. The 161 kV Line was completed. The City became a Transmission owner in MISO. Mr. Kom advised that the 5<sup>th</sup> Annual ECO Fair will be held on April 4, 2015.

“Smart Energy” programs were specifically highlighted. The budget is currently \$1,000,000, and no increase is planned for 2015/16. It is projected that 300 PTP switches will be installed, bringing the total to 10,000 and reducing the demand by 3.8 MW. Since a solar rebate has been added, there have been five completed and there are seven pending projects. The Department is developing an Industrial Interruptible/Off-Peak Rate.

Power Production’s total expenditures equate to \$10,907,987, which is an increase of 1.2% over the FY 2014/15 Adopted. A GT-1 catastrophic failure occurred in June 2013. The all-time peak of 130.7 MW was reached on July 25, 2012. An electric peak of 122.6 occurred on September 4, 2014.

The budget for Fuel and Purchased Power will increase 4.6% to \$32,222,897. Wind energy purchases provided the equivalent of 11.4% of the City’s usage; RDF provided 2.8% of energy consumed. Market Energy prices are flat. The Energy Cost Adjustment will move from negative to positive.

Electric Distribution Operations and Maintenance will see a 0.2% decrease from FY 2014/15. Tree trimming will increase by \$15,000 due to the Emerald Ash Borer Plan. There will be increased animal-guarding of the system. The conversion of the Downtown network to 13.8kV is nearing completion.

Electric Distribution Extension/Improvements will increase 5.2% from FY 2014/15 Adopted. Aged/failing underground cable, poles and wires, and overhead switches will be replaced. Trenching costs will increase by 50% due to those improvements. A new circuit will be installed into the ISU Research Park Phase III. Obsolete substation relays, switches, and breakers will be replaced.

There will be a decrease of 13.2% for Electric Technical Services over FY 2014/15 Adopted. Meters/start radio remote reads will be replaced. Two apprentices have replaced two retired employees.

There will be an increase of 8.9% for Electric Engineering. Underground and pole inspections and infrared testing will be ongoing. The cost increase is due to new NERC/MRO compliance. Upgrading of relays, controls, and breakers and switchgear will be done aimed at improving reliability. Feeder extensions from the Vet Med Substation will be constructed.

In summary, the estimated total expenses for 2015/16 are projected at \$51,383,447 and revenues at \$59,619,000. The ending Fund Balance for FY 2014/15 is estimated to be \$20,268,120. The minimum fund balance target is \$10,100,000, which leaves a net Unreserved Fund Balance of



\$10,168,120. Director Kom advised that there is no rate increase being requested for 2014/15; however, a 4% rate increase is anticipated for 2015/16.

**Law Enforcement.** Details were given by Police Chief Chuck Cychosz of the budget for the Public Safety Program, which included Administration and Records, Crime Prevention and Police Services, General Investigation, Emergency Communications, Forfeiture/Grants, Animal Control, and Parking Enforcement.

Under Administration and Records, Chief Cychosz noted that the budget priorities for the Department have remained consistent for the last few years. Improvements in technology have been a priority for the Police Department. Those improvements have allowed Department personnel to be more effective and efficient in meeting the demand for services. Chief Cychosz noted that there were officers who suffered significant injuries while on duty this year. Phase I of the Facility Remodel was completed in November 2013. Phase 2 will impact the Police Department by renovating investigators' and administrative offices.

Chief Cychosz gave highlights of the Crime Prevention and Police Services, specifically noting the Safe Neighborhoods Team (SNT) and Crime-Free Housing. Problem-solving and building relationships are core goals. A significant amount of Patrol time is invested in quality-of-life problems, e.g., noise complaints, vandalism, garbage, and illegal parking. Alcohol continues to be a significant factor in the crimes that occur in Ames. Crime trends in the City for robbery and assault arrests from 2000 to 2014, for intoxication/OWI arrests from 1998 to 2014, and for quality-of-life issues (noise, trespass, and nuisance party) from 1998 to 2014 were shared. Chief Cychosz gave credit to the Crime-Free Housing Program and property managers for working with the Police Department.

Special initiatives being conducted by the General Investigations Division were listed. That Division includes six Investigators, one Sergeant, two part-time Evidence Technicians, one part-time Mental Health Advocate (which is currently vacant), one School Resource Officer, and one Commander. Chief Cychosz brought the Council's attention to the high-risk environments to officers, family, and community caused by domestic violence. Statistics from the Mental and Emotional Health calls were given from 2007 to 2014. The Department will be attempting to partner with other agencies, e.g., Eyerly Ball, who might be able to bring expertise to crises situations in a more timely manner. It is also hoped that some type of maintenance services might also be developed.

Under Emergency Communications, Chief Cychosz advised that there had been 23,958 emergency calls in 2013/14, of which 3,776 had been medical dispatch calls. New equipment to receive and manage both 9-1-1 and non-emergency phone calls was installed in the Communications Center. The new equipment is capable of handling the next generation developments in communications, such as text to 9-1-1. Funding for the new system was provided by the Story County E9-1-1 Service Board and a State of Iowa 9-1-1 Grant Program.

Highlights of Forfeiture/Grants and Parking Law Enforcement were given. Chief Cychosz stated that the Drug Drop-off Box had been extremely popular. The Department is appreciative of those residents who get those drugs out of their homes.

Pertaining to the Animal Shelter, Chief Cychosz reported that facility improvements continue in animal housing areas. A new database has been acquired that allows the tracking of all animals, requests for field services, donors, fiscal operations, and customer data. The primary

source of funding for the new software was a private foundation grant and supplemented by local donations.

Chief Cychosz provided a brief overview of the Parking Enforcement program. He noted that the main focus of the Community Safety officers' duties (80%) was enforcing illegal parking, overtime meter regulations, and managing parking response during snow emergencies. The total number of parking citations in 2013/14 was 22,331. It is projected to reach 24,000 in 2015/16.

The Chief stated that the Department is continually investing in providing quality service, outreach, and in forming relationships. A video of citizens commenting about their experiences with members of the Police Department was shown. The video specifically highlighted the relationship-building efforts being undertaken by police officers.

Council Member Gartin arrived at 7:06 p.m.

City Manager Schainker provided information to the Council members that they had requested pertaining to the use of the Intermodal Facility for parking.

**Fire Department.** Chief Shawn Bayouth stated that the Fire Safety budget will increase overall by approximately 3.1%.

The budgets for Fire Administration and Support will see a 1.6% increase. The Contractual will be up 42.4%. The changes at the Iowa Fire Service Training Bureau have made it difficult to ensure that new or uncertified recruits are prepared to work in a timely fashion after getting hired. A contract training officer will be hired to coordinate and teach inter-departmental training academies for Ames fire fighters. Invitations have been extended to fire departments in nearby towns to participate as well.

Under Suppression and Emergency Action, contractual will be up 9.4% due primarily to an increase in Fleet charges, and commodities will be up 15.3%.

At the inquiry of Council Member Corrieri, Chief Bayouth replied that the response time to EMS calls is less than five minutes. In FY 2013/14, the Department responded to 2,400 EMS calls. There are times that the First Responders on the scene have to wait for Mary Greeley Medical Center Mobile Intensive Care Services to arrive. According to Chief Bayouth, there are also times when Mary Greeley is not available to respond to an EMS call and medical services by an outside agency have to be requested.

Pictures were shown of significant fires in 2014. Highlights for the Fire Prevention and Safety Education were given. There will be an overall 3.2%. An initiative by the Fire Inspector during the past year was to specifically target high school seniors and their parents in an attempt to provide an important message about selecting fire-safe college living facilities.

Building Safety/Inspections' budget will increase 5.3%. There will be a 70.3% increase in contractual expenses. The 2013/14 fiscal year saw an overall 7% increase in the number of building, mechanical, plumbing, and electrical permits. Building permits increased by 9% and plumbing permits increased by 12%. Personnel changes occurred in 2014. Each inspector needs to have a qualified back-up. The Division is back to one Plumbing Inspector, and a total of \$24,000 has been set aside for contract inspectors to cover for vacation/sick/training time. That amount partially accounts for the 70% increase in contractual expenses. An Assistant Building

Official position was created to assist with the increasing administration demands of the Division.

City Manager Schainker acknowledged Iowa State University's contribution of 25% of the Fire Department's operating costs plus debt service. In 2014/15, that will amount to \$1,644,805.

**ADJOURNMENT:** Moved by Corrieri to adjourn the meeting at 7:44 p.m.

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

**AMES, IOWA**

**FEBRUARY 5, 2015**

The Ames City Council met in special session at 5:15 p.m. on February 5, 2015, in the 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, and Chris Nelson. Council Member Peter Orazem was absent. *Ex officio* Member Lissandra Villa was also present.

**THETA DELTA CHI HISTORIC REHABILITATION PROJECT:** Moved by Goodman, seconded by Gartin, to adopt RESOLUTION NO. 15-057 indicating the City's support for the Theta Delta Chi historic rehabilitation project.

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

**FY 2015/16 BUDGET PROPOSALS:** The City Council heard reports on the Transportation Program (Transit) and General Government and Internal Services.

**Transit System.** Transit Director Sheri Kyras gave the ridership history and predicted trend. She noted that each Iowa State student represents 170 rides. At the inquiry of Council Member Gartin, Ms. Kyras stated that the ridership represents approximately 90% students and 10% non-students.

Under Administration and Support, Ms. Kyras pointed out that 2016/17 will be the last loan repayment match to the Intermodal Facility construction grant. She advised that the Student Fee will increase by \$2.24 (\$66.35/semester). The GSB Trust Fund Balance will be lowered to \$865,000. Two new projects: Transit Asset Management Plan and Safety Plan were described.

Ms. Kyras reported on major projects under the Fixed Route Service program.

Under the Dial-A-Ride program, Director Kyras noted that CyRide is required, under the Americans with Disabilities Act (ADA) to provide complimentary para-transit door-to-door service for persons unable to use Fixed Route services. There was a significant increase in ridership (25%) at the end of 2013/14. This program is funded with 80% federal dollars. CyRide has contracted with HIRTA to provide that service from June 2012 - June 2015. Ms. Kyras explained the process to be undertaken by the Transit Board of Trustees in advance of the contract renewal. Major projects for the Dial-A-Ride program were highlighted by Ms. Kyras.

Council Member Goodman asked what would happen if a new development on the outer limits of Ames were to occur. Director Kyras explained that it would be a decision of the Transit Board as to whether service would be provided to the new development.

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

According to Ms. Huisman, in 2014, 50 recruitments were launched. The number of applicants for open and promotional recruitments totaled 2,200. Key recruitments completed through 12/31/2014 were highlighted by Ms. Huisman. She also named the upcoming key recruitments.

Under employee development, 64% of employees went through classes offered by the Employment Development Center. The number of hours of leadership and management training offered for 2012/13 totaled 35.

Under Employee and Labor Relations, Ms. Huisman advised that there were no labor negotiations in 2014/15. All five bargaining units will be negotiated in 2015/16 (Blue Collar, Electric Distribution, Fire, Police, Power Plant). Two-thirds of the City's workforce are covered by Union contracts.

**Health Insurance.** Human Resources Officer Laurie Textor presented highlights for the Health Insurance Management program. She noted that the City is self-insured and is managed by Wellmark.

Information pertaining to healthcare claims was distributed to the Mayor and City Council. Influencing health plan costs are: industry trends, catastrophic claims, covered members, number of medical and pharmacy claims, and workforce demographics. Ms. Textor presented the cost of claims by range.

Added value programs were listed as follows: (1) Health Insurance Advisory Committee, (2) Outcomes Medication Therapy Management Services, (3) Conditions Support/Advanced Care, and (4) Health Promotion Program.

Andrea Cardenas, Health Promotion Coordinator, reviewed key services and programs that are offered to employees. At the question of Council Member Goodman, Ms. Cardenas described how the City attempts to benchmark the rate of improved health of employees. The City has seen significant improvements in the health issues of employees participating in the Healthy4Life program.

Council Member Gartin asked to be provided with more years of claims history. Council Member Goodman asked to receive information on industry trends. Ms. Textor stated that Wellmark has been asked for that information, and it will be provided to the Council.

**Risk Management.** Human Resources Director Huisman highlighted the main risk management activities: Self-Insured Workers' Compensation, Property Insurance, and Liability Premiums. Property premiums will increase 4.9%. Insured property values will increase 1.5%. Liability premiums will increase 4.4%. Under workers' compensation claims, there were 85 in 2012/13, 73 in 2013/14, and 44 in 2014/15 to date. The average cost/claim for active employees is \$2,771 in 2014/15 to date. Ms. Huisman explained a new program, Functional Job Assessments, that will be launched in 2015.

**City Council.** Management Analyst Brian Phillips provided a list of the Council's Goals that were recently discussed in its Special Meeting. He noted that staff had identified a list of ten workshop topics. He presented a summary of the annual events sponsored in whole or in part by the City Council.

**City Manager.** Highlights of the major projects supported by the City Manager's Office were given by Management Analyst Phillips. He noted the staff support provided for Boards, Commissions, and other organizations. The employee-driven initiative, Bringing Our Values to Life, was described. All employees discuss each value, its meaning, and what it looks like in practice. The Excellence Through People materials are also being refreshed.

**City Clerk.** Diane Voss presented the City Clerk's Division budget. Many of the services provided by the City Clerk's Office were summarized. Major sources of revenue and the largest expenses were highlighted.

Council Member Goodman left the meeting at 6:30 p.m.

**Public Relations.** Susan Gwiasda, Public Relations Officer, listed ways that the City communicates internally and externally. She highlighted press releases, newsletters, the Web site, social media, EcoSmart Update, and community branding. Ms. Gwiasda noted the assistance provided by Derek Zarn, Print Shop Operator, in improving the graphics of the City's publications. The internal efforts were also listed, including subcommittees, social media, redesign of the Web site, Video/Channel 12, and internal branding standards. Several upcoming events were announced by Ms. Gwiasda.

**Cable TV.** Derek Crisler, Cable Coordinator, stated that the City would be going through a major HD conversion soon. He explained that a Major Equipment Replacement and Upgrade Plan had been created. New programs for weekly playback continue to be received. There has been an increase in programs and continued improvement in quality.

**Legal Services.** City Attorney Judy Parks summarized the services provided by the Legal Department. Ms. Parks highlighted the areas of experience brought to the City by Assistant City Attorneys Mark Lambert and Jessica Spoden.

City Attorney Parks showed the Department's funding sources and how they are allocated. She listed major Planning and public improvement projects that the Legal Department has worked on over the past year. It was noted that the Attorney's Office also works on property assessment appeals and other major tasks, e.g., ordinance review and preparation. The civil litigation cases that have been or are being worked on were shown. Ms. Parks said that she cannot remember a time in her 20+ years when there have been so many cases.

Council Member Gartin noted the significant increase in Contractual expenses and asked if the City had reached a point where it would be beneficial for another attorney to come on board, either half-time or full-time. City Attorney Parks stated that she will be in a better position to report on that after the new newer assistants had been on board for three years or more. Mayor Campbell pointed out that the increase in Contractual did not mean outside counsel. City Manager Steve Schainker stated that the expenses for outside counsel were charged to the Department under which the lawsuit had arisen.

**Long-Range Planning and Current Planning.** Planning and Housing Director Kelly Diekmann showed a pie chart to indicate how much time has been taken up by its 2014 activities. The Department also staffs the Planning and Zoning Commission, Historic Preservation Commission, and Zoning Board of Adjustment

Director Diekmann described what types of projects constitute Long-Range Planning. Long-Range Planning activities for 2014/15 were shown. These significant projects were the result of Council Goals. They will be tracking the number of referrals in the future. For 2015/16, the Land Use Policy Plan (LUPP) Update will be the major project. They will continue to complete the Lincoln Way Corridor Plan, the East Industrial Planning Area, completing the Code amendment review process for city-wide landscaping standards, and finalizing the Campustown Facade Program.

Council Member Gartin asked if the Department had enough staff to perform all the work. City Manager Schainker asked the Council members to comment as to whether they felt staff was responding in the manner desired by the Council. He reported that the total cost of adding a Planner would be approximately \$98,000.

Under Current Planning, the many development applications handled were shown. Some of those applications are not brought before the Council for approval. A good deal of time is spent on customer service (responding to public inquiries and supporting neighborhoods).

Development applications are up over 20% in the last two years. Major project concentration will be devoted to reviewing zoning and subdivisions requests for the Northern Growth Area. According to Director Diekmann, it is planned that the Planning Intern will be consolidated with the Neighborhood Planning Intern. The budget includes a decrease of approximately \$9,100 as a result of eliminating the Planning Intern position.

Mr. Diekmann stated that the Department is projecting continued high demand for site plan approvals and subdivisions. The Department is looking forward to incorporating the new Ener-Gov License Module.

City Manager Schainker reported that a workshop will be scheduled in the near future to discuss the Planning Work Program.

**City-Wide Affordable Housing.** Vanessa Baker-Latimer, Housing Coordinator, noted the city-wide housing activities for 2014/15 and 2015/16. She noted that in lieu of a permanent .37 FTE position in the Housing Division, temporary and/or contracted staff will be utilized until such time as it is determined that a permanent position is needed. Staff will continue to host community educational programs related to housing.

**Community Development Block Grant.** The Community Development Block Grant (CDBG) activities were highlighted for 2014/15. Ms. Baker-Latimer reported that the City received its 11<sup>th</sup> CDBG allocation in the amount of \$488,278. For 2014/15, the five programs to be administered under the Neighborhood Sustainability Program and the project under the Public Facilities Improvement Program were explained. For 2015/16, the City's allocation has not yet been announced. For budgeting purposes, the 2014/15 allocation (\$488,278) is being projected. The Second Annual Action Plan as part of the newly adopted 5-Year Consolidated Plan (2014-19) will incorporate the Program goals and priorities. This must be submitted to the Department of Urban Development before May 17, 2015.

**Administrative Services.** Mr. Diekmann reported on the gained efficiencies from the combination of clerical staff members from the Planning and Housing, Public Works, and Fire Department. This has allowed for a more reliable support staff. The goal is to share services, increase collaboration, and provide a “one-stop” shop.

City Manager Schainker noted that, at the February 10, 2015, Budget Wrap-Up session, the Council will need to make decisions on COTA funding, funding for Public Art, ASSET funding, other funding requests, and any other changes that the Council wants to make. He reminded that the Council will also need to make a motion pertaining to the new Flood Mitigation wording.

**ADJOURNMENT:** Moved by Corrieri to adjourn at 7:42 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor

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

**AMES, IOWA**

**JANUARY 27, 2015**

**REGULAR MEETING OF THE AMES CONFERENCE BOARD**

The regular meeting of the Ames Conference Board was called to order by Chairman Ann Campbell at 6:30 p.m. on January 27, 2015. Present from the Ames City Council were Gloria Betcher, Amber Corrieri, Tim Gartin, Matthew Goodman, Chris Nelson, and Peter Orazem. Story County Board of Supervisors present were Wayne Clinton and Rick Sanders. Representing the Ames School Board were Jane Acker and Bill Talbot. Gilbert Community School District was represented by Tanya Austin. United School District was not represented.

**MINUTES OF FEBRUARY 25, 2014, MEETING OF THE CONFERENCE BOARD:** Moved by Sanders, seconded by Betcher, to approve the minutes of the February 25, 2014, Meeting of the Ames Conference Board.

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

**ASSESSOR'S BUDGET PROPOSALS:** Ames City Assessor Greg Lynch highlighted information from the City Assessor's 2015/16 Annual Report. Mr. Lynch reported that the budget proposal is very similar to last year's proposal; however, there are three major differences. Referencing Page 9 of the Proposal, Mr. Lynch noted the very large population growth in Ames that had occurred since 1996. According to Mr. Lynch, 1996 was the last time that his office had added any staff. The number of new projects that had been submitted to the Planning and Housing Department and the number of inspections done by the Inspections Division were reported. Those, in turn, have created a lot of work for the City Assessor's Office. Due to those increases in workload, he is asking for a new half-time employee. The total cost for that half-time person would equate to \$48,948. The second difference was the purchase of a new server at the cost of \$28,700. The third difference is to earmark \$17,000 annually (over the next two years) to begin planning for a Content Management system that is scaled to the needs of the City Assessor's Office.

Mr. Lynch shared good news that the taxable value increased by 4% from 2013 to 2014.

Mr. Sanders advised that the Mini-Board had recommended a 3% increase in staff salaries. He said the Board based its recommendation on what it thought the City of Ames would be proposing for its employees.

Mr. Sanders asked for more justification for the purchase of a new server. Matt Emerson, IT Administrator, for the City Assessor's Office, stated that it is generally good business practice to replace servers that are four to five years old. He stated that the two older, less powerful systems would be replaced with a more powerful server. It would incur a substantial up-front replacement cost of \$28,700, but will eliminate a need for ongoing support contracts of \$700 annually. Regarding the proposed Document Management System, Mr. Emerson advised that the City Assessor's Office needs to integrate its current software into any software that would be purchased and utilized for document management.

Moved by Sanders, seconded by Orazem, to approve the recommendations of the Assessor's report. Roll Call Vote: 3-0. Motion declared carried unanimously.

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



Roll Call Vote: 3.0. Motion declared carried unanimously.

Moved by Betcher, seconded by Sanders, to set 6:30 p.m. on February 24, 2015, as the date of public hearing on the proposed FY 2015/16 City Assessor's budget.

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

**ADJOURNMENT:** Moved by Orazem, seconded by Goodman, to adjourn the Ames Conference Board at 7:00 p.m.

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

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

The Regular Meeting of the Ames City Council was called to order by Mayor Campbell at 7:02 p.m. on January 27, 2015, 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, Chris Nelson, and Peter Orazem. *Ex officio* Member Lissandra Villa was also present.

Mayor Campbell announced that Item No. 23 ( pertaining to street right-of-way at 4316 Ontario Street) and Item No. 32 (Automated Utility Meter Reading Project) had been pulled by staff. In addition, Items No. 27 and 28 (City's branding efforts and report on shopping carts abandonment) would be heard after Hearings. Staff had also requested that Item No. 25 (Final Plat for Chacaqua Subdivision pulled from the Consent Agenda for separate discussion.

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

1. Motion approving payment of claims
2. Motion approving minutes of Special Meetings of January 10, 2015 and January 20, 2015; and Regular Meeting of January 13, 2015
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for January 1-15, 2015
5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Class C Liquor & Outdoor Service – West Towne Pub, 4518 Mortensen Road, Suite 101
  - b. Class C Liquor & Outdoor Service – Dublin Bay, 320 South 16<sup>th</sup> Street
  - c. Special Class C Liquor & Outdoor Service – Black Market Pizza, 2610 Northridge Parkway
6. Motion approving new Class B Beer Permit & Outdoor Service - Torrent Brewing Co., LLC, 504 Burnett Avenue
7. Motion approving new Class C Liquor - Cyclone Liquors, 626 Lincoln Way
8. Motion approving 5-day (February 7-11) Class C Liquor License for Olde Main Brewing Company at the ISU Alumni Center, 420 Beach Avenue
9. Motion approving 5-day (February 6-10) Class C Liquor License for Olde Main Brewing Company at Workiva, 2900 University Boulevard
10. RESOLUTION NO. 15-032 approving Quarterly Investment Report for period ending December 31, 2014
11. RESOLUTION NO. 15-033 setting date of public hearing for February 10, 2015, on vacating Storm Water Easement at 301, 303, 305, and 321 South 5<sup>th</sup> Street
12. Motion setting February 10, 2015, as date of public hearing on adoption of 2014 National Electric Code
13. RESOLUTION NO. 15-035 approving preliminary plans and specifications for Sand Volleyball Lights; setting February 25, 2015, as bid due date and March 3, 2015, as date of public hearing
14. RESOLUTION NO. 15-036 approving preliminary plans and specifications for 2012/13 Concrete Pavement Improvements #2 (Southeast 5<sup>th</sup> Street); setting February 18, 2015, as bid due date and

February 24, 2015, as date of public hearing

15. RESOLUTION NO. 15-037 approving preliminary plans and specifications for 2014/15 Concrete Pavement Improvements #2 (Ridgewood Avenue, 9<sup>th</sup> Street, and Park Way); setting February 18, 2015, as bid due date and February 24, 2015, as date of public hearing
16. RESOLUTION NO. 15-038 awarding contract to Truck Country of Cedar Rapids, Iowa, in the amount of \$71,442 for purchase of one Medium-Duty Truck Chassis for use as Digger Derrick Truck by Electric Distribution
17. RESOLUTION NO. 15-039 awarding contract to Truck Country of Cedar Rapids, Iowa, in the amount of \$70,942 for purchase of one Medium-Duty Truck Chassis for use as Aerial Bucket Truck by Electric Distribution
18. RESOLUTION NO. 15-040 awarding contract to Irby Electric of Fort Dodge, Iowa, in the amount of \$68,552 (plus applicable sales taxes) for Padmounted Switchgears
19. RESOLUTION NO. 15-041 accepting completion of Water Treatment Plant Tree Removal Project
20. RESOLUTION NO. 15-042 accepting completion of Furnishing 15kV Outdoor Metalclad Switchgear and 69kV Control Panels for Ames Plant Distribution Substation
21. RESOLUTION NO. 15-043 accepting completion curb and gutter construction and public utility adjustments required for Sunset Ridge, 5<sup>th</sup> Addition
22. RESOLUTION NO. 15-044 accepting completion of sanitary sewer relocations required for Ringgenberg Park, 4<sup>th</sup> Addition
23. RESOLUTION NO. 15-045 approving Plat of Survey for 230 South Duff Avenue  
Roll Call Vote: 6-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**FINAL PLAT FOR CHACAGUA BEND SUBDIVISION:** Planning and Housing Director Kelly Diekmann noted that the request was for approval of a rural subdivision. Also unique was the request for a reduction in the density of what is contemplated by the Urban Fringe Plan. Mr. Diekmann reported that what was being proposed was a three-lot subdivision; to meet minimum density, it would need to be a four-lot subdivision. Staff was supporting the waiver because the original parcel has a number of improvements on it, and to carve off a fourth parcel would be impossible to do without removing usable garages and accessory buildings. The normal Covenants for assessment, annexation, and rural water are in place.

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 15-046 approving Final Plat for Chacagua Bend Subdivision.

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

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

**2015-2020 CAPITAL IMPROVEMENTS PLAN (CIP):** Mayor Campbell invited members of the public to provide input on the 2015-2020 CIP. She specifically noted that the vote on the CIP would be taken at Budget Wrap-Up on February 10, 2015. No one came forward to provide public input.

Referencing an e-mail that he had received from a citizen late today, Council Member Goodman asked staff to provide information on the history of the numbers. City Manager Schainker brought the Council's attention to Page 94 of the CIP. Municipal Engineer Tracy Warner reported that there are several programs contained in the CIP related to multi-modal travel (pedestrian and shared-use paths). She explained that the locations being recommended come from feedback received during the City's Long-Range Transportation Plan process.

Mr. Goodman noted the amounts that had been included in the five-year CIP for the Shared-Use Path System Expansion. In the first year (2015/16), there was \$60,000 budgeted for engineering costs; however, years 2016/17 through 2019/20 showed amounts well in excess of \$500,000/year. City Manager Schainker advised that it would be the future policy decision of the Council as to whether there were certain projects or expansions of bike paths the City should finance or how much in total dollars the Council wants to commit. Mr. Schainker also pointed out that the 2015/16 Budget will be approved prior to the Long-Range Transportation Plan being finalized; however, the CIP may be amended in future years. Priorities and funding may be changed next year.

Council Member Goodman stated that he, personally, was not in favor of the Flood Mitigation - River Flooding project (Page 42 of the CIP). He stated that his concern was the large investment. The City's portion of that investment is \$1.8 million. Mr. Goodman said his issue was that this would be an investment in an area that will have a large impact for those on South Duff, both commercial and residential; however the conversations about flooding in that area had been ongoing for a long time. To him, this is bringing in the whole community to solve a problem that those who develop in that area are well aware of; development should occur there at the risk of those investors making the decision to do so. In the opinion of Council Member Goodman, the nature of the process of the flood mitigation studies came down to return on investment; however, he believed that those return-on-investment numbers gave areas that have high investment, e.g., South Duff, a very large edge in terms of the impact that could be made. When the discussions first started, Mr. Goodman said he thought it would be geared toward residential areas, e.g., Northridge, Meadow Lane. He noted that he was uncomfortable with this project.

Mr. Goodman suggested that the project be delayed to allow the Council to learn more about it and the history of it. He suggested the following: (1) to see what the interest would be in cost-sharing on the project by those property owners who will benefit from the investment; (2) Council could benefit by knowing more about the bank stabilization, habitat restoration, additional recreational amenities, etc., although there is no funding for those items at this time; and (3) get a sense from the community as to what it felt about this project.

Council Member Orazem pointed out that at least three public comment sessions had been held on this project. He noted that there have been developers who have invested in the flood-prone areas; however, there are also several apartment buildings that are impacted, affecting hundreds of citizens who live there. Mr. Orazem emphatically stated that he sees this issue as one of public safety. He views this project as a chance at lowering the possibility of flooding that area, and thus, lowering the probability of injuries or deaths from flooding. Mayor Campbell pointed out that Highway 69 is also affected and often has had to close during flooding events.

Council Member Goodman indicated that he is mainly concerned about the costs. He reiterated that he is opposed to all citizens paying for benefits for a few. Mr. Goodman noted that there are those who refuse to take FEMA buy-outs and rebuild their businesses. The \$5.8 million project primarily helps the investors who take the financial risk knowing full well what that risk is.

Council Member Nelson asked if this project was coordinated with the Grand Avenue Extension project from the mitigation perspective. Ms. Warner answered that it is from the hydraulic standpoint. A consultant is doing the environmental analysis and also looking at the hydrology. Staff is looking at what level is the Grand Avenue bridge crossing Squaw Creek going to be protected. Ms. Warner noted that the Grand Avenue Extension project has been stagnant for quite some time.

Council Member Orazem commented that he believed the faster the water can be moved downstream away from Ames - and the fact that the conveyance of the water further downstream would be improved - would lower Ames's potential for a 1-in-a-100-year flood level.

Ms. Warner again stated that staff was attempting to coordinate this project with the Grand Avenue project relative to hydrology. The Grand Avenue bridge is going to be a large bridge, and staff needs to understand the impacts of the flood mitigation to determine how large. The bridge on Grand Avenue could be smaller if the flood mitigation improvements are made and the water level goes down. However, if the water level is higher, and it is desired that the new Grand Avenue bridge be open during a flood, that bridge would have to be a much larger structure or a series of box culverts or openings that would allow the water to pass would need to be installed. According to Ms. Warner, completing the engineering for this project would provide more accurate information about the construction estimates and also about the Grand Avenue Extension project. Applying for FEMA funding during Fall 2015 will also provide information as to the costs of the project; the design must be done so that the project is shovel-ready.

Council Member Gartin asked if Mr. Goodman's concern was more with the cost of the project or the merits of the proposal. Council Member Goodman replied that the cost was his primary concern. He reiterated that he believes the cost should be shared with those who will benefit. According to Mr. Goodman, after the cost/benefit analysis, which was the primary criteria used to evaluate the project, it was stated that nearly 100% of the benefits will be either commercial or rental housing residential, which is a commercial endeavor through a residential use. He acknowledged that there will be people impacted. His concern, in addition for the cost being borne by those who benefit - by those who were unwilling to take FEMA buy-outs in multiple floods - is the logic in stating it is to protect the people. Mr. Goodman commented that the people who have rental housing in the flood plain should then be asked to provide renter's insurance for their residents. He also suggested that the City look at other places in the community where there might be an individual benefit. The study only focused on cost/benefit, which he felt skewed the results of the study.

Mr. Goodman reiterated his concern that the financial benefits are based on financial benefits for a few. If the focus is on the human element, the City should be looking at the solutions differently. Council Member Orazem commented that the cost/benefit is specifically estimated because that is a requirement to qualify for FEMA funding, and the value of life is zero in those cost/benefit computations; it is entirely based on property. All the other costs borne by the community are not incorporated into that computation because they are more difficult to quantify. Mr. Orazem reiterated that this project gives the City a chance of lowering the peak flood by a foot or two, and if there are going to be even more large rain events in the future, that increases the need for the project. Council Member Goodman said that he was not arguing about the emotional and life impact of flooding. He asked if it is the taxpayers' responsibility to protect the investments of those who consistently take the financial risk to develop in that area when that risk is so easily understood.

Moved by Goodman, seconded by Betcher, to move the engineering and construction back one year in the CIP to give Council more time to look at the project.

Council Member Gartin stated his belief that the City should move forward at least with the engineering piece. He did not see a downside with working through that, and he did not want to stall the work that is being done on that in light of the other projects. It was noted that the construction is not slated to begin until 2016/17.

Municipal Engineer Warner pointed out that if the engineering portion were to be done, it would give more insight as to the cost of this project and will determine the impact on the Grand Avenue bridge and how large it needs to be. Pursuing easements could be put off. An application for FEMA funding would be submitted during the Fall 2015.

Council Member Goodman said he would be willing to push the easement acquisition to 2016/17 and construction to 2017/18.

Council Member Corrieri suggested that the CIP be left as it is with Council having a discussion next year during the CIP and making its decision at that time.

Motion withdrawn by Goodman.

Council Member Nelson said that he would like to have a conversation about trying to shorten up the Grand Avenue Extension schedule; he would like it moved up a year (Page 93 of the CIP). Mr. Nelson noted that there is a South Duff problem now and it is only going to get worse over the next five years. City Manager Schainker advised that the City has to go through the first two steps. The construction would occur over the last three years. Mr. Schainker said that the staff needs to do further analysis on the types of funding available. During the next year's CIP discussion, more information would be known as to how long the construction will take.

Mr. Goodman expressed frustration that he had not heard, before tonight, that staff would be integrating the Flood Mitigation - River Flooding into the Grand Avenue Extension project. He stated that if there is something that would drop the project cost of another project, he would like to know that before the CIP hearing. He had many conversations with community residents about the Flood Mitigation project and had not mentioned that it would be integrated with the Grand Avenue Extension project. Ms. Warner stated that that is not guaranteed, and it is not known whether the Grand Avenue Extension project will come to fruition.

**RESIDENTIAL HIGH-DENSITY EVALUATION OF CITY-WIDE SITES:** Planning and Housing

Director Kelly Diekmann summarized the discussion that had occurred at the Council workshop held on November 18, 2014. The workshop was held as a result of multiple requests for Council to consider rezoning of property or for LUPP amendments to designate land for high-density development (RH). Mr. Diekmann noted that the Draft RH evaluation tool had been reviewed by the Council at its meeting on January 13. Council had accepted the staff's suggestion that minimum screening parameters be that sites should be at least one acre in size and currently be within the city limits. A list of ten example sites that were identified through the screening effort was given by Director Diekmann.

The Council received Mr. Diekmann's suggestions for modifying the evaluation tool and explanations therefor. He advised that the Planning and Zoning Commission had reviewed the RH Evaluation Tool at its January 21, 2015, meeting. The comments of the Commission members were shared by Mr. Diekmann.

Council Member Betcher asked if there were any clusters of assessed properties that could have a better effect if considered cumulatively. Mr. Diekmann answered that really the only ones would be some properties on West Lincoln Way. However, there are many factors, so he is somewhat hesitant about commenting on the potential of a cumulative impact.

Council Member Corrieri asked for more specifics on what is used by staff to rank the properties. Mr. Diekmann stated that bus access was a factor (the location of the bus stop). The CyRide schedule to the site was also crucial in determining the ranking. Also considered were proximity to parks and schools and commercial services. Another consideration was whether the elements could be pulled together to create a neighborhood of a sense of place.

City Manager Schainker asked if the Council members felt that the Tool was beneficial to its decision-making, and if so, did they wanted to modify the tool. Mr. Schainker also asked Council to advise staff how they should apply the Tool. Council Member Orazem stated that he felt the Tool was useful for developers to have some certainty as to whether projects were feasible and for City Council members to make decisions on project and to use for revisions to the Land Use Policy Plan.

Moved by Goodman, seconded by Orazem, to approve the RH Evaluation Tool to be included in the process of the review of development proposals.

Council Member Goodman asked staff, when they begin to work on different projects, to come back to the City Council and give a sense of whether the development community would prefer to see the evaluation up-front.

Council Member Gartin noted the significant increase in cost to CyRide due to isolated developments. Director Diekmann said that it amounts to the “chicken and the egg,” meaning that if a CyRide route was planned first, the City would encourage uses to support that route. However, if development occurs first, Transit then normally has to be expanded or created to service that area. Mr. Diekmann offered that it is not feasible for developers to be asked to fund CyRide routes.

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

**LAND USE POLICY PLAN (LUPP) AMENDMENTS FOR EASTGATE AND SOUTH DUFF AVENUE:** Director Diekmann reviewed two requests for Land Use Policy Plan Amendments.

Eastgate. Mr. Diekmann recalled that the Council had, on September 9, 2014, directed staff to prepare a memo providing information on Kurt Friedrich’s request for a LUPP Map amendment. Mr. Friedrich was requesting a change of approximately 12 acres of vacant land from Community Commercial Node to High-Density Residential. The subject area is located in the Eastgate Subdivision north of East 13<sup>th</sup> Street and west of Dayton Road. According to Director Diekmann, on October 14, 2014, the Council had deferred consideration of the request until after a discussion had been held about the high-density housing interests of the City. At its January 13, 2015, meeting the Council reviewed information on the evaluation of high-density requests and indicated that the site was to be evaluated with the residential High-Density Evaluation Tool.

According to Mr. Diekmann, the existing Community Commercial Node zoning allows for office, retail, lodging, and residential uses, but not for as many uses as allowed under Highway-Oriented Commercial. The apartment development sought by the developer is allowed within the FS Medium-Density Zone, the High-Density Residential Zone, and within Downtown and Campustown Service Center Zones as a mixed use.

Land use issues were identified by Mr. Diekmann. He explained that staff had applied the RH Site Evaluation Tool and gave the results of the evaluation for each of the categories: Location/Surroundings, Site Features, Housing Type an Design, Transportation, Public Utilities and

Services, and Investment/Catalyst. It was noted that the Evaluation Tool did not evaluate the merits of keeping the current commercial land use designation.

Director Diekmann provided options to the City Council: (1) If the Council believes that the site is suitable for commercial uses and it does not have an interest in allowing for a new residential use in the area in question, it should decline to approve the request. (2) If the Council believes there is potential interest in adding residential uses to the area, it must determine if the project requires a Major LUPP Amendment or a Minor LUPP Amendment. The difference between Major and Minor Amendments was explained.

Council Member Orazem asked about the proximity to amenities since the site had been given a low rating. Director Diekmann explained that the site does not have sidewalks to access services.

At the inquiry of Council Member Betcher regarding buffering, Mr. Diekmann explained that locating housing next to industrial uses can be a detriment to some business operations that might be concerned about nuisances and may require on-site buffering and separation of residential development to provide residents some sense of compatibility.

Kurt Friedrich, Friedrich Realty, 100 Sixth Street, Ames, advised that the land is owned by First National Bank. According to Mr. Friedrich, there has been no development of the site for approximately 15 years. The property is zoned Community Commercial Node (CCN). He would like a portion of the site to be rezoned to High-Density Residential. According to Mr. Friedrich, there is a market demand for professional rental housing. There would be easy access to major employers. He has received no opposition to the proposed residential development, but has received many letters of support from adjacent businesses. Mr. Friedrich said that there is existing infrastructure to support a residential development for professional rental housing.

At the inquiry of Council Member Corrieri, Mr. Friedrich indicated that the development would be comprised of one-, two-, and three-bedroom housing units (192) to be rented to professionals, families, and retired persons. Typically, they would have a clubhouse structure. His request is for ten acres of the site to be zoned RH.

Mayor Campbell asked about the demand for persons to live next to industrial development. Mr. Friedrich indicated that there is really only one industrial use in the area. He believes that the area in question is conducive to mixed-use development and pointed out that, in the RH Zone, up to 5,000 square feet of commercial-type use is allowed to be located on the first floor with residential uses on top.

Council Member Orazem pointed out the RH Evaluation Tool had been used on this request and had provided good information to the Council. He indicated his support of the request, stating that he felt it was a good compromise to bring in housing close to a lot of employers. He thinks that the area will continue to be attractive for this type of residential development. Mr. Orazem noted that, in touring Workiva, it was stated that 70% of its employees commute into Ames. Those professionals do not want to or are not ready to purchase a home, and the proposed development appears to be a good option for those type of people.

Council Member Gartin added that, by the numerous letters of support, the neighbors near the site have indicated that they actually want this project.

Council Member Goodman stated that he had two concerns: loss of commercial land and the CyRide service issue. Council Member Orazem added that he did not believe the City should feel obligated to provide CyRide service to all areas of Ames. Council Member Goodman advised that the mission of CyRide is to provide service to all those who request it. He believes that the CyRide issue needs to be addressed in the context of the LUPP Map Amendment.

Moved by Corrieri, seconded by Orazem, to direct staff to move the request through the Minor LUPP Amendment process.

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

3115 South Duff Avenue. On November 18, 2014, the City Council had acknowledged a request from Dickson Jensen to initiate a LUPP Map Amendment, but deferred action on the request. Mr. Jensen is requesting a change of approximately 15-50 acres of land from Highway-Oriented Commercial to High-Density Residential. The subject area is comprised of several properties with access along South Duff Avenue that extend as far back as 1,200 to 1,800 feet from South Duff Avenue. Council had directed, at its meeting on January 13, 2015, that the site be evaluated using the RH Evaluation tool.

It was noted by Director Diekmann that the properties are zoned Highway-Oriented Commercial. The developer is requesting a designation for Residential High Density to develop the site with multi-family buildings. Issues that had been identified by staff related to development of the area were presented by Mr. Diekmann.

The options available to the Council were to decline to initiate the request if it believed that the site was suitable for commercial uses and didn't have an interest in allowing residential uses in the area or to initiate the process if it had a potential interest in adding residential use to the area. If the Council chose the latter option, Mr. Diekmann told the Council members that they would have to then determine if a Major or Minor Amendment would be needed.

Council Member Gartin noted that the request was to change 15 to 50 acres of land. He pointed out that there is a big difference in whether the zoning for 15 acres were changed versus 50 acres. Director Diekmann advised that staff should consider the request as including the largest area, i.e., 50 acres; however, if the project size scales down to the low end, it may rate differently.

Noting that staff has indicated that there are known drainage issues, Council Member Betcher asked about the storm water drainage. Municipal Engineer Tracy Warner referenced the results of the Teagarden Drainage Study and explained what projects are already planned for detention basins and storm water channeling in the area in question.

Council Member Nelson questioned whether there are any existing noise-mitigation strategies related to residential developments near the Airport. Mr. Diekmann advised that he had some conversations about that with Transportation Engineer Damion Pregitzer. City Manager Schainker noted that the City had dealt with that before during airport discussions.

Duane Jensen, 4795 Timber Creek Lane, Ames, noted that, since the first plan was presented to Planning staff in October 2014, the RH Evaluation Tool had been created. After applying the Tool and knowing the results of the evaluation, they have revised the plan.

According to Mr. Jensen, the developers are proposing to build 700 units, which would accommodate up to 2,000 people, on approximately 57 acres. The development would consist of



Highway-Oriented Commercial or row houses, row houses, multi-family apartments, and attached garden homes. He described the plan for detention basins for storm water. A traffic study would be done to determine the impact of the development on South Duff. There would be a recreational trail system throughout the development that would attach to existing trails. The project would target professionals employed by the Iowa State University Research Park.

Chuck Winkleblack, 105 S. 16<sup>th</sup> Street, Ames, urged the City Council to support changing the LUPP for this area. He pointed out that the housing shortage is real, and there is a strong indication that many business are planning to or have expanded. Mr. Winkleblack noted that the proximity of this project to U. S. 69 was a huge factor.

Moved by Goodman, seconded by Orazem, to direct staff to move forward with a Major LUPP Amendment for the property at 3115 S. Duff Avenue.

Mr. Jensen indicated that the developers are requesting that the north portion off of Kitty Hawk (the multi-family residential) of the site be covered by a Minor Amendment and the remainder of the site be covered by a Major Amendment. Director Diekmann indicated that it would not be possible to have one portion covered by a Minor and another part covered by a Major Amendment unless it were broken into two projects.

Director Diekmann indicated that this project would probably be inserted into the Planning and Housing Department work plan in March 2015. Council Member Gartin asked what the advantage would be to the City for a Minor versus a Major Amendment. Mr. Diekmann explained the outreach efforts that would be done on as part of a Major Amendment. There are several things that need to be looked at; studies will need to be done.

Council Member Gartin asked if there would be a huge difference in time between a Minor and a Major Amendment process. Mr. Diekmann advised that a Major would take approximately a month and one-half longer than a Minor. City Manager Schainker indicated that it would also displace other projects.

Council Member Corrieri indicated that a “heart-to-heart” conversation needed to occur at the Council level as to the Planning and Housing Department workload. There are many projects on the workload list that have been on it for over a year. She believes that some of those projects might be able to be removed from the list or prioritized lower.

Noting that up to 2,000 more people would be moving into the area in question, Council Member Betcher said it was important to her for the outreach to neighbors to occur.

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

**1515 INDIANA AVENUE:** Eric Cowles, Civil Engineer, reminded the Council that it had referred the letter of John and Julie Larson, 1515 Indiana, to staff. The Larsons wish to construct a three-season portion at the rear of their property; however, due to restrictions of a water retention easement on the property, the structure could not be approved. The existing water retention easement area was established in 1980 as a part of the restrictive covenants of the Patio Homes West Association, Inc., and extends 50' from the rear property line. Staff was directed by the City Council to solicit quotes for engineering services to evaluate the drainage area and determine any ability to vacate portions of the existing easement at the sole cost of the Larsons, with staff coordinating the evaluation. The Larsons agreed, depending on the cost, to reimburse the City for the cost of the evaluation. Quotes

were requested from three local firms; however, only one response was received. The quote from Clapsaddle-Garber Associates (CGA) was in the amount of \$3,500, which the Larsons agreed to pay.

Mr. Cowles summarized the evaluation provided by CGA, which indicated that the existing easement may be reduced. The report also recommended that a minimum protective elevation three feet above the 100-year ponding evaluation be established to protect new openings, e.g., window wells, on future dwellings/additions.

Mindy Bryngelson, representing CGA, stated that the easement goes through the backyards of 17 properties. She explained the details of CGA's analysis. According to Ms. Bryngelson, abandoning the easement will not cause a major change; at the most, it would only change the water level six inches.

Moved by Gartin, seconded by Orazem, to adopt RESOLUTION NO. 15-054 , accepting the report, proposing that the Storm Water Retention Easement be vacated for all of the area, and setting the date of hearing on the proposed vacation for February 24, 2015.

At the inquiry of City Manager Schainker, John Larson, 1515 Indiana Avenue, Ames, indicated that they would like to build the three-season porch by spring.

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

The meeting recessed at 9:42 p.m. and reconvened at 9:48 p.m.

**HEARING ON URBAN REVITALIZATION PLAN FOR 517 LINCOLN WAY:** Mayor Campbell opened the public hearing. There being no one else wishing to speak, the hearing was closed.

Director Diekmann noted that staff had determined that the Squeaky Clean Laundromat site at 517 Lincoln Way was eligible for designation as an Urban Revitalization Area (URA) under Section 404.1 of the *Code of Iowa*. The site has been vacant for many years due to environmental contamination. Council had directed staff to prepare an Urban Revitalization Plan and set the public hearing date for this meeting. Details of the Plan were reviewed.

Moved by Corrieri, seconded by Orazem, to adopt RESOLUTION NO. 15-048 approving the Urban Revitalization Plan.

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

Moved by Corrieri, seconded by Orazem, to pass on first reading an ordinance establishing the 517 Lincoln Way Urban Revitalization Plan.

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

**HEARING ON URBAN REVITALIZATION PLAN AMENDMENT FOR 921 - 9<sup>TH</sup> STREET (FORMER ROOSEVELT SCHOOL SITE):** Director Diekmann reported that the Council had adopted an Urban Revitalization Plan and designated the former Roosevelt School site, located at 921 - 9<sup>th</sup> Street, as an Urban Revitalization Area (URA). He explained that staff had recently conducted an inspection of the site and the building exterior for conformance of the improvements with the adopted Roosevelt URA Plan and had determined that parts of the building and site improvements did not substantially conform to the adopted Plan. If the project does not substantially

conform to an approved URA Plan, a property owner would not be eligible to apply for and receive property tax abatement. After the non-conformance issue was discovered, staff asked the applicant to propose amendments to the URA Plan to ensure that the property would be eligible for tax abatement. The developer is now requesting that the City Council approve the amendments. According to Mr. Diekmann, the Council is now being asked to make a decision if the proposed changes to the Urban Revitalization Plan are acceptable.

Director Diekmann summarized the amendments that had been requested by the developer, pertaining to the following: (1) Reduced Number of Units, (2) Parking Structure Reduced Size, (3) Atrium Materials, and (4) Parking Structure Windows.

Council Member Nelson indicated that he had a conflict of interest, and thus, would not be participating in the discussion or vote on this issue.

The public hearing was opened by the Mayor.

Dean Jensen, representing RES Development, spoke asking the City Council to approve Option 3, which was to require additional landscaping be added to the north facade.

Council Member Goodman asked why the changes were made by the developer without having a conversation with staff. Mr. Jensen stated that he did not know they needed approval since the changes were made due to structural issues caused by the reuse of a 1923 building that was formerly a school.

Sharon Wirth, 921-9th Street, Ames, commented about the north side of the complex. She said she is very familiar with issues that can arise on historic preservation projects. Ms. Wirth noted that it is a difficult challenge when you have to integrate a large building next to a small building and try to make it fit in with the neighborhood. Ms. Wirth believes that the situation would be best solved by landscaping.

Catherine Scott, 1510 Roosevelt, Ames, stated that, as a person who walks by the building, she would appreciate the landscaping more than windows.

No one else came forward to speak, and Mayor Campbell closed the hearing.

Moved by Goodman, seconded by Corrieri, to adopt RESOLUTION NO. 15-049 amending the Roosevelt Urban Revitalization Plan with modifications to require additional landscaping be added to the north facade, on the condition that RES Development, Inc., provide a landscaping plan to the Planning and Housing Department for administrative approval of final details and provide a Letter of Credit to the City Clerk's office by January 31, 2015, to guarantee the completion of the additional landscaping.

Noting that staff was recommending that the Landscaping Plan include five trees, Council Member Betcher offered that perhaps fewer trees could be planted, but a trellis could be added. After a short discussion, Council concurred that the Planning Director could administratively approve the plan for additional landscaping.

Council Member Goodman expressed frustration over the lack of understanding by the developer that changes could not be made to the project without bringing those changes back to the Council for approval.

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

**HEARING ON VACATING WATER MAIN EASEMENT AT 230 SOUTH DUFF AVENUE:** The Mayor opened the hearing and closed same after no one requested to speak.

Moved by Corrieri, seconded by Goodman, to adopt RESOLUTION NO. 15-050 approving the vacation of the Water Main Easement at 230 South Duff Avenue.  
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON NORTH DAKOTA WATER TOWER REMOVAL:** The public hearing was opened by Mayor Campbell. There being no one asking to speak, she closed the hearing.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 15-051 approving final plans and specifications and awarding a contract to Iseler Demolition, Inc., of Romeo, Michigan, in the amount of \$54,770.  
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON CONTROLS AND RELAYING PANELS FOR 69kV SUBSTATION PANEL AND TRANSMISSION LINE TERMINAL UPGRADES - DAYTON AND STANGE SUBSTATION:** Mayor Campbell opened the hearing. The hearing was closed as there was no one wishing to speak.

Moved by Goodman, seconded by Corrieri, to adopt RESOLUTION NO. 15-052 approving final plans and specifications and awarding a contract to Schweitzer Engineering Laboratories of Pullman, Washington, in the amount of \$225,876.44.  
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON 2014/15 CONCRETE PAVEMENT IMPROVEMENTS #1 (HAYWARD AVENUE):** The hearing was opened and closed as there was no one who asked to speak.

Moved by Goodman, seconded by Gartin, to adopt RESOLUTION NO. 15-053 approving final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$1,035,707.45.  
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON 2014/15 COLLECTOR STREET PAVEMENT IMPROVEMENTS (WEST STREET AND WOODLAND STREET):** Mayor Campbell declared the hearing open.

Collegiate Presbyterian Church (CPC) Concerns. Municipal Engineer Tracy Warner stated that, as part of the Public Works Department typical outreach, staff contacted the adjacent property owners. According to Ms. Warner, on December 22, 2014, Public Works Engineering staff, CyRide staff, and the street improvement project consultant, Civil Design Advantage, met with Board members of the Collegiate Presbyterian Church to discuss seven concerns that they had identified with the 2014/15 Collector Street Pavement Improvements. Those concerns were:

1. CyRide bus problems with the current layout (causing cars to cut through the CPC parking lot)
2. Metered parking on West Street (coupled with Concern No. 1) causing a problem
3. Turning radii are not appropriate for buses, especially causing the incorrect use of lanes
4. Drainage across the sidewalks
5. Bike paths
6. Construction during time other than summer
7. Number of stalls needed to be taken by construction

Ms. Warner stated that there is a short block between Hyland and Sheldon, and there are three public parking spaces. She had also been informed that, between 7:20 AM and 9:05 AM, there can be three to nine buses that are coming through that area to drop people off. With the parking spaces at that location, the buses are not able to pull to the curb, and they have to swing out into the opposing traffic. If there is a bus or traffic coming from the other direction, traffic becomes stacked up on Hyland and people cut through the Church's parking lot. With the Sheldon project, two parking spaces will be added. The three parking spaces would be eliminated; the meters would not be re-installed. The bus stops would be moved down and the radius would be improved at Hyland and West. There would still be the same number of buses, but more of them could stage on West Street.

Max Porter, 1707 Amherst, Ames, spoke in favor of the project. He advised that he is Vice-President of the Board of Trustees of the Collegiate Presbyterian Church. Mr. Porter said that they are not quite sure how to give the land to the City for the easement; it might have to be taken up through the hierarchy of the Presbytery.

John Cramer, 2706 Meadow Glen Road, Ames, also a member of the Church's Board of Trustees, stated his approval for the project. He noted that there had been consensus by all members of the Board.

Moved by Goodman, seconded by Orazem, to accept the request to remove the three metered parking stalls along West Street between Hyland Avenue and Sheldon Avenue and revise the design through a future change order to accommodate a larger turning radius.  
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 15-047 approving final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$1,287,638.25.  
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON 2014/15 CYRIDE ROUTE PAVEMENT IMPROVEMENTS (24<sup>TH</sup> STREET AND BLOOMINGTON ROAD):** The public hearing was opened by Mayor Campbell. There was no one who requested to speak, and the hearing was closed.

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 15-034 approving final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$1,650,000.01.  
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Mayor Campbell stated that Item No. 28, Discussion of City's Branding efforts, was being postponed until the Council's February 10, 2015, meeting due to the lateness of the hour.

**SHOPPING CART ABANDONMENT:** Brian Phillips, Management Analyst, noted that, at the City Council's request made on December 9, 2014, staff had provided the Council Action Form from April 12, 2011, regarding the abandonment of shopping carts at the corner of South 5<sup>th</sup> Street and South Duff Avenue. A memo had also been sent to the Council outlining some of the changes that are occurring with CyRide. CyRide is investigating the possibility of moving a route in an attempt to address the issue at the corner of South 5<sup>th</sup> Street, where it appears to be most prevalent.

Moved by Goodman to ask staff to work with the managers of Walmart and perhaps other businesses on finding a solution that does not involve a CyRide route or citing citizens.  
Motion died for lack of a second.

John Lempiainen, Store Director of Walmart on South Duff Avenue, stated that the shopping cart issue was equally concerning for his store. He said that it costs Walmart a lot of money to send employees across a very busy highway to gather shopping carts. In addition, safety of their employees is an issue. The window of time to gather the carts is sometimes very small as they do not send employees out in inclement weather, after dark, or before the sun comes up. According to Mr. Lempiainen, Walmart has put up signs in an attempt to deter customers from taking carts off of WalMart's property; however, it seemed to make the situation worse. He advised that he had made a proposal to Walmart's Finance Department to come up with a shopping cart retention system. The suggested system, seen more often in larger metro locations, has a magnetic lock on the wheel so when the cart is taken past a certain location, the wheels lock. Mr. Lempiainen said that it takes a while to get things approved in a larger company, but he is working on it.

Moved by Goodman, seconded by Orazem, to direct that staff report back to the Council after Walmart informs its staff on the results of their efforts.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**VENDING ORDINANCE:** Moved by Orazem, seconded by Betcher, to pass on second reading the Vending Ordinance.

Roll Call Vote: 4-1-1. Voting aye: Betcher, Gartin, Nelson, Orazem. Voting nay: Corrieri. Abstaining due to a conflict of interest: Goodman. Motion declared carried.

**ORDINANCE REPEALING AND REPLACING CHAPTER 31, HISTORIC PRESERVATION:**

Moved by Orazem, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4206 repealing and replacing Chapter 31, Historic Preservation.

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

**LAP DANCE ORDINANCE:** Moved by Orazem, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4207 repealing Municipal Code Section 17.31 pertaining to lap dances.

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

**COUNCIL COMMENTS:** Moved by Goodman to direct staff to explore reimbursing those who cut down trees that would have had to be cut down anyway by City crews in the last year, with the reimbursement being what it would have cost for staff to cut the tree.

Motion died for lack of a second.

Council Member Betcher recommended that the City Council members tour The Roosevelt, if they had not done so already. She felt it was an excellent example of an Adaptive Reuse project.

Moved by Goodman, seconded by Corrieri, to direct that staff respond to Dickson Jensen that there is no interest on the part of the City Council to refer his request for a text amendment to allow an office with sleeping rooms for his employees in an apartment building that he owns at 4611 Mortensen Road, which is located in the Community Commercial Node.

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

**ADJOURNMENT:** Moved by Goodman to adjourn the meeting at 10:50 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor



## REPORT OF CONTRACT CHANGE ORDERS

<b>Period:</b>	<input type="checkbox"/>	1 <sup>st</sup> – 15 <sup>th</sup>
	<input checked="" type="checkbox"/>	16 <sup>th</sup> – End of Month
<b>Month &amp; Year:</b>	January 2015	
<b>For City Council Date:</b>	February 10, 2015	

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)
Water & Pollution Control	Ames Water Treatment Plant Tree Removal Project	3	\$54,910.00	Aspen Land Clearing	\$3,888.00	\$-(500.00)	J. Dunn	MA
Electric Services	Aluminum Cable	1	\$73,509.00	Wesco Distribution	\$0.00	\$-(1,861.80)	D. Kom	LM
Electric Services	Natural Gas Conversion Equipment Including Burners, Igniters, Scanners, Thermal Analysis and Computer Modeling	1	\$3,355,300.00	Alstom Power Inc.	\$0.00	\$29,869.00	B. Kindred	CB
Water & Pollution Control	Engineering Services - Ames Water Treatment Plant	7	\$8,240,000.00	FOX Engineering Associates, Inc.	\$161,279.28	\$11,100.00	J. Dunn	MA
			\$		\$	\$		
			\$		\$	\$		





*Caring People  
Quality Programs  
Exceptional Service*

**4a-k**

**TO:** Mayor Ann Campbell and Ames City Council Members  
**FROM:** Lieutenant Jeff Brinkley – Ames Police Department  
**DATE:** February 6, 2015  
**SUBJECT:** Beer Permits & Liquor License Renewal Reference City Council Agenda  
February 10, 2015

The Council agenda for February 10, 2015, includes beer permits and liquor license renewals for:

- Class C Liquor & Outdoor Service – Cy’s Roost, 121 Welch Ave
- Class C Liquor & Outdoor Service – Mickey’s Irish Pub, 109 Welch Ave
- Class E Liquor, C Beer, and B Wine – Fareway Store #386, 619 Burnett Ave
- Class E Liquor, C Beer, and B Wine – Fareway Store #093, 3619 Stange Rd
- Class C Liquor – El Azteca, 2727 Stange Rd
- Class B Liquor – Holiday Inn Ames, 2609 University Blvd
- Class C Beer and B Wine – Gateway Expresse, 2400 University Blvd
- Class C Liquor – Taking It Easy Lounge, 129 Lincoln Way
- Class C Liquor – Ge Angelo’s, 823 Wheeler St #9
- Special Class C Liquor – Shogun of Ames, 3704 Lincoln Way
- Class C Liquor – The 5 & Dime, 115 5<sup>th</sup> Street

A routine check of police records for the past twelve months found no violations for either Fareway location, El Azteca, Holiday Inn, Shogun or Gateway Expresse. The police department would recommend renewal of these licenses.

Cy’s Roost had seven citations for on premises, two intoxication arrests, one noise violation, an arrest for on premises and fake ID, and one arrest for on premises/fake ID/disorderly conduct. They had a management change last spring and we have not had a violation there since October.

There was a citation issued for serving alcohol to minors at 5 & Dime in September 2014 during a police compliance check. They have since passed a follow-up compliance check.

Mickey’s Irish Pub had four citations for on premises, one arrest for on premises and intoxication, one arrest for intoxication/disorderly conduct, and one arrest for intoxication.

Both Taking It Easy Lounge and Ge Angelo’s were cited during police compliance checks for selling alcohol to underage persons. Neither establishment has any other violations.

We are continuing to monitor compliance for Cy’s, Mickey’s, Taking It Easy Lounge, The 5 & Dime, and Ge Angelo’s. At this time, we recommend renewal.

**Applicant License Application ( )**

<b>Name of Applicant:</b>	<u>Cafe Milo Iowa LLC</u>				
<b>Name of Business (DBA):</b>	<u>Cafe Milo</u>				
<b>Address of Premises:</b>	<u>4800 Mortensen Road</u>				
<b>City</b>	<u>Ames</u>	<b>County:</b>	<u>Story</u>	<b>Zip:</b>	<u>50014</u>
<b>Business</b>	<u>(515) 268-3166</u>				
<b>Mailing</b>	<u>4800 Mortensen Road</u>				
<b>City</b>	<u>Ames</u>	<b>State</b>	<u>IA</u>	<b>Zip:</b>	<u>50014</u>

**Contact Person**

<b>Name</b>	<u>Kyle Caldwell</u>				
<b>Phone:</b>	<u>(515) 306-8998</u>	<b>Email</b>	<u>chinaintrade@gmail.com</u>		

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

**Term:**12 months

**Effective Date:** 02/11/2015

**Expiration Date:** 01/01/1900

**Privileges:**

Class B Beer (BB) (Includes Wine Coolers)

Class C Native Wine Permit (On-Premise)

Sunday Sales

**Status of Business**

<b>BusinessType:</b>	<u>Limited Liability Company</u>				
<b>Corporate ID Number:</b>	<u>State sales tax ID</u>	<b>Federal Employer ID</b>	<u>46-3361733</u>		

**Ownership**

**Kyle Caldwell**

**First Name:** Kyle

**Last Name:** Caldwell

**City:** Ankeny

**State:** Iowa

**Zip:** 50023

**Position:** General Manager

**% of Ownership:** 100.00%

**U.S. Citizen:** Yes

**Insurance Company Information**

<b>Insurance Company:</b>	<u>Integrity Insurance</u>				
<b>Policy Effective Date:</b>	<u>02/11/2015</u>	<b>Policy Expiration</b>	<u>02/11/2016</u>		
<b>Bond Effective</b>	<b>Dram Cancel Date:</b>				
<b>Outdoor Service Effective</b>	<b>Outdoor Service Expiration</b>				
<b>Temp Transfer Effective Date:</b>	<b>Temp Transfer Expiration Date:</b>				



**Applicant License Application ( )**

<b>Name of Applicant:</b> <u>LJPS Inc.</u>		
<b>Name of Business (DBA):</b> <u>Olde Main Brewing Company</u>		
<b>Address of Premises:</b> <u>1407 University Blvd</u>		
<b>City</b> <u>Ames</u>	<b>County:</b> <u>Story</u>	<b>Zip:</b> <u>50010</u>
<b>Business</b>	<u>(515) 232-0553</u>	
<b>Mailing</b>	<u>PO Box 1928</u>	
<b>City</b> <u>Ames</u>	<b>State</b> <u>IA</u>	<b>Zip:</b> <u>50010</u>

**Contact Person**

<b>Name</b> Matt Sinnwell
<b>Phone:</b> (505) 400-5981 <b>Email</b> mattombc@gmail.com

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

**Term:** 5 days

**Effective Date:** 02/25/2015

**Expiration Date:** 01/01/1900

**Privileges:**

Class C Liquor License (LC) (Commercial)

**Status of Business**

<b>BusinessType:</b> <u>Privately Held Corporation</u>
<b>Corporate ID Number:</b> <u>286196</u> <b>Federal Employer ID</b> <u>77-0613629</u>

**Ownership**

**Scott Griffen**

**First Name:** Scott      **Last Name:** Griffen  
**City:** Ames      **State:** Iowa      **Zip:** 50010  
**Position:** Owner  
**% of Ownership:** 50.00%      **U.S. Citizen:** Yes

**Daniel Griffen**

**First Name:** Daniel      **Last Name:** Griffen  
**City:** Potomac      **State:** Maryland      **Zip:** 24854  
**Position:** Owner  
**% of Ownership:** 25.00%      **U.S. Citizen:** Yes

**Susan Griffen**

**First Name:** Susan      **Last Name:** Griffen  
**City:** Potomac      **State:** Maryland      **Zip:** 24854  
**Position:** Owner  
**% of Ownership:** 25.00%      **U.S. Citizen:** Yes

**Insurance Company Information**

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

**COUNCIL ACTION FORM**

**SUBJECT: PUBLIC HEARING AND NOTICE OF INTENT TO ISSUE \$15,000,000 ESSENTIAL CORPORATE PURPOSE GENERAL OBLIGATION BONDS, \$5,950,000 GENERAL OBLIGATION REFUNDING BONDS AND ASSOCIATED TAX LEVY FOR DEBT SERVICE**

**BACKGROUND:**

The FY 2015/16 budget includes a number of General Obligation (G.O.) Bond funded capital improvements. A public hearing is required to authorize issuance of bonds and the levy of property taxes for debt to be issued. The dollar amounts and corresponding property tax levy for the planned G.O. bond issue are included as part of the FY 2015/16 budget.

The G.O. Bonds and debt service levy for the FY 2015/16 budget were based on projects listed in the table below. Council authorization will be required at a later date to authorize the sale of the FY 2015/16 General Obligation Bonds. Bonds are expected to be issued shortly after the start of the new fiscal year. In addition to the G.O. Bonds to fund capital improvement projects, staff has identified a potential bond refunding for bonds issued in 2006 and 2007 that may provide savings in debt service costs. **Though Council will be holding a public hearing and notice of intent on the sale of bonds, the refunding sale will not go forward unless adequate savings are expected.** Planned final maturity for the new bonds is 12 years, with the exception of the abated Airport Terminal bonds of \$943,000, which will be for 20 years.

**Please note that in addition to the amount to fund the \$13,892,990 in G.O. Bond funded capital projects, the not-to-exceed amount for the issuance includes \$1,107,010 additional authorization to allow for issuance costs and the option to sell our bonds at a premium over the par or face value of bonds. In any case, debt will not be issued in an amount where debt service exceeds the property tax levy included in the proposed budget.**

The Capital Improvements Plan's 2015/16 G.O. Bond issue and planned refunding will include the following projects:

East Lincoln Way Sewer Extension	\$ 2,000,000	
ISU Research Park Improvements	2,938,990	
Airport Terminal	943,000	
	<hr/>	
<b>Debt to be Abated by Other Revenues</b>		<b>\$ 5,881,990</b>
Flood Mitigation	\$ 144,000	
West Lincoln Way Improvements	450,000	
Asphalt Street Improvements	1,300,000	
Grand Avenue Extension	280,000	
Concrete Pavement Improvements	1,100,000	
Arterial Street Pavement Improvements	400,000	
Downtown Street Pavement Improvements	800,000	
Seal Coat Pavement Improvements	350,000	
Bridge Rehabilitation Program	2,320,000	
Airport Terminal Building	867,000	
	<hr/>	
<b>Subtotal Tax Supported Bonds</b>		<b>\$8,011,000</b>
<b>Refunding Bonds</b>		<b>5,950,000</b>
<b>Issuance Cost and Allowance for Premium</b>		<b>1,107,010</b>
		<hr/>
<b>Grand Total – 2015/16 G.O. Issue</b>		<b>\$20,950,000</b>

**ALTERNATIVES:**

1. Adopt a pre-levy resolution authorizing the issuance of Essential Corporate Purpose General Obligation and General Obligation Refunding Bonds in an amount not to exceed \$20,950,000 and the debt service property tax levy to pay principal and interest on the bonds and set the date of public hearing for March 3, 2015.
2. Reject the pre-levy resolution authorizing the issuance of Essential Corporate Purpose General Obligation Bonds, reduce the 2015/16 property tax levy, and delay the capital projects. Rejection of the Essential Corporate Purpose Bonds will prevent the City from completing the bond funded projects reflected in the 2015/16 Capital Improvements Plan.

**MANAGER’S RECOMMENDED ACTION:**

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

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby adopting a pre-levy resolution authorizing the issuance of Essential Corporate Purpose General Obligation and General Obligation Refunding Bonds in an amount not to exceed \$20,950,000 and the debt service property tax levy to pay principal and interest on the bonds, and setting the date of public hearing for March 3, 2015.



**COUNCIL ACTION FORM**

**SUBJECT: STORM WATER FLOWAGE EASEMENT & STORM SEWER  
EASEMENT VACATION – 5328 TABOR DRIVE**

**BACKGROUND:**

In June 2014, the property owner of 5328 Tabor Drive spoke with City staff regarding an existing 20' Surface Water Flowage Easement (S.W.F.E.) and Storm Sewer Easement (ST.S.E.) in the rear of his property. The property owner had recently installed a fence and found it was against City policy to allow construction of the fence in such a manner to enclose the portion of the property within this easement. The property owner was advised by City staff that an evaluation of the existing S.W.F.E. and ST.S.E. would be required in order to consider abandoning a portion of the easement. If a portion could be abandoned, the property owner may be able to relocate the fence in order to utilize more of his backyard. The property owner contracted with Clapsaddle-Garber Associate, Inc. (CGA) of Ames, Iowa, to perform this evaluation.

Attached is a map showing the 100-year ponding limits within this small watershed in relation to the property at 5328 Tabor Drive. As shown on the attached map, the property owner's fence currently encroaches onto the existing S.W.F.E. and ST.S.E. by approximately 3.5 feet. The property owner is requesting that the City consider an adjustment to the existing easement on the property (shown as the red line on the attached map). The existing 5 foot Public Utility Easement along the south property line will not be impacted by the proposed easement vacation.

**Staff has reviewed the report prepared by CGA evaluating the easement area and is in agreement of adjusting the S.W.F.E. and ST.S.E. as shown on the attached map.**

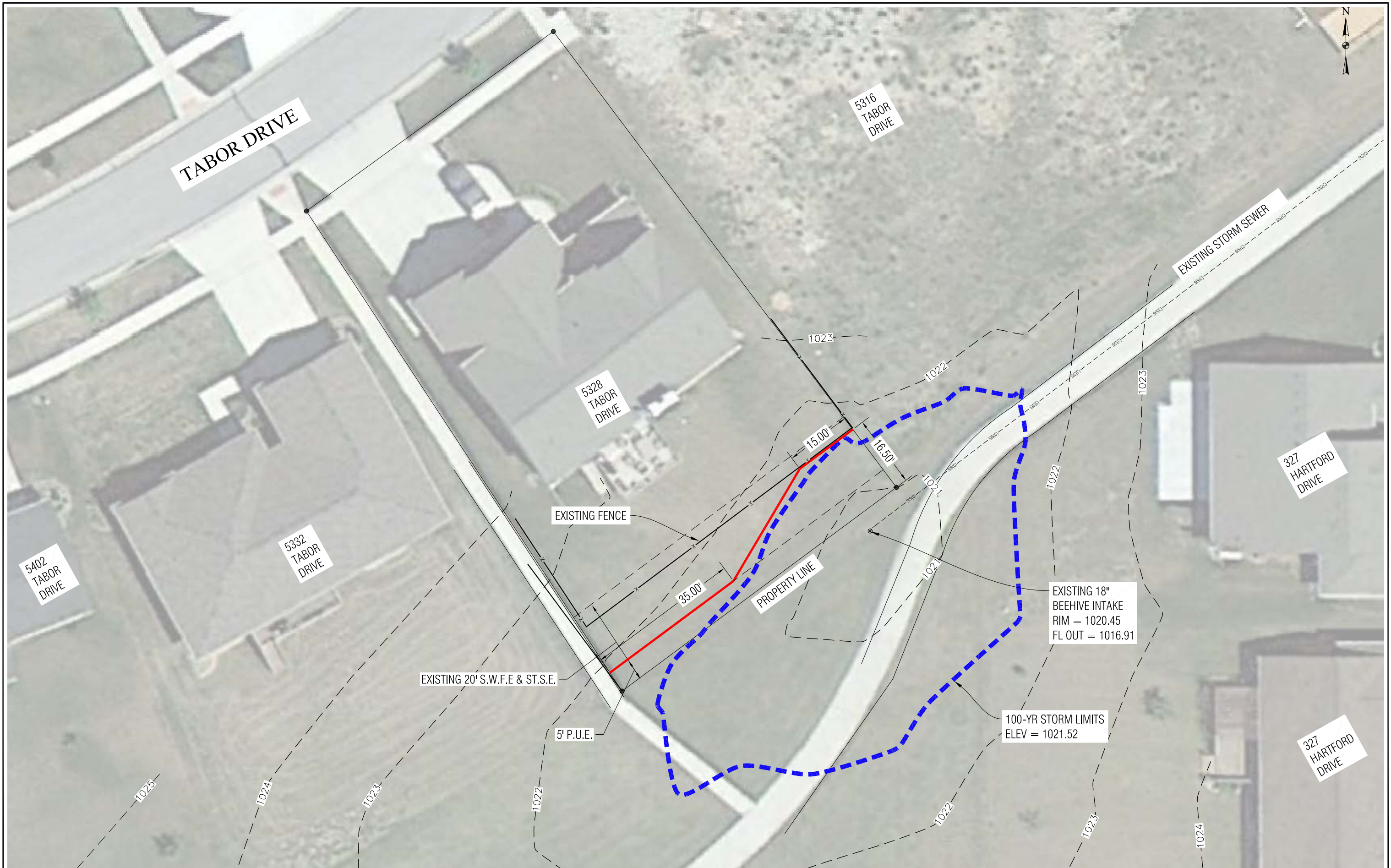
**ALTERNATIVES:**

1. Set February 24, 2015, as the date of public hearing for the proposed vacation of the S.W.F.E. and ST.S.E. for 5328 Tabor Drive (Lot 5 of Sunset Ridge Subdivision, 2<sup>nd</sup> Addition).
2. Direct staff to pursue other options.

**MANAGER'S RECOMMENDED ACTION:**

By moving forward with the process to approve vacation of this easement, City Council will meet the property owner's request, thereby allowing him to adjust his fence and further utilize his backyard.

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



NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE

**CGA**  
 Clapsaddle-Garber Associates, Inc.  
 1523 S. Bell Ave, Suite 101  
 Ames, Iowa 50010  
 Ph 515-232-1704  
 www.cgaconsultants.com

DESIGNED: A. Inheker DATE: 1-7-15  
 DRAWN: R. Anderson DATE: 1-7-15  
 CHECKED: M. Bryngelson DATE: 1-7-15  
 APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

**5328 TABOR DRIVE**  
 AMES, IOWA

**RECOMMENDED**  
**S.W.F.E. & ST.S.E.**

PROJECT NO.  
8677  
 SHEET NO.  
D.02

J:\8677\wg\Exhibits\8677-D.02 - 01-14-15 - 100pm - mcd286

**COUNCIL ACTION FORM**

**SUBJECT: 2014 RESOURCE RECOVERY ANNUAL REPORT**

**BACKGROUND:**

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

The 2014 Resource Recovery Annual Report shows that 55,698 tons of Municipal Solid Waste (MSW) was received at the plant during 2014, with 6.8 percent (3,812 tons) of that amount from Iowa State University. Approximately 85 percent (47,494 tons) of the total tons received at the plant were processed, and 62 percent (29,595 tons) of this became Refuse Derived Fuel (RDF). Approximately 8,045 tons (14.4 percent) were sent to the Boone County Landfill.

Revenues from all sources totaled \$4,501,455, and total expenses were \$4,555,974. This resulted in a net reduction of \$54,519 to the Resource Recovery fund for 2014. The per capita fee charged to the other partnering agencies remained at \$9.10 for 2014, and the tipping fee for haulers remained at \$52.75 per ton.

**ALTERNATIVES:**

1. Accept the attached 2014 Resource Recovery Annual Report as presented, and authorize staff to distribute the report and to bill the participating communities, Story County, and Iowa State University.
2. Request further information from staff.

**MANAGER'S RECOMMENDED ACTION:**

The operating agreement with the partner agencies was renewed in 2014. Of the previous partners, 13 chose to renew. Colo was the only agency not to renew, choosing to direct their solid waste to be landfilled in Marshall County. Council acceptance of this report will allow staff to bill our participating partners for their respective portions of the Resource Recovery System's 2014 costs.

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

# ARNOLD O. CHANTLAND RESOURCE RECOVERY SYSTEM 2014



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Thank you to our partners in sustainability!

- Nevada
- Story City
- Huxley
- Slater
- Roland
- Gilbert
- Maxwell
- Cambridge
- Zearing
- McCallsburg
- Kelley
- Story County
- Iowa State University



February 11, 2015

Dear Resource Recovery System Members:

The system **agreements were renewed with 13 of our 14 member communities/agencies in 2014**. We are truly grateful to the member agencies for renewing our long standing partnership and their **continuing commitment to sustainability!** Our partners for the next twenty years are **Nevada, Story City, Huxley, Slater, Roland, Gilbert, Maxwell, Cambridge, Zearing, McCallsburg, Kelley, Story County, and Iowa State University**. We also sincerely appreciate your hospitality and consideration as we made visits to all the member agencies to gain input on renewing our agreements. We are committed to staying connected with you, as valued partners. We would be happy to meet with your staff, attend a City Council/Board meeting, participate in a local school event, and provide tours of our facility. We look forward to beginning the next exciting 20-year period together!

The Resource Recovery System continues to be one of the most successful methods of landfill diversion in the state of Iowa. Over the last 20 years, approximately **66% of the waste processed at the plant becomes Refuse Derived Fuel (RDF)**, which replaces a portion of the coal used for electric generation at the City of Ames Power Plant. Also, more than **2,200 tons of metal** and **173 tons of glass** were recovered in 2014 for recycling. Drop-off of Household Hazardous Materials (HHM) continues to be offered by appointment, keeping **over 10 tons** of HHM from the landfill last year.

Due to the strong financial position of the Resource Recovery System, the proposed fees for 2015 will remain the same. The **per capita charge**, which is payable on July 1, 2015 and December 1, 2015, **will be maintained at \$9.10**. The per capita charges are based on the certified 2010 census. **The tipping fee rate remains at \$52.75 per ton** and the **car line rates continue to be \$8 for cars/passenger vans and \$22 for pickups/trailers**.

We will be seeing a big change in the coming months. **Gary Freel**, Resource Recovery Superintendent, will be **retiring March 31<sup>st</sup> after 39 years at the plant**. Gary's vision and leadership have been a major influence on the many improvements in equipment and processes in the system. Many thanks to Gary; he will be greatly missed! As we recruit his replacement, our member partners and haulers will be invited for a "meet and greet" with the candidates during the interview process.

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

Sincerely,

A handwritten signature in blue ink that reads 'John C. Joiner'.

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

**CITY OF AMES, IOWA**  
**RESOURCE RECOVERY SYSTEM**  
**ANNUAL BILLING**

**Participating Communities**  
**For Calendar Year 2014**

**REVENUES:**

Per Capita	725,188.10	
Refuse Derived Fuel-Electric	711,468.00	
Sale of Metals	337,336.92	
Public Fees	60,718.39	
Regular Customers	2,238,389.96	
Reimbursements and Refunds	139,374.80	
Other Governmental Agencies	18,861.69	
Out of County Revenue	-	
Used Tires	3,078.00	
I.S.U. Solid Waste Share	235,651.21	
Interest Revenue	30,819.75	
Sale of Glass	568.28	
		<b>4,501,455.10</b>

**EXPENSES:**

Operations	4,423,842.78	
Debt Service	132,131.00	
		<b><u>4,555,973.78</u></b>
	<b>Net Income/Expense</b>	<b>(54,518.68)</b>

**MATERIALS, REVENUES & EXPENSES  
RESOURCE RECOVERY SYSTEM**

YEAR	TOTAL REFUSE RECEIVED (TONS)	TOTAL REFUSE REJECTED (TONS)	REFUSE PROCESSED (TONS)	(%) <sup>2</sup>	FERROUS	(%) <sup>1</sup>	RDF	(%) <sup>1</sup>	(%) <sup>2</sup>	REVENUES	EXPENSES	REV/EXP	NET EXPENSE (\$/TON)
1995	28,117	58	28,059	100%	1,097	4%	20,386	73%	73%	1,372,600 *	2,109,276	65%	26.20
1996	28,484	32	28,452	100%	835	3%	18,875	66%	66%	2,237,072 **	2,628,208	85%	13.73
1997	45,435	2,791	42,644	94%	1,464	3%	27,746	65%	61%	3,081,928	3,163,332	97%	1.79
1998	48,643	953	47,690	98%	1,903	4%	31,138	65%	64%	3,373,503	3,183,602	106%	(3.90)
1999	49,164	2,794	46,370	94%	1,654	4%	30,434	66%	62%	3,161,495	3,220,240	98%	1.19
2000	48,896	4,499	44,397	91%	1,401	3%	28,095	63%	57%	3,097,282	3,313,053	93%	4.41
2001	50,093	5,138	44,955	90%	1,104	2%	30,435	68%	61%	3,353,739	3,281,503	102%	(1.44)
2002	50,267	1,550	48,717	97%	1,258	3%	35,147	72%	70%	3,731,348	3,110,513	120%	(12.35)
2003	51,906	4,470	47,436	91%	1,678	4%	33,146	70%	64%	3,803,639	3,527,346	108%	(5.32)
2004	53,788	2,762	51,026	95%	2,332	5%	34,334	67%	64%	4,017,107	3,462,794	116%	(10.31)
2005	54,493	1,025	53,468	98%	2,250	4%	32,621	61%	60%	4,285,110	3,716,566	115%	(10.43)
2006	55,500	4,511	50,989	92%	2,229	4%	30,180	59%	54%	4,250,337 ***	4,449,985	96%	3.60
2007	57,333	4,513	52,820	92%	2,102	4%	34,182	65%	60%	4,392,686	4,531,663	97%	2.42
2008	57,470	4,754	52,716	92%	2,068	4%	36,060	68%	63%	4,632,493	3,725,904	124%	(15.77)
2009	53,395	6,748	46,647	87%	1,987	4%	31,040	67%	58%	3,956,279	5,507,045	72%	29.04
2010	58,756	1,262	57,494	98%	2,347	4%	37,865	66%	64%	4,937,018	4,605,121	107%	(5.65)
2011	55,270	4,659	50,611	92%	2,166	4%	34,422	68%	62%	4,697,573	3,729,248	126%	(17.52)
2012	53,106	3,725	49,381	93%	2,177	4%	32,329	65%	61%	4,641,704	4,089,447	114%	(10.40)
2013	54,159	10,066	44,093	81%	1,873	4%	28,262	64%	52%	4,062,010	4,196,226	97%	2.48
2014	55,698	8,204	47,494	85%	2,104	4%	29,595	62%	53%	4,501,455	4,555,974	99%	0.98
<b>20 YEAR TOTAL</b>	<b>1,009,973</b>	<b>74,514</b>	<b>935,459</b>	<b>93%</b>	<b>36,029</b>	<b>4%</b>	<b>616,292</b>	<b>66%</b>	<b>61%</b>	<b>\$75,586,378</b>	<b>\$74,107,046</b>	<b>102%</b>	<b>(\$1.46)</b>

<sup>1</sup>Denotes percent of processed material  
<sup>2</sup>Denotes percent of tons total refuse received

\* Closed for renovation for part of the year (1995, 1996)  
\*\* Beginning in 1996, per capita is included as revenue  
\*\*\*Closed for one month for Air Knife Installation

*\$/Incoming Ton Revenue . . . . . \$74.84*  
*\$/Incoming Ton Expense, Net . . . . . (\$1.46)*  
*Percent Recovery - R.D.F.. . . . . 61%*  
*Percent Recovery - Ferrous. . . . . 4%*



**CITY OF AMES, IOWA**

**POPULATION - PERCENTAGES - CHARGES**

**Annual Billing - Calendar 2014**

**Per Capita - \$9.10**

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

<sup>1</sup> Based on 2010 U.S. Census

<sup>2</sup> 58,965 minus I.S.U. 9,200

# **APPENDICES**

**CITY OF AMES, IOWA  
MONTHLY REFUSE VOLUMES - 2014**

	TONS RECEIVED FROM <u>I.S.U.</u>	TONS RECEIVED FROM <u>U.S.D.A.</u>	TONS RECEIVED FROM <u>I.D.O.T.</u>	TONS RECEIVED FROM <u>OTHER</u>	TOTAL REFUSE RECEIVED (Tons)
January	256	16	7	3,758	4,037
February	331	17	8	3,317	3,673
March	328	13	9	3,749	4,099
April	268	16	6	4,467	4,757
May	432	21	15	4,797	5,265
June	203	12	11	4,670	4,896
July	200	17	8	5,069	5,294
August	386	9	7	4,696	5,098
September	357	18	6	4,600	4,981
October	397	14	7	4,469	4,887
November	305	7	6	3,866	4,184
December	349	12	9	4,157	4,527
<b>TOTAL</b>	<b>3,812</b>	<b>172</b>	<b>99</b>	<b>51,615</b>	<b>55,698</b>

**CITY OF AMES, IOWA  
RESOURCE RECOVERY PLAN VOLUMES  
12/31/2014**

<b>CLASS</b>	<b>2014 TRIPS</b>	<b>2014 WEIGHT</b>	<b>PERCENT OF TOTAL WEIGHT</b>
Non-Scale Refuse (Car line)	3,947	1,267	2.3%
Commercial Haulers	14,989	41,852	75.1%
Private Industry/Contractors	413	409	0.7%
City of Ames	62	42	0.1%
Iowa State University	1,097	3,812	6.8%
Iowa Dept of Transportation	334	99	0.2%
U.S.D.A. Lab	94	172	0.3%
Directly to Boone	1,667	8,045	14.4%
<b>TOTALS</b>	<b>22,603</b>	<b>55,698</b>	<b>100.0%</b>

**CITY OF AMES, IOWA  
RESOURCE RECOVERY SYSTEM  
FEE SCHEDULE**

<b>YEAR</b>	<b>PER CAPITA</b>	<b>TIPPING FEE</b>	<b>CARLINE</b>	
			<b>CARS</b>	<b>PICKUPS</b>
<b>2005/06</b>	<b>\$10.50</b>	<b>\$52.75/TON</b>	<b>\$8.00</b>	<b>\$22.00</b>
<b>2006/07</b>	<b>\$10.50</b>	<b>\$52.75/TON</b>	<b>\$8.00</b>	<b>\$22.00</b>
<b>2007/08</b>	<b>\$10.50</b>	<b>\$52.75/TON</b>	<b>\$8.00</b>	<b>\$22.00</b>
<b>2008/09</b>	<b>\$10.50</b>	<b>\$52.75/TON</b>	<b>\$8.00</b>	<b>\$22.00</b>
<b>2009/10</b>	<b>\$10.50</b>	<b>\$52.75/TON</b>	<b>\$8.00</b>	<b>\$22.00</b>
<b>2010/11</b>	<b>\$10.50</b>	<b>\$52.75/TON</b>	<b>\$8.00</b>	<b>\$22.00</b>
<b>2011/12</b>	<b>\$9.10</b>	<b>\$52.75/TON</b>	<b>\$8.00</b>	<b>\$22.00</b>
<b>2012/13</b>	<b>\$9.10</b>	<b>\$52.75/TON</b>	<b>\$8.00</b>	<b>\$22.00</b>
<b>2013/14</b>	<b>\$9.10</b>	<b>\$52.75/TON</b>	<b>\$8.00</b>	<b>\$22.00</b>
<b>2014/15</b>	<b>\$9.10</b>	<b>\$52.75/TON</b>	<b>\$8.00</b>	<b>\$22.00</b>

**COUNCIL ACTION FORM**

**SUBJECT: APPROVAL OF COMMISSION ON THE ARTS (COTA) SPECIAL GRANTS FOR SPRING 2015**

**BACKGROUND:**

On November 3, 2014 the Commission on the Arts members finalized its recommendations for the Spring 2015 Special Grants. A total of five grant requests were received. The organizations requested \$3,112 in funding, with \$1,721 remaining available from the 2014/15 budget for Spring Special Grants.

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

**COTA SPRING 2015- SPECIAL GRANT REQUESTS**

<b>Organization</b>	<b>Request</b>	<b>Project</b>	<b>Final</b>
ACAC	\$400	Member showcase	\$335.00
Good Company	\$462	YSS Outreach	\$410.00
India Cultural Association	\$750	Vallareddy Ananthram	\$435.00
Reiman Gardens	\$750	20th Anniversary	\$ 0.00
Ames Children's Theater	\$750	Joint project with ACTORS	\$535.00
<b>Total Requested</b>	<b>\$3,112</b>		<b>\$1,715.00</b>

The Commission takes seriously its charge to be certain of how the proposal for funding will be completed and be certain that it is understood how the public is benefitted. Reiman Gardens was not funded for a Special Project Grant.

**ALTERNATIVES:**

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

**MANAGER'S RECOMMENDED ACTION:**

It is the recommendation of the City Manager that the City Council adopt Alternative No. 1 and approve the COTA Spring 2015 special grant contracts as recommended by the Commission on the Arts.

**COUNCIL ACTION FORM**

**SUBJECT: EMPLOYMENT OF TEMPORARY PROJECT EMPLOYEE – MEETING  
FEDERAL THRESHOLD TO OFFER HEALTH INSURANCE**

**BACKGROUND:**

On November 12, 2013, the City Council voted to convert the City's power plant from coal to natural gas. Implementing that decision requires a significant amount of engineering, installation of equipment, and modification and construction in the power plant.

One of the critical tasks involved with this conversion is doing precise, detailed drawings and schematics for the project. For the past year a temporary employee has been assisting the Electric Engineering staff in accomplishing this work. The employee has the unique skill set of architecture, Auto Cad and now a year of experience doing this detailed work. This work is critical in keeping the conversion project on track.

This employee was originally hired on a "temporary" basis, and will only remain employed through completion of the plant conversion next year. The Affordable Care Act requires that the City offer health insurance benefits to employees who work over 1,560 hours in a year. That threshold will soon be surpassed, since the services of this employee are now needed full-time. It is anticipated that this individual will work through April of 2016.

Under the City's adopted Personnel Policies and labor relations contracts, benefits (including health insurance) are only offered to regular permanent employees, and not to temporary employees. Regular permanent employees are the "full time equivalents" (FTE) approved by City Council as part of the budget process. Since this need will only exist until early 2016, it seems advisable to offer health insurance coverage to this individual, rather than to create or modify a permanent FTE for this short term need. Council authorization is needed to authorize this action.

The ACA requires the employer to offer health benefits to the employee, but does not require the employee to accept that offer. In the event that this employee does accept that offer, the anticipated cost to employ this individual on a temporary basis with health insurance included is projected to cost approximately \$64,854 over the next 15 months. The estimated cost to create and fill a permanent FTE for this same period would be \$97,157. The difference in these two costs is attributable to the permanent FTE receiving a significantly higher rate of pay and additional benefits.

This employee will be offered full open enrollment in the City's health insurance program with the same cost sharing options as permanent City employees. Funding for

this expense, if the offer is accepted, will come from the Electric Engineering and Electric Administration budgets.

**ALTERNATIVES:**

1. Authorize offering health insurance benefits to this temporary employee in Electric Services to complete this special project in support of the power plant fuel conversion.
2. Authorize an additional FTE over the next 15 months to accomplish this work. This would be a more costly way to fill this project need.
3. Reduce the hours this individual works and do not offer health insurance. This alternative would jeopardize an important component of the power plant conversion process.

**MANAGER'S RECOMMENDED ACTION:**

This is a very unique situation that falls part-way between “permanent” and “temporary” employment. The current individual has specialized training and experience in the needed work. Cutting back on the individual’s hours would be detrimental to the project. Adding a permanent FTE would involve significantly higher costs for the same work. The recommended alternative provides for retaining the current individual while ensuring that the City is compliant with the federal Affordable Care Act.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving offering health insurance to this temporary employee.



**COUNCIL ACTION FORM**

**SUBJECT:**       **WATER METER AUTOMATIC METER READING SYSTEM**

**BACKGROUND:**

The City has been purchasing Elster AMCO mechanical water meters with mechanical pulse generator registers as part of a multi-year contract. This has been the standard meter purchased for residential and small commercial accounts for many years. These meters are read manually by entering the meter reading (displayed remotely on the outside of the property) into a hand-held device carried by the City's meter readers.

In January 2013, Elster AMCO informed the City that they would stop producing the mechanical meters and registers by mid-year 2013. The last order taken by Elster AMCO for these type meters was in March 2013. Because Elster AMCO was the last meter manufacturer producing this type of meter register, a replacement meter reading technology needed to be selected.

An Automated Meter Reading/Advanced Metering Infrastructure (AMR/AMI) process improvement team was formed consisting of eight members representing a cross-section of all involved departments. The team was tasked to recommend a long-term replacement system for both water and electric meters, as well as to determine a short-term solution for reading water meters that serves the needs of both the Water and Electric Utilities and also be sure that it fits within the adopted CIP and Water Fund rate structure.

The team analyzed technical information provided by vendors and interviewed various utilities currently using six of the most commonly used AMR/AMI systems available. A survey was conducted of internal users of the billing system and of 300 external customers with 79 responses received. This survey process helped provide a broad picture of all parties' needs and wants and helped the team to know what benefits an AMR/AMI system will provide to our customers.

After comparing the various alternatives against a list of weighted criteria, the AMR/AMI Team recommended the AMR Walk-by technology as the short-term solution, with a requirement that it be provided by a vendor that can transition to an AMI Mesh (unlicensed) system in the future as the long-term solution.

Based on this conclusion, staff developed a Request for Proposals (RFP) to procure an AMR Walk-by system as a replacement for the obsolete mechanical register system. RFPs were submitted to four vendors and the City received two responses. **Staff believes that the response that best met all the necessary criteria was submitted by Itron, Inc. to provide the AMR portion for the project. Meters will be provided through Itron by Badger Meter and Elster AMCO.**

**The City Council is being asked to give approval for procurement of an AMR Walk-by system including hardware, software, meters, and installation services for a complete system, and to approve a contract for the purchase of this system. This contract includes a provision whereby it may be renewed annually for five years, as well as an escalation provision which ties the annual increase to the Producer Price Index.**

The estimated cost for the first year of the AMR project is as follows:

Water Meters Equipped with AMR (Radio Read)	\$ 250,500
Reading Equipment, Software, Maintenance Agreement	\$ 53,584
<hr/>	
Total First Year Cost	\$ 304,084

Historically, water meter replacements have been funded out of the operating budget. The FY 14/15 adjusted operating budget includes \$268,000 to perform 1,000 routine meter replacements and to purchase 400 meters for new construction installations. At that pace, however, it would take more than 20 years to complete the change out of the meter reading system. To accomplish the change out in a shorter time frame, additional funds were included in the Capital Improvements Plan. The approved FY 14/15 CIP includes \$417,000 to begin the AMR conversion as the first year of a projected seven-year replacement of the obsolete mechanical register system. The expected cost of the project over the course of seven years is \$3,752,000. Costs for the project are thus reflected in both the Capital Improvements Plan and the operating budget for Water Meter activity.

**ALTERNATIVES:**

1. Authorize procurement of an AMR Walk-by system including hardware, software, meters, installation, and maintenance services for a complete system and award year one of a multi-year agreement to Itron, Inc., of Liberty Lake, WA, in an amount not to exceed \$304,084. Future annual renewals will be authorized by Council, dependent on the appropriation of funds and the successful execution of the prior year's agreement.
2. Do not issue a contract for purchase of an AMR Walk-by system at this time. This would negatively impact the water meter replacement program and installation of meters for new construction, since the City can no longer purchase new meter registers that operate on the existing legacy meter reading system.

**MANAGER'S RECOMMENDED ACTION:**

The current water meter technology used by the City has become obsolete and is no longer available in the market place. The AMR/AMI Process Improvement Team thoroughly vetted all currently available metering technologies for both water and electric metering to arrive at a recommendation that will support both the short- and long-term goals for both utilities well into the future. Staff has negotiated a multi-year agreement with Itron, Inc., which includes meter reading hardware and software, water meters, and annual support and maintenance for equipment to provide a complete AMR Walk-by meter reading system.

**Therefore, it is the recommendation of the City Manager that the City council adopt Alternative No. 1, thereby authorizing procurement of an AMR Walk-by system including hardware, software, meters and installation and maintenance services for a complete system and issuing a contract for purchase of the system from Itron, Inc., of Liberty Lake, WA, in an amount not to exceed \$304,084.**

ITEM # 13  
DATE: 02-10-15

**COUNCIL ACTION FORM**

**SUBJECT: PURCHASE OF MODULAR FURNITURE FOR CITY HALL  
RENOVATION PHASE 2 PROJECT**

**BACKGROUND:**

The Phase 2 City Hall Renovation Project was bid and awarded to HPC, LLC of Ames, and construction started in October 2014.

Due to the constraints of moving City staff out of City Hall for the duration of the project, the construction work was divided into two parts. The basement, which includes space for Finance (Information Technology and the Print Shop) and Public Works Engineering and the Police armory and locker rooms on the first floor is being completed in Part 1, and the Police Administration and Investigations space on the first floor will be done in Part 2. This allows Information Technology to move out of the 5<sup>th</sup> Street location it currently occupies and into the basement at the conclusion of Part 1. Some of the Police Department staff will then move into the 5<sup>th</sup> Street location while Part 2 is done, while a smaller group of Police staff will be temporarily relocated within City Hall.

The construction is progressing well and Part 1 is expected to be complete by mid-March. The purchase of modular furniture is required to meet the needs of the newly renovated space in both the basement (Finance Department's IT and Print Shop and Public Works Engineering) and on the first floor (Police Department). The modular furniture needs of these departments were combined to achieve better overall pricing, though delivery of the modular furniture will be staggered over several months.

On January 12, 2015, an Invitation to Bid (ITB) was issued to nine firms. The ITB was advertised on the Current Bid Opportunities section of the Purchasing webpage. Alternate #1 was included in the invitation, and provides for the disassembly, storage off site during construction, and re-installation of some existing Police Department furniture.

On January 30, 2015, four bids were received. The bid tabulation is shown below:

<b>Firms</b>	<b>Base Bid</b>	<b>Add Alternate #1</b>
Storey Kenworthy, Ames, IA	\$ 82,707.38	\$ 3,304.55
All Makes Office Interiors, Des Moines, IA	\$ 89,119.67	\$ 3,150.00
Business Interiors by Staples, Framingham, MA	\$ 91,143.34	\$ 1,875.00
OfficeMax, Urbandale, IA	No Bid	-

Staff reviewed the bids and has concluded that the apparent low bid from Storey Kenworthy, Ames, Iowa, in the amount of \$82,707.38, along with Alternate #1 in the

amount of \$3,304.55, is acceptable and meets the needs of the project for modular furniture.

The original City Hall Phase 2 Renovation project budget included \$25,000 for furnishings. An additional \$45,000 has been added to the proposed FY 14/15 adjusted budget. The Public Works Engineering budget includes \$35,500 for furniture, bringing the total available to \$105,500. Alternate #1 work will be funded by the project out of the savings from the construction bid.

**ALTERNATIVES:**

1. Award a contract for the purchase of modular furniture to Storey Kenworthy, Ames, Iowa in the amount of \$82,707.38, and accept Alternate #1 in the amount of \$3,304.55.
2. Award a contract to one of the other companies.
2. Reject all bids and rebid the furniture.

**MANAGER'S RECOMMENDED ACTION:**

This competitively bid purchase will provide modular furniture for the newly renovated space in City Hall Renovation for the Finance Department (Information Technology and Print Shop), Public Works Engineering, and the Police Department.

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

**COUNCIL ACTION FORM**

**SUBJECT: ACQUISITION OF WOOD CHIPPERS TO ASSIST WITH THE ASH TREE REMOVAL PROGRAM**

**BACKGROUND:**

The City has one diesel powered, trailer mounted 12-inch wood chipper. It is shared by the Public Works Operations staff and Parks Maintenance staff. The chipper is used to chip tree limbs and heavy brush, and has not been a reliable piece of equipment. On October 14, 2014, City Council approved the replacement of the current chipper and the purchase of a second, larger chipper to support the ash tree removal program that is currently underway. **To support the ongoing ash tree removal program, the operating departments have an immediate need for the chippers.**

Bids received for the two sizes of chippers are as follows:

<b>WOOD CHIPPER FOR 12-INCH DIAMETER AND SMALLER WOOD LIMBS</b>							
<b>Vendor</b>	<b>Make</b>	<b>Model</b>	<b>Year</b>	<b>Unit Price</b>	<b>Trade-in Allowance</b>	<b>Bid with Trade</b>	<b>Bid without Trade</b>
<b>Midwest Underground</b>	<b>Morbark</b>	<b>M12R 12 inch</b>	<b>2014</b>	<b>\$38,500</b>	<b>\$18,000</b>	<b>\$20,500</b>	<b>\$38,500</b>
Vermeer Sales & Service, Inc.	Vermeer	BC1200XL 12 inch	2015	\$42,094	\$20,000	\$22,094	\$42,094
<b>WOOD CHIPPER FOR 18-INCH DIAMETER AND SMALLER WOOD LIMBS</b>							
Vermeer Sales & Service, Inc.	Vermeer	BC1800XL 18-inch	2015	\$53,448	\$20,000	\$33,448	\$53,448
Midwest Underground	Morbark	M18RX 18-inch	2014	\$51,630	\$18,000	\$33,630	\$51,630
Midwest Underground	Morbark	M18R 18-inch	2014	\$53,430	\$18,000	\$35,430	\$53,430

To meet the requirements of the bid, the chippers must meet specifications and satisfy a performance demonstration for City of Ames operating department staff. One of each size of chipper has been identified as the lowest priced, qualified machine to be subjected to an on-site performance demonstration.

**A demonstration of the Vermeer 18-inch diameter chipper has not yet been arranged. When the demonstration is successfully completed, staff will return to Council with a recommendation for purchase.**

The performance demonstration has been completed for the net low bid 12-inch chipper. This machine is the 2014 Morbark, model M12R Beaver. The tested machine performed well and met the required specifications. Staff has determined that the Morbark M12R is an acceptable machine. The option for trade-in of the existing machine was offered for both the 12-inch unit and the 18-inch unit. In evaluating the bids, it was determined that the lowest net cost would be to apply the trade-in allowance on the one chipper the City currently owns to the purchase of the 18-inch unit. Therefore, the preferred alternative is to pay full cost for the 12-inch unit.

Funding for the acquisition of both chippers will come from the \$60,000 in additional funding approved by Council for the Emerald Ash Borer response program, as well as from \$23,400 in accumulated equipment replacement funding.

**ALTERNATIVES:**

1. Award a contract to Midwest Underground Supply of Bondurant, IA., as the net low bidder for the purchase of one 2014 Morbark Chipper, model M12R, as quoted and demonstrated, in the amount of \$38,500.
2. Reject these bids for the 12-inch chipper.

**MANAGER'S RECOMMENDED ACTION:**

Staff from Fleet Services, Public Works, and Parks and Recreation have thoroughly evaluated these bids and agree that purchasing the 2014 Morbark Chipper, model M12R is the best action to take on this bid.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1, thereby awarding this contract to Midwest Underground Supply of Bondurant, IA., as the net low bidder for the purchase of one 2014 Morbark Chipper, model M12R, as quoted and demonstrated for the amount of \$38,500.



CITY OF  
Ames™

*Caring People ♦ Quality Programs ♦ Exceptional Service*

# MEMO

**To:** Mayor and Members of the City Council

**From:** City Clerk's Office

**Date:** February 6, 2015

**Subject:** Contract and Bond Approval

There is no Council Action Form for Item No.   15  . Council approval of the contract and bond for this project is simply fulfilling a *State Code* requirement.

/jr



**COUNCIL ACTION FORM**

**SUBJECT: 2012/13 ARTERIAL STREET PAVEMENT IMPROVEMENTS – STATE AVENUE (OAKWOOD ROAD TO U.S. HIGHWAY 30 OVERPASS)**

**BACKGROUND:**

This annual program is for reconstruction or rehabilitation of arterial streets to restore structural integrity, serviceability, and rideability. **The 2012/13 program location was State Avenue (Oakwood Road – just north of U.S. Highway 30 Overpass).**

This project included rehabilitating the existing concrete roadway with an asphalt overlay; adding 6' paved shoulders on both sides of State Avenue, subdrains, and guardrail along Dartmoor Road near State Avenue; reconstructing bridge approaches for the State Avenue bridge over U.S. Highway 30; and other associated work. Because project funding included federal funds, the contract was required to be let by the Iowa DOT. On June 25, 2013, City Council awarded the project to Manatts, Inc. of Ames, Iowa, in the amount of \$1,143,124.09, and was substantially completed in late spring of 2014.

Three change orders have been processed for this project. Change Orders No. 1 and No. 2 were administratively approved by staff. Change Order No. 1, a deduction in the amount of \$11,193, was to eliminate the high tension cable guardrail and install traffic chevrons and delineators. This change was necessary due to underground utility conflicts. Change Order No. 2, an increase in the amount of \$2,000, included the cost necessary to return and restock the guardrail components from Change Order No. 1. Change Order No. 3, a deduction in the amount of \$47,795.89, was approved by City Council on October 24, 2014 and was the balancing change order for this project. This change order included balancing the contract quantities to the actual field installed quantities. **Construction was completed in the amount of \$1,086,135.20.** Engineering and construction administration for this program were \$162,950, **bringing total project costs to \$1,249,085.20.**

Funding for this project was programmed in the amount of \$219,000 from General Obligation Bonds (G.O. Bonds), \$219,000 from Story County and \$1,060,000 from MPO/STP funds, bringing **total program funding to \$1,500,000.**

**ALTERNATIVES:**

1. Accept the 2012/13 Arterial Street Pavement Improvements – State Avenue (Oakwood Road to U.S. Highway 30 Overpass) as completed by Manatts, Inc. of Ames, Iowa, in the amount of \$1,086,135.20.
2. Direct staff to pursue modification to the project.

**MANAGER'S RECOMMENDED ACTION:**

This project was completed in accordance with the approved plans and specifications and is within the approved budget. It has been audited by the Iowa Department of Transportation and is ready for final acceptance.

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

**COUNCIL ACTION FORM**

**SUBJECT: 2012/2013 ASPHALT/SEAL COAT STREET REHABILITATION PROGRAM (CARROLL AVENUE – EAST 9<sup>TH</sup> TO EAST 13<sup>TH</sup> STREET)**

**BACKGROUND:**

This is an annual program for removal of built-up seal coat from streets with asphalt surfaces, as well as asphalt resurfacing of various streets. This program restores surface texture, corrects structural deficiencies, removes built-up seal coat, and prevents deterioration of various streets. This resurfacing process results in better riding surfaces, increased safety with improved surface texture, and increased life expectancy of the streets. Built-up seal coat on streets causes excessive crown, which results in vehicles dragging at driveway entrances. Complete removal of this built-up seal coat allows for repairs to curbs and gutters and placement of a new asphalt surface.

**The location for seal coat removal/asphalt reconstruction in this contract was Carroll Avenue (East 9<sup>th</sup> Street to East 13<sup>th</sup> Street).** Locations in this program that have previously been awarded by City Council in a separate contract include South Wilmoth Street (Lincoln Way to Morningside Street), Morningside Street, Hilltop Road, and Tripp Street (South Wilmoth to Hilltop Road). Work on those other locations was accepted by City Council on October 28, 2014.

On February 25, 2014, City Council awarded this project to Manatts, Inc of Ames, in the amount of \$273,782.30. A balancing change order, a deduction \$19,807.15, was administratively approved by staff in accordance with Purchasing Policies and Procedures. Major items in this change order included savings realized from not needing the planned work of removing and replacing poor soil materials. During project development, surface investigation of the existing pavement indicated the potential for poor sub soils. During construction the soils were better than anticipated, thus providing a cost savings. This change order also balanced the actual quantities installed in the field. Construction was completed in the amount of \$253,975.15. Programmed funding and projected expenses are summarized below:

	<u>Expenses</u>	<u>Funding</u>
G.O. Bonds		\$ 620,500
Road Use Tax		\$ 650,000
S. Wilmoth Area (actual)	\$ 579,443.00	
<b>Carroll Avenue (this contract)</b>	<b>\$ 253,975.15</b>	
Engineering (actual)	<u>\$ 125,025.00</u>	
Totals	\$ 958,443.15	<u>\$1,270,500</u>

Remaining funds from this program will be used on additional projects in the future.

**ALTERNATIVES:**

1. Accept the 2012/13 Asphalt/Seal Coat Street Rehabilitation (Carroll Avenue – E. 9<sup>th</sup> Street to E. 13<sup>th</sup> Street) as completed by Manatts, Inc. of Ames, in the amount of \$253,975.15.
2. Direct staff to pursue modification to the project.

**MANAGER'S RECOMMENDED ACTION:**

This project was completed in accordance with the approved plans and specifications and is within the approved budget.

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

**COUNCIL ACTION FORM**

**SUBJECT: 2013/14 CONCRETE PAVEMENT IMPROVEMENTS CONTRACT #1 –  
KNAPP STREET AND LYNN AVENUE**

**BACKGROUND:**

This annual program is to remove and replace concrete street sections that have deteriorated. Removal and replacement of concrete street sections provides enhanced rideability to residents and visitors. The 2013/14 program locations were Knapp Street (Welch Avenue to Lynn Avenue), Lynn Avenue (Storm Street to Knapp Street), and North 2<sup>nd</sup> Street (east of Elm Street).

**This specific project was for the street replacements on Knapp and Lynn Streets.** Work consisted of replacing the existing pavement, making storm sewer improvements on Lynn Avenue, storm sewer intake replacement, sanitary sewer manhole replacement, and sanitary sewer main repairs.

On April 22, 2014, City Council awarded this project to Manatts, Inc. in the amount of \$814,285.80. A balancing change order in the amount of \$42,601.17 was administratively approved by staff. Major items in this change order included materials and work to remove and replace poor sub-soil conditions, additional curb and gutter repair, and lowering a short section of water main to allow for storm sewer installation. This change order also balanced the actual quantities installed in the field. Construction was completed in the amount of \$856,886.97.

The 2013/2014 Concrete Pavement Improvements Program includes expenses as follows:

<b>Knapp Street and Lynn Avenue (this project)</b>	<b>\$ 856,886.97</b>
North 2 <sup>nd</sup> Street (estimated)	\$ 154,000.00
Planned Restoration* (Both projects, estimated)	\$ 28,300.00
Engineering and Contract Administration	<u>\$ 194,500.00</u>
	<b>\$1,233,686.97</b>

\*Restoration shown above is to supplement the funding for project seeding to be incorporated into the 2014/15 Right of Way Restoration project scheduled to be bid in March 2015.

The program is shown in the 2013/2014 Capital Improvements Plan with \$1,185,000 from General Obligation Bonds, \$50,000 from Road Use Tax, and \$50,000 from the Electric Utility Fund. **Total program funding for the program is \$1,285,000.** Only \$2,200 from Electric Utility Funds was utilized as a part of the project.

**ALTERNATIVES:**

1. Accept the 2013/14 Concrete Pavement Improvements (Knapp Street and Lynn Avenue) as completed by Manatts, Inc. of Ames, Iowa, in the amount of \$856,886.97.
2. Direct staff to pursue modifications to the project.

**MANAGER'S RECOMMENDED ACTION:**

This project was completed in accordance with the approved plans and specifications and is within the approved budget.

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

**COUNCIL ACTION FORM**

**SUBJECT: 2013/14 DOWNTOWN STREET PAVEMENT IMPROVEMENTS  
(5<sup>TH</sup> STREET – DUFF AVENUE TO BURNETT AVENUE)**

**BACKGROUND:**

The annual Downtown Street Pavement Improvements program is for rehabilitation or reconstruction of streets within the downtown area. **The 2013/14 program location was 5<sup>th</sup> Street from Duff Avenue to Burnett Avenue.** This project included removal and replacement of the existing pavement, storm sewer improvements and sanitary sewer improvements, as well as ornamental street lighting and a ribbon of colored sidewalk concrete to match the previously reconstructed areas of downtown.

On March 25, 2014 City Council awarded the project to Con-Struct, Inc of Ames in the amount of \$1,234,443. Change Order No. 1 in the amount of \$15,776.20 was administratively approved by staff. This change order included additional work necessary to relocate the sanitary sewer due to unforeseen conflicts with existing utilities.

Action will be for the City Council to approve Change Order No. 2, the balancing change order, which is a deduction in the amount of \$42,686.70, and to approve final acceptance of the project. Savings were realized in overall concrete paving, sidewalk reconstruction, and associated sub grade preparation costs that were less in quantity than the original estimate. This change order also balanced the actual quantities installed in the field. Construction was completed in the amount of \$1,207,532.50. Engineering and contract administration costs were \$241,507, **bringing overall project costs to \$1,449,039.50**

Funding available for this project is summarized below:

General Obligation Bonds (FY 2013/14 CIP for street)	\$ 1,000,000
Sanitary Sewer Funds (2013/14 Sanitary Sewer Rehabilitation Program)	\$ 136,803
Sanitary Sewer Funds (2011/12 Sanitary Sewer Rehabilitation Program)	\$ 90,000
Sidewalk Safety Program Funds (2013/14 CIP)	\$ 33,908
Unused G.O. Bond Funding (11/12 Collector Street Impr. Program)	\$ 150,000
Unused G.O. Bond Funding (09/10 Concrete Street Impr. Program)	\$ 150,000
<b>Total Funding</b>	<b>\$ 1,560,711</b>

Remaining funds from this program will be used on additional projects in the future.

**ALTERNATIVES:**

- 1a. Approve Change Order No. 2 for the 2013/14 Downtown Street Pavement Improvements (5<sup>th</sup> Street – Duff Avenue to Burnett Avenue).
  - b. Accept the 2013/14 Downtown Street Pavement Improvements (5<sup>th</sup> Street – Duff Avenue to Burnett Avenue) as completed by Con-Struct, Inc. of Ames, Iowa, in the amount of \$1,207,532.50.
2. Direct staff to pursue modification to the project.

**MANAGER'S RECOMMENDED ACTION:**

This project represented City Council's continuing commitment to reinvest in Downtown infrastructure. The project has now been completed in accordance with approved plans and specifications, and is within the approved budget.

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



**COUNCIL ACTION FORM**

**SUBJECT: PLAT OF SURVEY FOR 4316 ONTARIO STREET (SAWYER SCHOOL)**

**BACKGROUND:**

Subdivision regulations for the City of Ames 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.

**The proposed Plat of Survey is for the platting of a conveyance parcel to create a legalized lot for permitting purposes. This property is owned by Ames Community School District. (See location map on Attachment A.) The lot is located along the south side of Ontario Street at the corner of Ontario Street and North Dakota, the current site of Sawyer School. The Plat of Survey will officially plat the existing boundaries of the parcel to create a single 10.84 acre lot. (See plat of survey on Attachment B.)**

The current parcel also includes a portion of street right-of-way at the centerline of Ontario Street. The Public Works Department has asked that the right-of-way portion of the property be transferred to the City for public right-of-way at the time of platting of the lot. The area to be transferred is shown on the accompanying acquisition plat (Attachment C) and the property will be transferred to the City by quit claim deed. The deed is scheduled for approval at the Ames Community School District board meeting on Monday, February, 9, 2015. A draft of the deed is attached for reference (Attachment D). **If the School Board does not approve the quit claim deed as scheduled, action on this Plat of Survey will not be recommended.** No other improvements are needed or required in conjunction with the plat of survey for the property.

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 City will record the Acquisition Plat and the signed Quit Claim Deed thereby transferring the right of way to public property. 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 approve the Plat of Survey and the acquisition of the Right of Way in order to plat the property at 4316 Ontario Street and take ownership of that portion of the Right of Way for Ontario Street with the following approvals:
  - a. The City Council can adopt a resolution approving the proposed Plat of Survey for 4316 Ontario Street, and
  - b. The City Council can adopt a resolution approving the Acquisition Plat for street Right of Way on Ontario Street, and
  - c. The City Council can adopt a resolution approving the Quit Claim Deed conveying street right of way from the property owner to the City of Ames.
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 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 for 4316 Ontario Street, the Acquisition Plat, and the quit claim deed for conveyance of street right-of-way to the City of Ames.

**ADDENDUM  
PLAT OF SURVEY FOR 4316 ONTARIO 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:

Owner: Ames Community School District

Street Address: 4316 Ontario Street

Assessor's Parcel #: 0905100010

**Legal Description Parcel N:** The West 723 feet of the Northwest Fractional Quarter of the Northwest Fractional Quarter, except the North 35.00 feet thereof, and except the West 40.00 feet of that part lying South of the North 35.00 feet thereof, and the West 723 feet of the North 459.2 feet of the Southwest Quarter of the Northwest Fractional Quarter, except the West 40.00 feet thereof, all in Section 5, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Iowa; and the East 20 feet of Lot 9, Sixth Addition to Ontario Heights Subdivision to Ames, Story County, Iowa, and all together being more particularly described as follows: Commencing at the Northwest Corner of said Section 5; thence S00°02'23"E, 35.00 feet along the West line of said Section 5; thence S89°06'19"E, 40.01 feet to the intersection of the East line of North Dakota Avenue with the South line of Ontario Street and point of beginning; thence S89°06'19"E, 683.02 feet along the South line of Ontario Street to the Northwest Corner of Lot 1 in Ontario Heights Subdivision, Fourth Addition to Ames, Iowa; thence S00°00'45"W, 660.29 feet to the Northwest Corner of Lot 11 in said Sixth Addition to Ontario Heights Subdivision; thence S00°01'13"W, 152.69 feet to the Southeast Corner of said Lot 9; thence N89°04'17"W, 20.00 feet along the South line of said Lot 9; thence N00°00'19"E, 124.89 feet; thence N89°04'33"W, 662.36 feet along the North line of said Sixth Addition to Ontario Heights Subdivision said point being on the East line of North Dakota Avenue; thence N00°02'23"W, 687.75 feet along said line to the point of beginning, containing 10.84 acres.

**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:

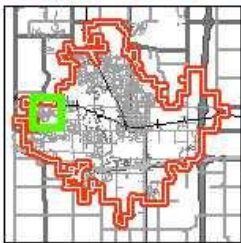
- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.

- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable.

It was requested that the right of way easement area be transferred to public right of way. The attached acquisition plat and quit claim deed address the right of way request.

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

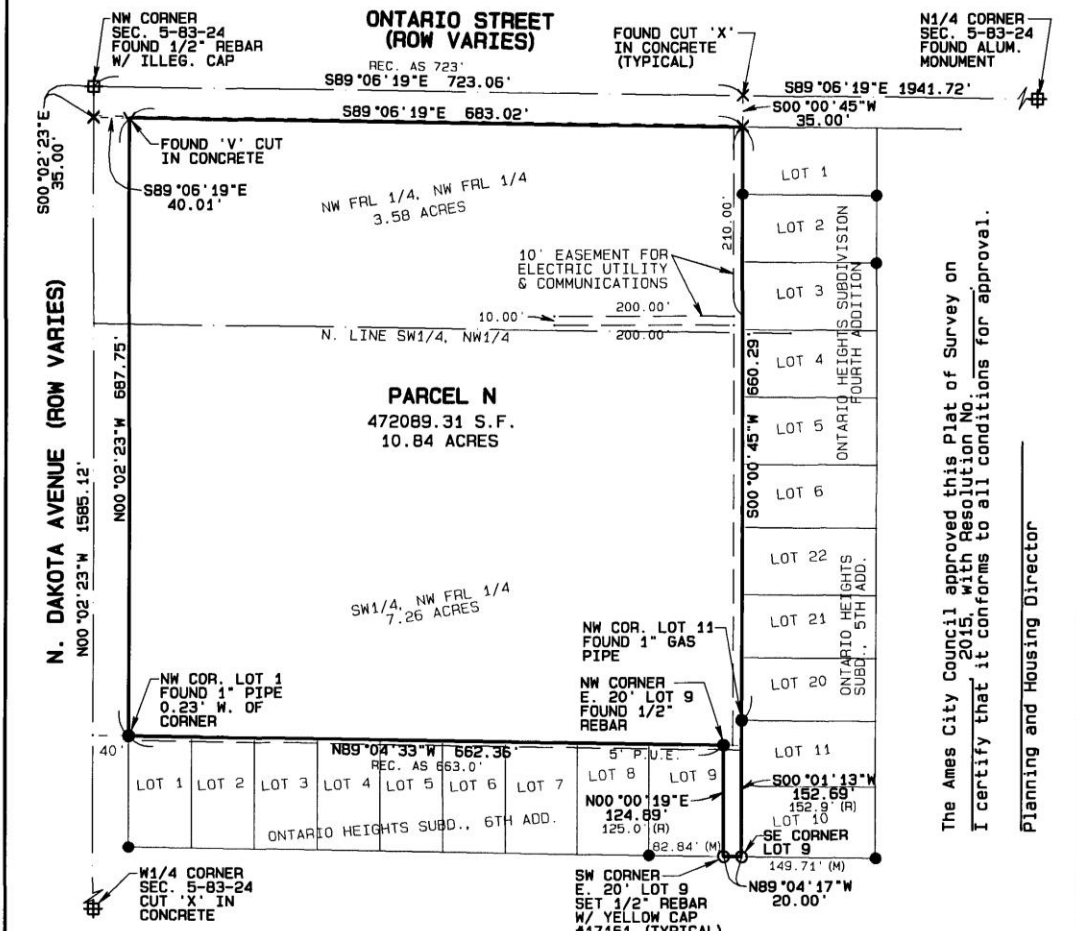


Location Map  
4316 Ontario Street  
Sawyer School

# ATTACHMENT B PROPOSED PLAT OF SURVEY

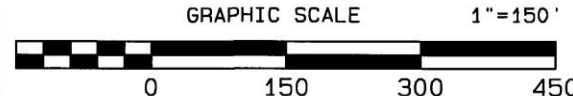
R. BRADLEY STUMBO P.O. BOX 1664 AMES, IOWA 50010 515-233-3689

## PLAT OF SURVEY



The Ames City Council approved this Plat of Survey on 1/12/15, with Resolution No. 1515. I certify that it conforms to all conditions for approval.  
Planning and Housing Director

**Survey Description-Parcel 'N':**  
The West 723 feet of the Northwest Fractional Quarter of the Northwest Fractional Quarter, except the North 35.00 feet thereof, and except the West 40.00 feet of that part lying South of the North 35.00 feet thereof, and the West 723 feet of the North 459.2 feet of the Southwest Quarter of the Northwest Fractional Quarter, except the West 40.00 feet thereof, all in Section 5, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Iowa; and the East 20 feet of Lot 9, Sixth Addition to Ontario Heights Subdivision to Ames, Story County, Iowa, and all together being more particularly described as follows: Commencing at the Northwest Corner of said Section 5; thence S00°02'23"E, 35.00 feet along the West line of said Section 5; thence S89°06'19"E, 40.01 feet to the intersection of the East line of North Dakota Avenue with the South line of Ontario Street and point of beginning; thence S89°06'19"E, 683.02 feet along the South line of Ontario Street to the Northwest Corner of Lot 1 in Ontario Heights Subdivision, Fourth Addition to Ames, Iowa; thence S00°00'45"W, 660.29 feet to the Northwest Corner of Lot 11 in said Sixth Addition to Ontario Heights Subdivision; thence S00°01'13"W, 152.69 feet to the Southeast Corner of said Lot 9; thence N89°04'17"W, 20.00 feet along the South line of said Lot 9; thence N00°00'19"E, 124.89 feet; thence N89°04'33"W, 662.36 feet along the North line of said Sixth Addition to Ontario Heights Subdivision, said point being on the East line of North Dakota Avenue; thence N00°02'23"W, 687.75 feet along said line to the point of beginning, containing 10.84 acres.



PROPRIETOR:  
AMES COMMUNITY SCHOOL DISTRICT  
SURVEY REQUESTED BY: GERRY PETERS

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

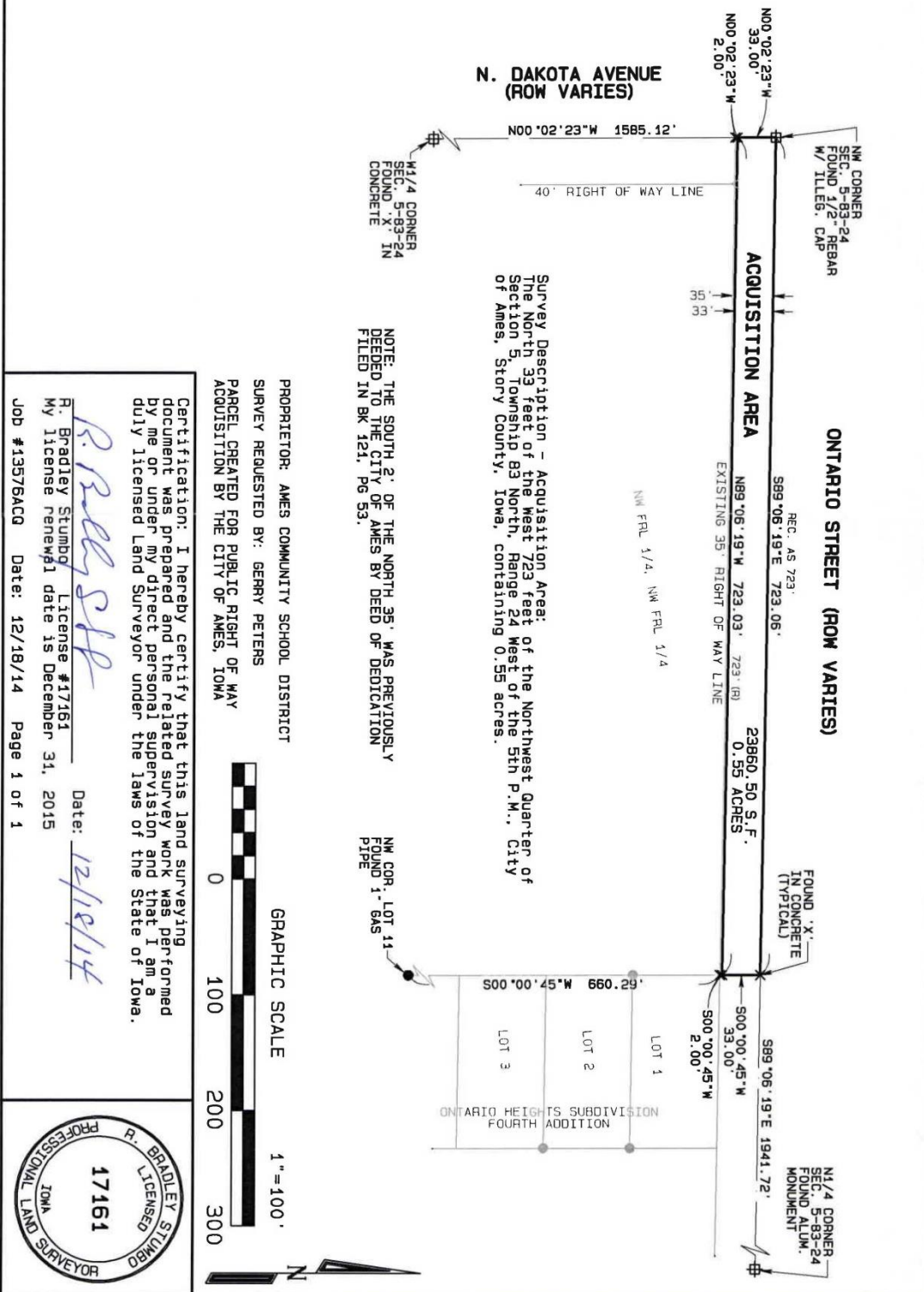


R. Bradley Stumbo License #17161 Date: \_\_\_\_\_  
My license renewal date is December 31, 2015  
Job #13576PSA Date: 1/12/15 Page 1 of 1  
Fieldwork Completed: 6/10/13

# ATTACHMENT C ACQUISITION PLAT

R. BRADLEY STUMBO P.O. BOX 1664 AMES, IOWA 50010 515-233-3689

## ACQUISITION PLAT



**ATTACHMENT D  
DRAFT QUIT CLAIM DEED**

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**DO NOT WRITE IN THE SPACE ABOVE THIS LINE; RESERVED FOR RECORDER**

Prepared by: Jessica D. Spoden, City of Ames Legal Department, 515 Clark Ave., Ames, IA 50010; (515) 239-5146  
Return document to: Ames City Clerk, 515 Clark Ave., Ames, IA 50010  
Address tax statement to: City of Ames, 515 Clark Ave., Ames, IA 50010

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**QUIT CLAIM DEED**

**KNOW ALL MEN BY THESE PRESENTS:**

That Ames Community School District, in consideration of good and valuable consideration, does hereby Quit Claim unto the City of Ames, Iowa, all the right, title and interest in the following described real estate situated in Story County, Iowa, to-wit:

The North 33 feet of the West 723 feet of the Northwest Quarter of Section 5, Township 83 North, Range 24 West of the 5<sup>th</sup> P.M., City of Ames, Story County, Iowa.

This deed is exempt from transfer tax pursuant to Iowa Code section 428A.2(6).

Words and phrases herein, including the acknowledgement hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

**AMES COMMUNITY SCHOOL DISTRICT  
GRANTOR**

By \_\_\_\_\_  
Lucas Deardorff, Board President

By \_\_\_\_\_  
Karen Shimp, Board Secretary

STATE OF IOWA, COUNTY OF STORY, ss:

This instrument was acknowledged before me on \_\_\_\_\_, 2015, by Lucas Deardorff and Karen Shimp, as Board President and Board Secretary, respectively, of Ames Community School District.

\_\_\_\_\_  
Notary Public in and for the State of Iowa



**COUNCIL ACTION FORM**

**SUBJECT:** PLAT OF SURVEY FOR 3605 LINCOLN WAY

**BACKGROUND:**

Subdivision regulations for the City of Ames are part of Chapter 23 of the Ames Municipal Code. The Subdivision Code includes the process for creating or modifying property boundaries and 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 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.

The property at 3605 Lincoln Way is located on the north side of Lincoln Way west of Franklin Avenue. The building on the property is now vacant and most recently was Cazador's restaurant (See Attachment A). The property conforms to the lot standards for the Highway Oriented Commercial zoning district within which it is located. **The Plat of Survey consolidates the property into one platted lot for permitting purposes.** The property was purchased recently by Yin Yu and Yudong Weng. No proposal has been made for further development. (See Attachment B)

The same owner also owns a portion of the right-of-way of Lincoln Way adjacent to this property. **In conjunction with this Plat of Survey, an Acquisition Plat has been submitted. (See Attachment C). A Quit Claim Deed has been submitted, whereby the city of Ames would obtain title to this right-of-way (See Attached).**

**ALTERNATIVES:**

1. The City Council can approve the Plat of Survey and the acquisition of the Right of Way in order to plat the property at 3605 Lincoln Way and take ownership of that portion of the Right of Way for Lincoln Way with the following approvals:
  - a. The City Council can adopt a resolution approving the proposed Plat of Survey for 3605 Lincoln Way, and
  - b. The City Council can adopt a resolution approving the Acquisition Plat for street Right of Way on Lincoln Way, and
  - c. The City Council can adopt a resolution approving the Quit Claim Deed conveying street right of way from the property owner to the City of Ames.
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:**

The Planning & Housing Department has determined pursuant to 23.308(4)(c), that the proposed plat of survey satisfies all code requirements and has rendered a preliminary decision to approve the proposed plat of survey. **Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolutions approving the proposed plat of survey for 3605 Lincoln Way,** the Acquisition Plat, and the quit claim deed for conveyance of street right-of-way to the City of Ames.

Approval of the resolution will allow the applicant to prepare the official plat of survey, and the Planning & Housing Director to review and sign the plat of survey confirming that it fully conforms to all conditions of approval. The City will record the Acquisition Plat and the signed Quit Claim Deed thereby transferring the right of way to public property. 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.

**SUBJECT: PLAT OF SURVEY FOR 3910 MARICOPA DRIVE**

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:

Owner: Yin Yu and Yudong Weng  
Street Address: 3605 Lincoln Way  
Assessor's Parcel #: 0905451250  
Legal Description:

Survey Description-Parcel P:  
That part of the tract described in a Warranty Deed filed on April 4, 2005 at Inst. No. 05-03445, being situated in the Southwest Quarter of the Southeast Quarter of Section 5, Township 83 North, Range 24 West of the 5th P.M. City of Ames, Story County, Iowa, said part lying North of Lincoln Way and being more particularly described as follows: Beginning at the Southwest Corner of Lot 1 in Walnut Ridge Subdivision First Addition to the City of Ames; thence N00°01'32"E, 246.81 feet to the Northwest Corner of said Lot 1; thence N89°23'29"W, 149.49 feet along the South line of an existing alley to the Northeast Corner of a parcel shown on the Plat of Survey filed on August 11, 1988 in Book 8, page 171; thence S00°11'27"E, 245.02 feet along the East line of said parcel to the Southeast Corner thereof, said point also being the Southeast Corner of Lot 4 in Edgewood Addition to the City of Ames; thence S88°41'50"E, 148.59 feet along the North line of Lincoln Way to the point of beginning, containing 0.84 acres.

**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:

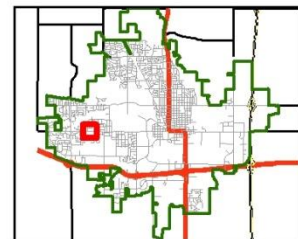
- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable.

**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.

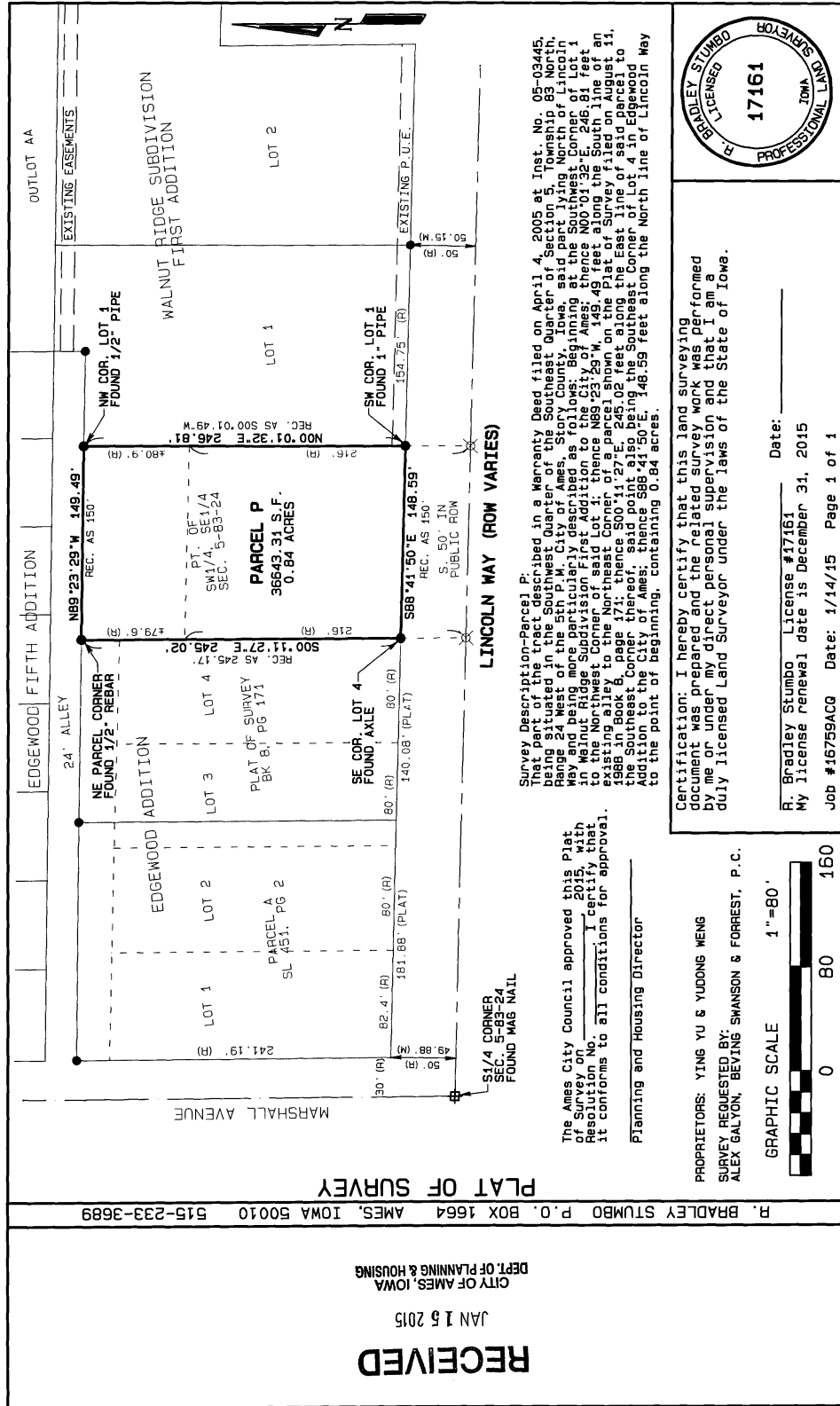
**ATTACHMENT A  
LOCATION MAP**



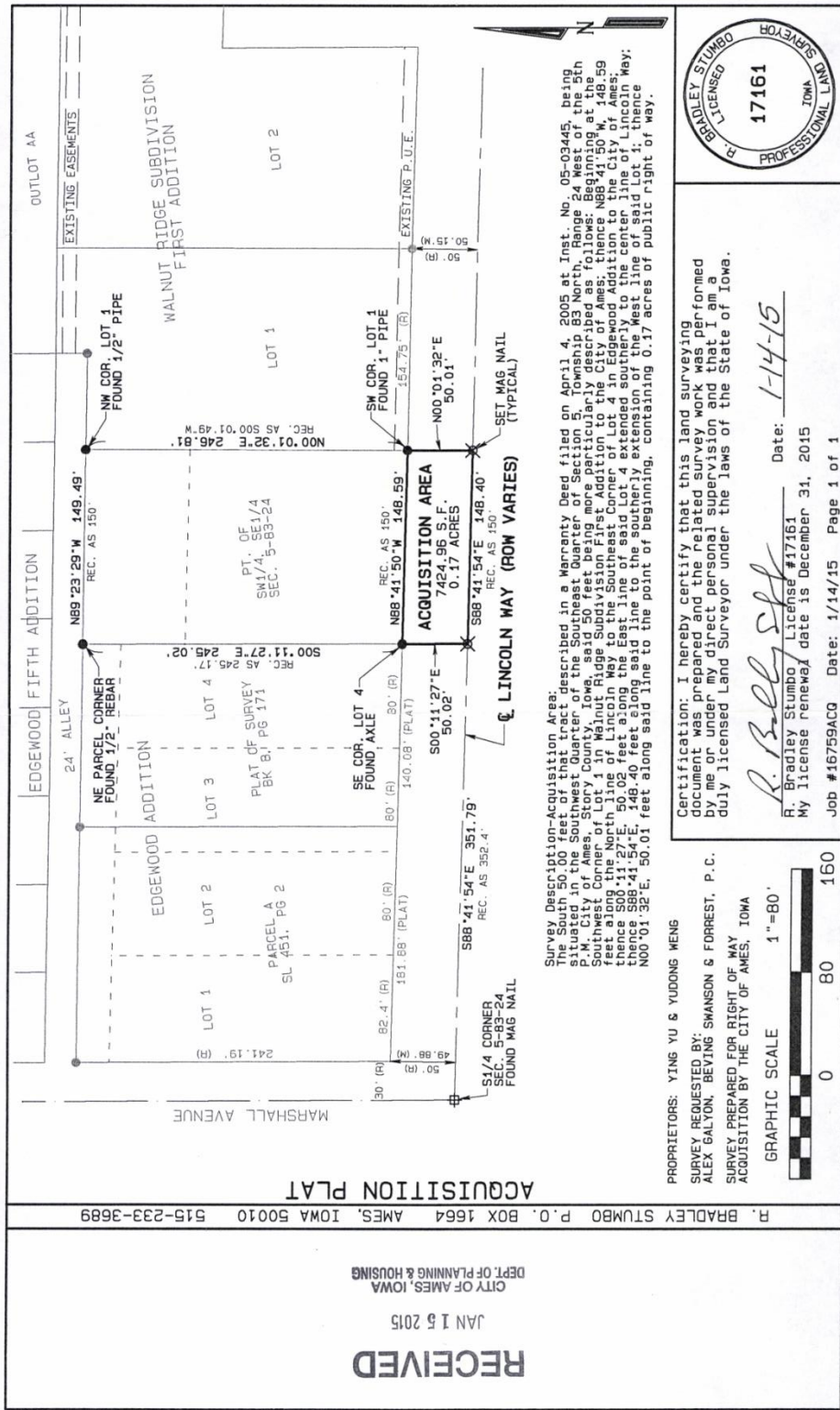
**LOCATION MAP  
3605 Lincoln Way**



# ATTACHMENT B PROPOSED PLAT OF SURVEY



# ATTACHMENT C ACQUISITION PLAT



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**DO NOT WRITE IN THE SPACE ABOVE THIS LINE; RESERVED FOR RECORDER**

Prepared by: Jessica D. Spoden, City of Ames Legal Department, 515 Clark Ave., Ames, IA 50010; (515) 239-5146  
Return document to: Ames City Clerk, 515 Clark Ave., Ames, IA 50010  
Address tax statement to: City of Ames, 515 Clark Ave., Ames, IA 50010

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**QUIT CLAIM DEED**

**KNOW ALL MEN BY THESE PRESENTS:**

That Ying Yu and Yudong Weng, a married couple, in consideration of good and valuable consideration, does hereby Quit Claim unto the City of Ames, Iowa, all the right, title and interest in the following described real estate situated in Story County, Iowa, to-wit:

The South 50.00 feet of that tract described in a Warranty Deed filed on April 4, 2005, at Inst. No. 05-03445, being situated in the Southwest Quarter of the Southeast Quarter of Section 5, Township 83 North, Range 24 West of the 5<sup>th</sup> P.M. City of Ames, Story County, Iowa, said 50 feet being more particularly described as follows: Beginning at the Southwest Corner of Lot 1 in Walnut Ridge Subdivision First Addition to the City of Ames; thence N88°41'50"W, 148.59 feet along the North line of Lincoln Way to the Southeast Corner of Lot 4 in Edgewood Addition to the City of Ames; thence S00°11'27"E, 50.02 feet along the East line of said Lot 4 extended southerly to the center line of Lincoln Way; thence S88°41'54"E, 148.40 feet along said line to the southerly extension of the West line of said Lot 1; thence N00°01'32"E, 50.01 feet along said line to the point of beginning, containing 0.17 acres of public right of way.

This deed is exempt from transfer tax pursuant to Iowa Code section 428A.2(6).

Words and phrases herein, including the acknowledgement hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2015.

**YING YU AND YUDONG WENG  
GRANTORS**

By \_\_\_\_\_  
Ying Yu

By \_\_\_\_\_  
Yudong Weng

STATE OF IOWA, COUNTY OF STORY, ss:

This instrument was acknowledged before me on \_\_\_\_\_, 2015, by Ying Yu and Yudong Weng, a married couple.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

Staff Report

**Developing a Brand Communications Plan**

January 27, 2015

**BACKGROUND**

At the City Council's latest goal setting workshop, staff was directed to provide information regarding the cost to the City for implementing its own branding campaign. This direction was in response to an objective under the City Council goal of promoting economic development to create a brand communication plan for Ames. Prior to providing the requested information, staff believes it would be helpful to review basic information regarding branding and, equally important, for Council to answer a few critical questions that will guide the response by staff.

The City Council should understand that there is a wide scale of possible approaches to branding our community. Options range from maintaining the ongoing efforts of the Public Relation Office in promoting Ames through partnerships (including ACVB, AEDC, Ames Chamber, ISU, MGMC, and Ames Community School District) to implementing a multi-year, consultant-led implementation plan. Just as the approaches to achieving this goal are varied, so is the potential budget.

The Ames Public Relation Official primarily focuses on ensuring that the City of Ames, as an organization, is recognized as a premier provider of municipal services in a vibrant, innovative university community. This focus provides direction for City of Ames advertising, marketing, cable television production, website content, and social media postings. **The primary audience is Ames residents and visitors, and nearly all communications use local resources and dissemination tools.**

**Developing a brand communications plan, as identified under the goal of "Promote Economic Development," necessitates a look beyond traditional local government promotions and explores marketing Ames to a wider population.**

**POINTS TO CONSIDER**

Before pursuing a brand communications plan, communications professionals consulted suggested there should be agreement on these questions:

- What is the City Council's goal for a brand communications plan?
- Who is the target audience for the brand message?
- What is the desired geographic reach of the plan?
- What is the brand message (Is it the community vision or some other message)?
- How will success be measured?



The goal of branding is to establish a positive, differentiated, emotional response about a person, product, or entity. A brand is a promise made to each customer that must be delivered on consistently in every interaction. Effective City branding would evoke specific feelings of enthusiasm, advocacy, or patronage. It would build loyalty and cultivate goodwill.

**COMMUNITY VISION HISTORY**

In an effort to identify the Ames brand, more than 6,000 people participated in the successful community visioning of 2011 (see below). The process continued with the adoption of a logo and tagline shared among the City of Ames, the Ames Chamber of Commerce, the Ames Convention and Visitors Bureau, and the Ames Community School District.

The Ames Promise/ Vision

Ames, Iowa is a forward-thinking community. As a city, we are committed to fostering creativity and innovation at the forefront of the world's important issues that the Midwest is uniquely positioned to address, including agriculture, veterinary medicine, sustainability, development, diversity, education, and health care.

For those who want the charms and convenience of a small town with the opportunities and amenities that come from a major university, Ames' position as an intelligent, progressive community creates a city and a region where everyone has opportunities to discover and thrive.

**The Ames Strategic Platform**

<b>WHO</b> we're for	Those who want the charms and convenience of a small town with the opportunities and amenities that come from a major University		
<b>WHAT</b> we do	<b>Ames is the Smart Choice</b> , fostering creativity and innovation at the forefront of the world's important issues that the Midwest is uniquely positioned to address		
<b>WHY</b> we do it	To create a community where everyone has opportunities to discover and thrive		
<b>HOW</b> we do it	REQUIRE innovative solutions	Stand for COLLABORATION	Be DECISIVE
<b>WHO</b> we are	Smart	Open-minded	Confident

**WHAT WE HAVE LEARNED**

Several years ago, the City of Des Moines collaborated with several partners to improve perceptions of Des Moines with residents and non-residents through the “Change Your View” campaign. Des Moines residents who feel better about their city become advocates for their community, said Doug Jeske, president of the Des Moines-based Meyocks Group. The campaign message worked outside of Des Moines to bring positive attention to recent renovations and upcoming projects. Jeske suggested the best

branding plan would have an internal and external appeal.

When considering a brand communications plan, Jeske discourages a “one and done” approach. Branding is a long-term, multi-year commitment that requires ongoing attention and resources. While not a municipal campaign, Carole Custer, Director of University Marketing at Iowa State University, said ISU is seven years into its “Choose Your Adventure” campaign, but did not see measurable results from their efforts until the fourth year.

The City of Dubuque identified community marketing as an opportunity years ago. While Dubuque was active in tourism and economic development promotion, no single organization was responsible for advocating for the community as a whole, said Public Information Officer Randy Gehl. Efforts to pursue community marketing faltered after preliminary cost estimates were excessive. “Funds were never specifically designated for community marketing, but we have tried to strategically promote our accomplishments, partnerships, awards, and recognitions to showcase the community,” Gehl said. “We remain interested and see value in promoting Dubuque as a thriving community in the region and nationally.”

Improving community pride is one of the goals of the City of Johnston’s recent rebranding campaign, which includes the tagline “Thrive. Every Day.” According to City of Johnston Communications Specialist Emily Price, of particular interest for the City of Johnston is building its business base and distinguishing the city from the other Des Moines suburbs. Johnston is working with West Des Moines-based Red Dot Advertising + Design and has budgeted \$38,000 for a logo redesign and visual identity system. The Johnston rebranding will help in economic development recruitment, but no wider general marketing is planned.

Todd Senne of Trilix, a Des Moines-based marketing company, advises a “slow, steady stream” of marketing materials to promote a brand rather than a short, concentrated burst. He suggested a budget of \$20,000 to \$40,000 for the creation of materials, and ten times that amount for placement (ad buys). “Awareness itself cannot be a goal,” Senne said. “What are we trying to achieve? There must be a return with this investment. There must be some sort of definition of success.”

### **OTHER CONSIDERATIONS**

When a municipality makes the decision to implement a marketing campaign in an effort to distinguish itself, there is the potential for criticism. Most of the resistance concentrates in the area of “show me, don’t tell me,” or the idea that a community does not need to market itself because investment in the community coupled with word of mouth and low-cost publicity (website, local media and social media) will do the job. Yet there are many examples of cities that have moved forward with campaigns and that reinvest years later – suggesting there must be satisfaction with the results. There is no way to measure “lost opportunity” when a city opts not to pursue external marketing.

Don McEachern, president of North Star Destination Strategies, discourages cities from pursuing “shot gun” marketing strategies without clearly defined goals or market focus. He promotes tapping into each city’s biggest strength – its people – for brand advocacy.

“If you want to move the needle on the reputation of Ames, you need a reputable source. Those who receive a message about a city from the city will immediately be suspect. Instead, facilitate the naturally occurring advocacy in your community and use that to your advantage.”

### **THREE STEPS TO DEVELOPING A BRAND**

Crafting the vision, tagline, logo, and visual standards is the first step in developing a brand. Therefore, Ames is well ahead of other cities who hope to initiate this effort. The second step is formulating the brand message and developing the creative materials to promote it. The final step is implementing the brand communications plan and disseminating the message through a multi-media strategy of paid and non-paid message placement. The professionals agree that a multi-media branding campaign designed to reach markets beyond the state borders could come with an annual budget of hundreds of thousands of dollars.

### **NEXT STEPS**

Prior to hiring a consultant to develop a brand communications plan, the professionals recommend an understanding of what the plan should accomplish, an identification of a target audience, a declaration of the desired reach of the plan, and a determination if there is a long-term commitment to branding. With additional City Council direction from answering the bulleted questions on page 1, a more accurate cost estimate can be determined. However, the general rule is: the broader the reach and the wider the audience, the larger the investment needed.

**COUNCIL ACTION FORM**

**SUBJECT: WATER SERVICE TERRITORY AGREEMENT FOR  
TWO RESIDENTIAL PROPERTIES ANNEXED WITH  
IOWA STATE UNIVERSITY RESEARCH PARK**

**BACKGROUND:**

On June 24, 2014, the City Council annexed 204 acres of land to facilitate development of Phase III of the Iowa State University Research Park. The annexation was final on September 23, 2014 when the State of Iowa recorded the annexation documents. Although they were not parties to the annexation petition, five private homesteads were also included in that annexation. State law prohibits the creation of unincorporated "islands" within cities.

Two of these recently annexed residential properties currently receive water service from Xenia Rural Water District. These are the Riley property at 2959 South Riverside Drive, and the May property at 2978 South Riverside Drive. (See map in Exhibit A.)

These two properties lie in an area on the southern edge of the City where the City and Xenia have not yet agreed on the boundary line between our two water territories. It is clear that Xenia received City permission to serve the Riley homestead in 2002. However, there is no record of the City giving permission to serve the May property.

Even though the City had only given Xenia permission to serve territory in the southern half of Phase III, the urgency of developing Phase III led the Research Park to agree to a territory buy-out agreement with Xenia for all of their property, as well as for the Riley and May properties. As was the case a year ago in the development of north Ames, the responsible "developer" (ISURP) has thus paid for the buy-out of related water service territory.

In addition to its agreement with ISURP, Xenia also needs an agreement with the City of Ames to confirm transfer of the Riley and May territory to the City. Under Chapter 357A of the Code of Iowa, a rural water district has an obligation to continue serving customers until another water provider agrees to take them as customers and the customers agree to the new provider assuming service. City staff has negotiated an agreement that provides that the customers will continue with Xenia until such time as the City can provide service to them. At that time the customers may choose to switch to the City as their provider. The agreement to accomplish this is attached to this report.

Key terms of this agreement include the following:

- The Rileys and Mays may continue as Xenia customers, even though their properties are annexed into the City and are in the City's water service territory.

- At the time that City water lines are installed next to their properties, the Rileys and Mays may connect to City water. They would bear no buy-out cost to Xenia, since ISURP already made that payment. Further, they would pay the City's typical connection fee to connect to City water (currently \$18 per lineal foot of lot frontage) unless the City Council approved an alternate fee. Both parties have requested Council consideration of a reduced connection fee, such as the arrangement made for residents along Grant Avenue in north Ames whose homesteads were annexed along with Quarry Estates.

In designing Phase III of the Research Park, the ISURP engineer anticipated that the pavement of South Riverside Drive and the installation of City utilities there will require removal of Xenia's existing, small water line serving these two properties. When that construction occurs, the Rileys and Mays could choose to connect to City water. Should they desire to continue as Xenia customers, however, ISURP and Xenia would be contractually obligated to replace the Xenia service lines serving their homesteads.

The attached agreement has already been approved by Xenia's board of directors.

**ALTERNATIVES:**

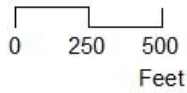
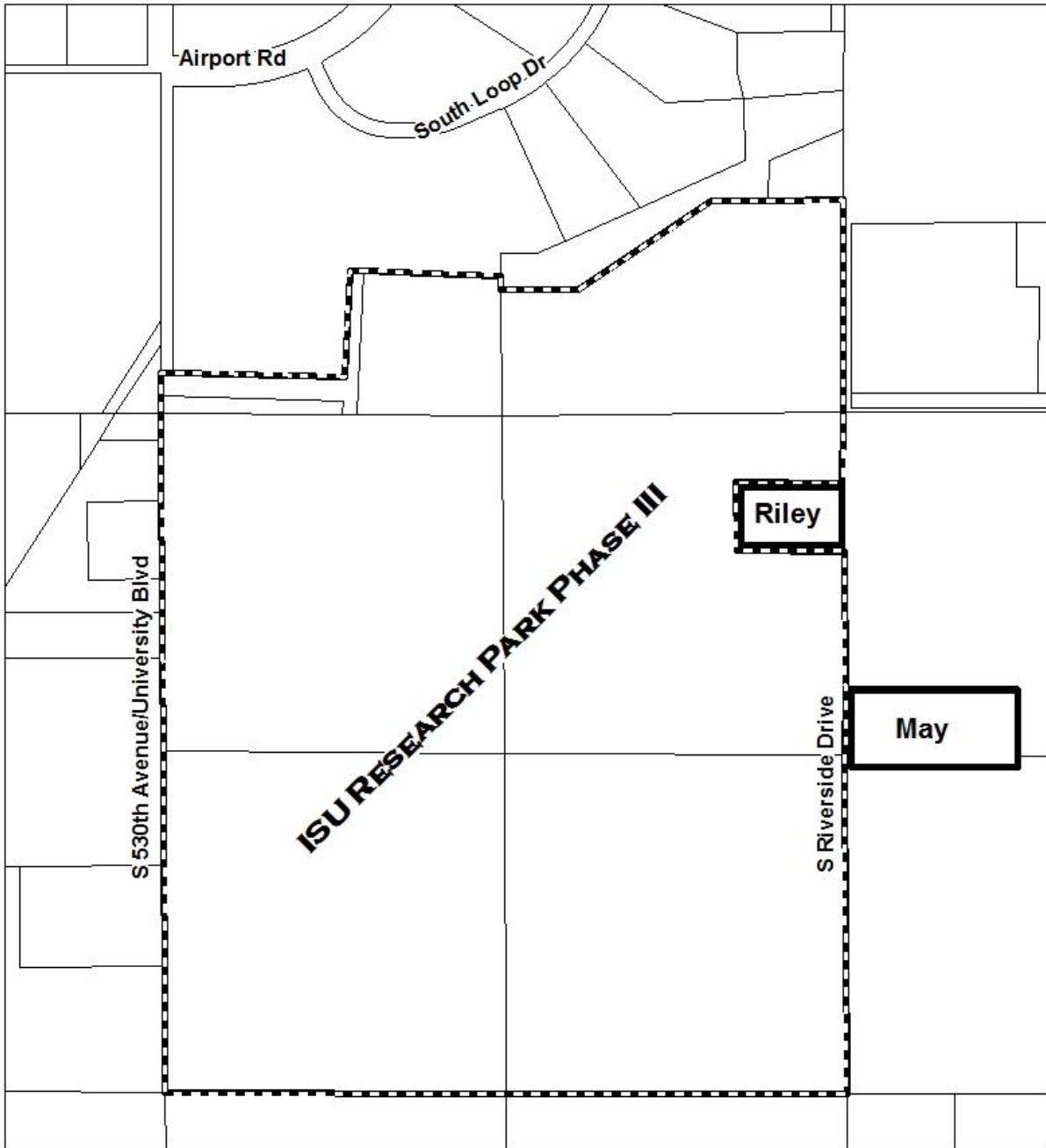
1. The City Council can approve the attached agreement with Xenia Rural Water District to transfer the specified water service territory to the City.
2. The City Council can choose not to approve the attached transfer agreement.

**MANAGER'S RECOMMENDED ACTION:**

Even though the owners of these two homesteads did not request annexation, that needed to occur in order to proceed with Phase III of the ISU Research Park. That situation then led to a need to transfer water service territory for these properties. The two property owners may continue as Xenia customers until City water is available. At that time, the owners may connect to City water service.

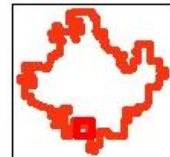
Therefore, it is the recommendation of the City Manager that the City Council approve Alternative No. 1, thereby approving the attached agreement with Xenia Rural Water District to transfer the specified water service territory to the City.

Exhibit A: Location Map of Riley and May residential properties and ISU Research Park Phase III



**Legend**

 ISU Research Park Phase III



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**DO NOT WRITE IN THE SPACE ABOVE THIS LINE; RESERVED FOR RECORDER**

Prepared by: James R. Wainwright, 100 Court Ave., Suite 600, Des Moines, IA 50309-2231; 515-246-0331

Return to: Ames City Clerk, Ames City Hall, 515 Clark Ave., Ames, IA 50010

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**AGREEMENT BETWEEN CITY OF AMES AND XENIA  
CONCERNING CONTINUED WATER SERVICE TO CERTAIN  
PARCELS ADJACENT TO ISU RESEARCH PARK PHASE 3**

This agreement is between the City of Ames, Iowa ("Ames") and Xenia Rural Water District, a rural water district existing pursuant to Iowa Code chapter 357A ("Xenia"). Ames and Xenia are sometimes collectively referred to herein as the "Parties" or individually as a "Party."

WHEREAS, Xenia is a rural water district with certain exclusive rights and responsibilities to provide water services in designated areas; and

WHEREAS, the Iowa State University Research Park (ISURP) wishes to develop Phase 3 of its research park on certain land that Xenia believes is located in its protected water service territory; and

WHEREAS, the land encompassing ISURP Phase 3 has been annexed into Ames and ISURP desires to procure Ames water services to that land; and

WHEREAS, Xenia is not currently providing water or wastewater services on the land where ISURP Phase 3 will be developed and Xenia is willing to enter into an agreement with ISURP through which Xenia will release its rights to provide water and wastewater services to that land; and

WHEREAS, ISURP has requested that two additional areas in which Xenia currently provides water services, more particularly identified in subsections 2 and 3 below, be included in the release of service territory rights agreement; and

WHEREAS, Ames and Xenia wish to assist ISURP in developing Phase 3 of its research park; and

WHEREAS, ISURP and Xenia have negotiated and intend to enter into a Release of Service Territory Rights Agreement through which Xenia will relinquish its water service rights in the area described in that agreement, pursuant to Iowa Code section 357A.11(13), subject to the conditions and commitments described in that agreement and the additional terms and commitments by Ames described below; and

WHEREAS, pursuant to Iowa Code section 357A.11(13), Xenia cannot relinquish its right to provide service to an area without providing for the continuation of water services to the area immediately following such relinquishment.

NOW THEREFORE, in consideration of the above recitals and the mutual covenants contained herein, and in reliance on the same, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Incorporation of Recitals and Exhibits. The foregoing recitals are incorporated herein and made a part of this Agreement. The recitals and exhibits described below are substantive and contractual parts of this Agreement.

2. Identification of the Affected Area. This Agreement affects the land shown in Exhibit A hereto as the Riley and May parcels. Legal descriptions for the parcels are contained in Exhibit B.

3. Existing Xenia Customers and Infrastructure. The Release of Service Territory Rights Agreement between ISURP and Xenia includes the area of the Riley and May parcels. Although the City does not acknowledge that Xenia has established that it properly obtained a right to serve both parcels, the City acknowledges that Xenia currently maintains and owns infrastructure that provides Xenia water services to these properties.

4. Agreement Concerning Continuation of Water Services. It is agreed that Xenia shall continue to provide water services to the Riley and May parcels, if



requested by the property owners, until such time as Ames is able to provide water services to the properties. The Parties further agree that there will be no interruption in providing water services to the Riley and May parcels due to the Release of Service Territory Rights Agreement between ISURP and Xenia. When Ames is able to provide water services to the Riley or May parcels, and if the customers wish to connect to Ames' water system, Xenia shall cease providing water service to the parcels.

5. Consideration. The Parties agree that the joint assistance of ISURP's development of its Phase 3 is full and adequate consideration for this Agreement.

6. Authorization and Approval by the Parties. The Parties each represent and warrant to the other that this Agreement and its performance have been authorized and approved by all necessary action of the Party, including, without limitation, all necessary action on the part of the governing body of each, and this Agreement constitutes a valid and binding agreement enforceable in accordance with its terms.

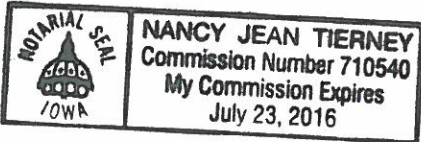
7. Third-party approval. This agreement shall not become effective until and unless it is approved in writing, as indicated below, by the United States Department of Agriculture, Rural Development, and Assured Guaranty Corp., which approval Xenia shall diligently seek.

8. Complete Agreement and Effective Date. This Agreement, including Exhibits, constitutes the entire, complete and final agreement of the Parties with respect to the matter described herein. This Agreement shall be fully executed upon the exchange of all of the signatures indicated below. This shall not be effective until a fully executed, original agreement is provided to Ames for recordation.

9. Intended Beneficiaries. This Agreement is made solely for the benefit of ISURP, the owners of the Riley and May parcels, and the Parties, and nothing herein shall be construed as creating any benefits, rights, remedies or claims in favor of any other entity or person.

10. No Precedent. The terms of this Agreement shall not otherwise be considered precedent for any other Xenia service territory relinquishment.

11. Counterparts. This Agreement and the consents indicated below may be executed in multiple counterparts, each of which shall be an original and all of which, taken together, shall constitute but one and the same agreement.

<p>Xenia Rural Water District</p> <p>By <u>Dan Lovett</u></p> <p>Chair, Board of Directors</p> <p>Attest <u>[Signature]</u></p> <p>Secretary, Board of Directors</p> <p>Executed <u>January 23</u>, 2015</p> <p>STATE OF IOWA, COUNTY OF DALLAS, ss:</p> <p>This instrument was acknowledged before me on <u>January 23</u>, 2015, by <u>Dan Lovett</u> and <u>Harold Jensen</u> as Chair, Board of Directors, and Secretary, Board of Directors, respectively, of Xenia Rural Water District.</p> <p><u>[Signature]</u> Notary Public in and for the State of Iowa</p> 	<p>City of Ames, Iowa</p> <p>By _____</p> <p>Ann H. Campbell, Mayor</p> <p>Attest _____</p> <p>Diane R. Voss, City Clerk</p> <p>Executed _____, 2015</p> <p>STATE OF IOWA, COUNTY OF STORY, ss:</p> <p>On this ____ day of _____, 2015, before me, a Notary Public in and for the State of Iowa, personally appeared Ann H. Campbell and Diane R. Voss, to me personally known and who, by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Ames, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation; and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Resolution No. _____ adopted by the City Council on the ____ day of _____, 2015, and that Ann H. Campbell and Diane R. Voss acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.</p> <p>_____ Notary Public in and for the State of Iowa</p>
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**CONSENTS AND APPROVALS**

This Agreement is consented to by the United States Department of Agriculture (USDA), Rural Development, as of the \_\_\_\_ day of \_\_\_\_\_, 2015. USDA is not a party to this Agreement.

**USDA RURAL DEVELOPMENT**

By \_\_\_\_\_

Community Programs Director

This agreement is consented to and approved by Assured Guaranty Corp. as of the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

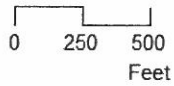
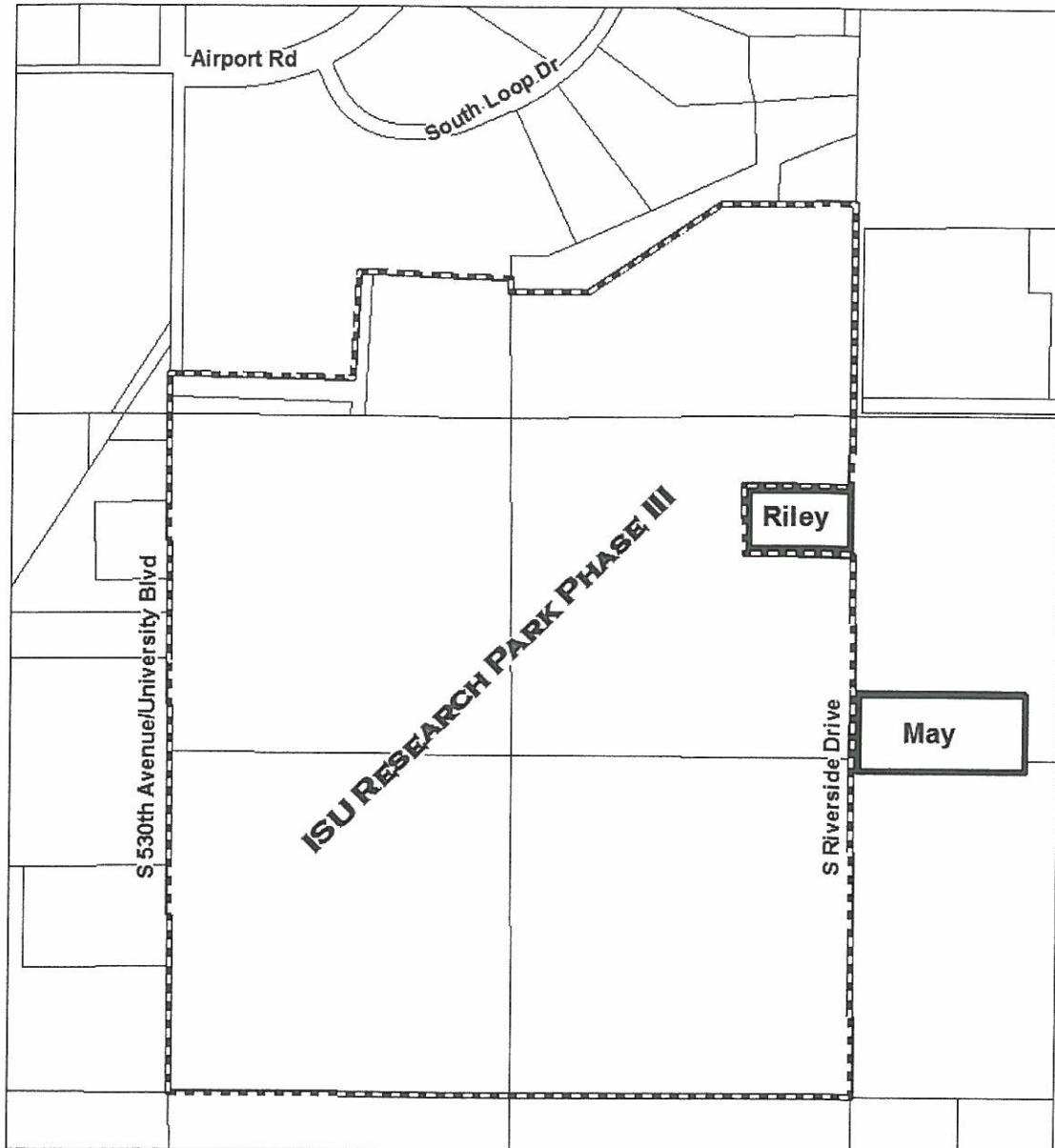
**ASSURED GUARANTY CORP.**

By \_\_\_\_\_

Name

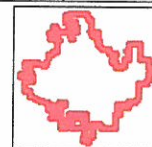
Neither this consent nor any past, present or future consents, waivers, approvals, actions, amendments or other agreements, individually or in combination, may be construed to imply or impose upon Assured Guaranty Corp. any intention, agreement, obligation or undertaking to grant future consents, waivers, approvals or amendments or to limit the ability of Assured Guaranty Corp. to exercise any and all of its rights in connection with the bonds of the District it has insured, agreements it has with the District, or any related transaction documents, all of which shall remain unmodified and in full force and effect. In addition, Assured Guaranty Corp. makes no representation as to whether the consent of any other party is required in connection herewith.

Exhibit A: Location Map of Riley and May residential properties and ISU Research Park Phase III



**Legend**

 ISU Research Park Phase III



## Exhibit B

### Residential Parcels Currently Served by Xenia

#### Parcel 1:

Owner: Arthur E. Riley and Kathleen M. Riley  
Area: 2.57 acres  
Legal: Commencing (sic) at a point on the East line of the NW1/4, Sec. 22, T83N, R24W of the 5th P.M., Iowa 241.45 ft. South of the N1/4 Cor. of said Sec. 22; thence S89° 55' 30"W, 412.0 ft.; thence South 2710 ft.; thence N89° 55' 30"E, 412.0 ft. to the East line of said NW1/4; thence North 272.0 ft. along said East line to the point of beginning, containing 2.57 acres, as described in a Quit Claim Deed recorded in the office of the Story County Recorder on May 11, 1994 as Instrument Number 94-05359.

#### Parcel 2:

Owner: Gary J. May and Katherine J. May  
Area: 5.00 acres  
Legal: A part of the West Half (W1/2) of the Northeast Quarter (NE1/4) of Section Twenty-two (22), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5th P.M., Story County, Iowa, described as follows: Beginning at a point on the West line of said Northeast Quarter (NE1/4) which is One Thousand Two Hundred Sixty (1,260) Feet North of the Southwest (SW) Corner thereof; thence North along said West line Three Hundred Twenty (320) Feet; thence East Six Hundred Eighty and Sixty-two Hundredths (680.62) Feet; thence South Three Hundred Twenty (320) Feet; thence West Six Hundred Eighty and Sixty-two Hundredths (680.62) Feet to the point of beginning, subject to a Thirty-three (33) Foot wide easement along the entire Westerly side for road purposes, as described in a Warranty Deed recorded in the office of the Story County Recorder on August 3, 2006 as Instrument Number 2006-00009524.

## Staff Report

**OVERVIEW OF AMES MUNICIPAL AIRPORT IMPROVEMENTS**

February 10, 2015

The City of Ames has operated a Municipal Airport since August 1943. The most recent capital investment for administrative uses at the airport, other than projects dealing with the runways and taxiways, was made in 1972 when the existing terminal building was constructed by Goodrich Aviation Company, the Fixed Base Operator (FBO) at the time.

The existing terminal building was completed and granted to the City as part of the agreement to lease the land on which the terminal was built. It should be noted that the original lease for the terminal building was for a 20 year period ending in October 1992. In July of 1997 the terminal underwent a major renovation, and has remained essentially static in that state. It has been approximately 18 years since the last major investment was made to the terminal facility.

The airport is again in need of major improvements, since met and unmet air transportation needs exceed the airport's existing capacity. This report provides background on the major actions now underway to address those needs.

**TIMELINE & PENDING ACTIONS**

Work on the planned terminal area improvements is anticipated to begin in early 2015. Initial steps include site grading, utilities, and parking areas under an FAA grant which will utilize all of the \$450,000 in federal entitlement funds granted to the Ames Airport. This initial project will prepare the area and set the building elevations to facilitate construction of the storage hangar in 2015 and construction of the terminal soon thereafter. Throughout the design and construction of the hangar, the City's design team (comprised of Bolton & Menk and City staff) will work with the third party constructing the hangar to ensure that all aspects of the project are in accordance with FAA standards and Municipal Code requirements.

An estimated timeline for the terminal area project is provided below:

AMES MUNICIPAL AIRPORT - TERMINAL / HANGAR FACILITY TIMELINE

	2015												2016				
	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	April	May	
Amend Scope and Approval	█																
Meet with Stakeholders to Discuss Schedule	█	█															
Preliminary Footprints Established	█	█															
Preliminary Aesthetics Established	█	█															
Design of Parking and Utility Relocations		█	█	█	█												
Bid FAA-Funded Project (Parking and Utilities)					█	█											
FAA Construction							█	█	█	█							
Hangar Construction				█	█	█	█	█	█								
Design of Terminal		█	█	█	█	█	█	█	█	█							
Terminal Construction										█	█	█	█	█	█	█	█
Electrical Vault Construction											█	█					
Demolition of Old Terminal																	█

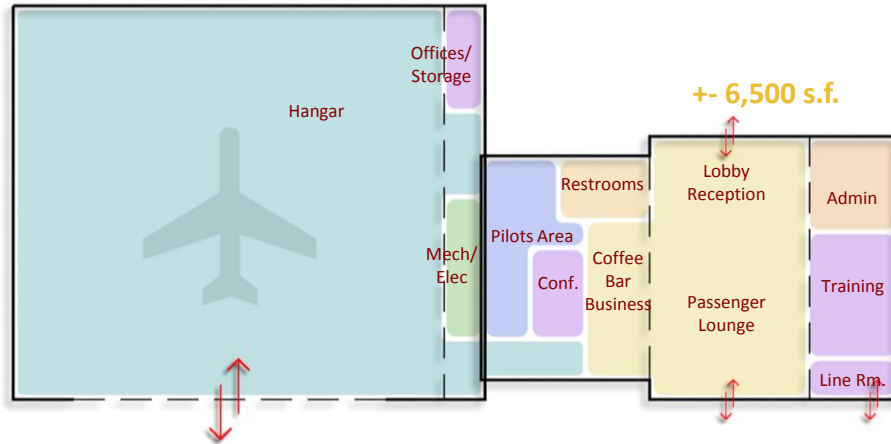
In addition to the terminal building project, the Airports Improvements program of the CIP also identifies projects affecting the “airside” of the airport. In 2015/16 a minor rehabilitation of a taxiway segment is planned at a cost of \$222,000. Then, starting in 2016/17, various steps will begin for an expansion of Runway 01/19 (approach 01) to an ultimate length of approximately 8,000 feet. Therefore, in 2016/17 the CIP includes a runway justification report for \$180,000 and an update to the airport master plan. The current master plan is dated December, 2008. In 2017/18 the environmental assessment and engineering design report for the runway extension will total \$100,000. In 2018/19 the land acquisition phase follows in the amount of \$2,400,000. This includes all land for the physical runway and all of the runway protection areas as required by the FAA.

Not shown in the 5-year CIP are the remaining steps to grade the extension area (FY 2021, \$1,800,000), relocated portions of South Riverside Road that would be in the runway protection zones (FY 2023, \$1,400,000), and finally the paving of the extension (FY 2025, \$4,500,000). It should be noted that all projects for the facilities listed above on the airside of the airport are eligible for 90% funding each year under the FAA’s discretionary program for general aviation airports. These are ongoing investments in the airport that will be evaluated each year during the CIP and budgeting processes. Therefore, they are subject to change in scope and timing depending on the availability of local and federal funding.

**PLANNED TERMINAL AREA IMPROVEMENTS**

The new terminal building will have the following program elements: passenger lounge for 40-50 people, conference room for 6-8 people, coffee bar, lobby, reception area, car rental area, airport administration area, kitchenette, line room (shop space for workers and equipment to tie-down aircraft), business center, training area, public toilet rooms, pilot lounge with flight plan/weather station, pilot toilet/shower room, nap room, pilot kitchenette/storage area, mechanical/ electrical/communications rooms, storage/janitor room, and building circulation areas. Below is a conceptual layout that was presented to City Council on December 18, 2012.

+/- 12,000 s.f.



It should be noted that all aspects of the size and configuration of these internal spaces are able to be adjusted during the design process. The graphic is only intended to illustrate the size and scope of services being providing by this project. This flexibility is also applied to the location of the new terminal facility on the airfield itself. Below is an aerial photo of the designated land at the airport to be used for the new facility.

Key elements to consider when selecting the location of the building's footprint will be its connection to the apron and parking areas of the airport, and the visual sightlines created not only for those working in the terminal building to be able to monitor airside operations of the runways, but also for those incoming pilots who land and taxi up to the terminal. This is also true for customers entering the airport from the street side. By moving the terminal to the proposed location, it will be one of the first buildings seen as drivers enter the airport complex. All of this will help connect the greater Ames community with those who use the airport.





## **ISU FUNDING AGREEMENT**

The original capital improvement project for the new terminal and aircraft storage hangar was based on a three-way division of financing, with the City, Iowa State University and the private sector all contributing equal shares. Unfortunately, ISU and the private sector were unable to secure such a high level of funding.

After extensive discussions with the University and the private sector, an agreement has now been reached whereby ISU will arrange for a private, third party to construct an aircraft storage hangar approximately 11,500 square feet in size, and for the completed hangar to be donated to the City. Funding for that portion of the project will be a combination of local private funding and private supporters of the ISU Research Park. This arrangement is included in the update project sheet in the 2015/20 CIP.

The agreement with ISU also confirms the City's intention to issue \$867,000 in General Obligation (G.O.) bonds to finance site improvements and the terminal construction. The City will also issue approximately \$943,000 in GO bonds to complete the terminal improvements. It is anticipated that additional Fixed Base Operator (FBO) revenues from the expanded airport facility should cover the debt service on this latter amount. However, the agreement commits ISU to backfill any shortfall in debt service costs over the 20 year repayment term of that debt.

## **ARCHITECTURAL & ENGINEERING CONTRACT FOR TERMINAL & SITE IMPROVEMENTS**

Bolton & Menk, Inc. was originally hired on December 7, 2012 to create a conceptual design that included options and recommendations for both the size and quality of a new terminal facility. The cost of their initial work was covered using City Council contingency funds. After the firm's December 18, 2012 presentation of conceptual design alternatives, the City Council directed staff to include a gateway style terminal building with attached hangar into the CIP. The project was then included into the City's airport improvements program. The next step was for staff to conduct a formal request for qualifications (RFQ).

Staff initiated an open RFQ process in November of 2013 in accordance with the City's purchasing policies. That process resulted in the selection of Bolton & Menk to serve as our airport consultants on the terminal area improvement project. The City's purchasing policies require consultant selections to include cost as a criteria for selection unless otherwise required by Federal or State requirements. In this case, however, because the project includes federal entitlement funds, the FAA specifically prohibits the City from asking for cost during the selection process. The cost may only be determined after a consultant has been identified as the most qualified and the City enters into negotiations for a scope of services and fee with that consultant.

The scores of that request for qualifications process are shown below:

<b>Airport Consultant</b>	<b>Average Score</b>
Bolton & Menk, Inc.	90.7
Foth Engineering	80.7
Heery International	69.0

In order to meet the unique design and timing needs of this project and its various phases, staff asked Bolton & Menk to draft two separate design contracts. The first is for the site work, including elements of design and construction inspection that meet all FAA requirements. The second is for the terminal building, and includes all of the stakeholder meetings, architectural design, and construction inspection.

As seen in the timeline above, this project is anticipated to be kicked off with an initial design discussion with our airport users and community stakeholders. The purpose of this initial meeting is to set the ultimate location of the terminal's footprint and basic design elements of the project so the City's design team can give guidance necessary for the private sector to build a hangar that can be seamlessly integrated into the terminal building.

It should be noted that the design for the terminal building will occur from March 2015 through October 2015. During this eight month time period, the design team will hold several additional stakeholder meetings at critical stages of the design. This ongoing process of design input and refinement is intended to establish the best layout and look possible for the terminal building within available funding. This will be done while keeping in mind that this project will serve as an important gateway to the Ames community.

Due to the complexities involved in administering FAA projects, aviation improvement projects like this typically have 15-20% of the project cost for design and inspection. This equates to an amount for design services of approximately \$440,000 (\$180,000 for site design, and \$260,000 for the terminal).

The two design contracts are anticipated to be before City Council for review and approval at the February 24 meeting. Currently the design contracts are under review by the City's legal staff, and are also awaiting final comment from engineering division staff at the FAA's Central Region offices in Kansas City, KS.

**FBO REQUEST FOR PROPOSALS**

In addition to the physical improvements at the airport, another key element in the airport's success is the Fixed Base Operator (FBO). The City contracts with a FBO to provide oversight to the general operations at the airport. The FBO's responsibilities that are deemed mandatory services include flight training, aircraft maintenance and repair (including jet aircraft), aircraft charter service, aircraft rental service, aircraft fuel (serviced by truck) and lubricant sales, aircraft crew car service, aircraft hangar rental for hangars owned by the City, operation of food and beverage vending machines, etc. Additional services may include winter and summer maintenance, automobile rental services to airport users, aircraft sales, special events at the airport, and any other

customer services that may be determined during the stakeholder meetings or the FBO solicitation process.

In recent years these FBO contracts have been for five year periods of time. Given the uncertain timing surrounding the planned terminal and hangar improvements, however, the current agreement with Hap's Air Service has been extended three times since June 30, 2012. It was anticipated that the agreement would be extended until arrangements for the terminal and storage hanger were confirmed, after which a new Request for Proposals (RFP) would be issued.

Given the expanded facilities that will soon be available at the airport, it is hoped that a number of firms providing FBO services will submit proposals. Staff will reach out to potential firms in the region to encourage their participation. The City's existing FBO will also be eligible to submit a proposal.

Staff anticipates that the RFP will be developed this coming spring. By late summer staff plans to have a recommendation to City Council for selection of the FBO, and the FBO's duties would begin in the autumn.

### **NEXT STEPS**

At the February 10 City Council meeting, staff is bringing recommendations that Council enter into the funding agreement with ISU. In addition, during the budget approval portion of the meeting, Council will take action on including both the abated and unabated G.O. debt in the City's 2015/16 Budget.

Staff hopes to have the design contracts with Bolton & Menk ready for Council action on February 24, subject to review and approval from the FAA.

**COUNCIL ACTION FORM**

**SUBJECT:** AIRPORT IMPROVEMENTS FUNDING AGREEMENT WITH ISU

**BACKGROUND:**

The City's 2015-2020 Capital Improvements Plan (CIP) includes an updated project to construct a new terminal building, a short-term storage hangar, and related site improvements at the Municipal Airport. A copy of this CIP page is attached. In the previous year's CIP the City had hoped that the anticipated local costs of \$2,600,000 could be split three ways between the City, the University and the private sector. However, ISU and the private sector were unable to generate \$866,000 each to fulfill that desire.

**MAJOR PROVISIONS OF THE AGREEMENT**

As an alternative to the funding model reflected in the previous CIP, a new funding strategy was introduced by ISU and the private sector. This strategy reflects three main components that have been incorporated into the proposed agreement that is attached.

**I. Use of ISU Hangar by Fixed Base Operator for Maintaining Private Aircraft**

Section IV, page 2 of the agreement calls for ISU to make a portion of its current aircraft hangar available to the City's Fixed Base Operator (FBO) to use in providing aircraft mechanical and maintenance services to its clients.

**II. ISU Commitment to Ensure Third Party Constructs and Donates Aircraft Storage Hangar to City**

In Section V, page 3 of the agreement, ISU is responsible to ensure that a third party constructs an approximately 11,500 square foot storage hangar that will be deeded to the City upon completion.

ISU officials have indicated that they have arranged for the ISU Research Park to leverage some of its supporters to augment local private contributions for this structure. This will lead to an approximate 50/50 cost share on the hangar between the private sector and ISU. The hangar is estimated to cost \$1,000,000.

**III. ISU Guarantee To Backfill Debt Service Obligation**

Under this new funding strategy, the City will continue to commit \$867,000 in General Obligation (G.O.) bonds towards the cost of the terminal and site improvements. These bonds will be retired from the City's debt service levy, which is funded by property taxes. In addition, the project budget anticipates \$600,000 in grants from the Federal Aviation

Administration and the Iowa Department of Transportation. The final element of this new strategy is the issuance of an additional \$943,000 in G.O. bonds to complete the terminal.

It is anticipated that the cost of the debt service on this \$943,000 will be paid for by the additional revenue received from a renegotiated FBO contract with the City.

Under the current FBO agreement with Hap's Air Service, the City receives approximately \$50,000 per year in revenues. The additional aircraft maintenance space, hangar space, and terminal space contemplated under this agreement are expected to make the airport much more attractive and competitive, both to the flying public and to firms that provide FBO services. For that reason, it is anticipated that an updated FBO contract based on the new facilities will generate sufficient revenues to cover this additional debt service.

Because the City has yet to solicit proposals and finalize negotiations for an updated FBO contract, there is no assurance that there will be sufficient incremental revenue to cover this additional debt. One option would be to delay action on moving ahead with any terminal improvements until the FBO negotiations have been completed. However, this option could delay the project by a year. Since both parties would prefer to move as soon as possible with the improvements, City staff sought a method for protecting the City from issuing more than \$867,000 of tax supported debt for these improvements as originally planned by the Council.

Therefore, in Section VII, page 4 of the agreement, ISU agrees to cover any shortfalls in the debt service on this \$943,000 bond issue. The attached agreement includes the following formula to accomplish this on an annual basis:

Add annual **FBO revenues**  
Add all **other operating revenues** (excluding airport farm revenues)  
These equal **total revenues** available for operating expenses & debt service

Subtract **operating expenses** (excluding farm expenses)  
Subtract **annual principal & interest** on the \$943,000 debt

If total is **greater than zero**, ISU pays the City the difference (capped at the debt service amount)

If total is **less than zero**, the City and ISU evenly split up to the first \$6,000 (thus covering ISU's annual land lease payment for its hangar – currently \$3,000/year). The City retains any amount greater than this amount.

Under this formula, ISU agrees to assume the risk of covering any shortfall in the annual debt service above the \$867,000 and the annual non-farm operating costs at the airport. In return, should the net non-farm revenues be more than needed to cover this debt service, ISU will share in those revenues up to the amount currently paid for its hangar

land lease (\$3,000). That provision is made in recognition of ISU making a portion of that hangar available for the FBO's use in maintaining airport users' aircraft.

Airport farm revenue and expenses are excluded from this formula. Net revenues from the farm, which currently total approximately \$94,000 per year, are needed as the local match for other future capital improvements at the airport. The FAA requires a 10% local match on those improvements. The first five years' improvements are shown on page 118 of the CIP.

**ALTERNATIVES:**

1. Approve the attached airport improvements funding agreement with Iowa State University.

With the guarantee provided by ISU, the City can proceed with the terminal project prior to the finalization of a new FBO contract with the assurance that the level of property tax support for this project will be as originally planned.

2. Delay the approval of this agreement and direct staff to work with ISU to modify the attached agreement.

Since the Council would not be sure if ISU will support any modifications to this proposal, at tonight's meeting the City Council may not want to certify the FY 2015/15 budget with \$867,000 of property tax supported debt service. Hence, the improvements could be delayed for, at least, one year under this alternative.

3. Choose to not approve a funding agreement with ISU for the planned airport improvements.

This option would involve not moving ahead with the airport terminal improvements at this time.

4. Delay any action on the Airport Terminal Project until a new FBO contract is finalized and, therefore, revenues are known.

**MANAGER'S RECOMMENDED ACTION:**

While the new funding model is different from what was reflected in the original CIP project, with the guarantee provided by ISU in the attached agreement, the City can proceed with the terminal project prior to the finalization of a new FBO contract with the assurance that the maximum level of property tax support for this project (\$867,000) will be as originally planned.

The attached agreement confirms participation by ISU, and through ISU the private sector, in financing needed capital improvements at the Municipal Airport. Therefore, it is the recommendation of the City Manager that the City Council approve Alternative No. 1 as stated above.

**AIRPORT TERMINAL BUILDING AND HANGAR****PROJECT STATUS:** NewCity of Ames, Iowa  
Capital Improvements Plan**DESCRIPTION/JUSTIFICATION**

This is a special program to facilitate the design and construction of a new Terminal Building and attached Hangar at the Ames Municipal Airport.

**COMMENTS**

FY 2014/15 will begin the site work portion of the Terminal Building and Hangar project to prepare the site for construction of the Hangar in summer of 2015, which is estimated to be approximately an \$700,000 first phase of the project. FY 14/15 will be funded using \$450,000 in Federal Funds and \$250,000 in G.O. Bonds. Staff will also be applying for an additional \$100,000 in State funds, however this is a competitive grant selection process and therefore those funds are not shown in the funding summary for FY 2014/15. If received, State grant funds will reduce revenue abated bonds. Revenue abated bonds will be repaid from user fees. The FY 2015/16 terminal building replacement project will continue with the second phase that will update the current aged facility. The overall project is anticipated to be complete in the summer of calendar year 2016. This project assumes that the private sector will construct the hangar and donate the structure to the City of Ames, which the projected value is estimated to be \$960,000.

**LOCATION**

Ames Municipal Airport

	<b>TOTAL</b>	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>
<b>COST:</b>						
Engineering	440,000	440,000				
Construction	1,970,000	1,970,000				
<b>TOTAL</b>	<b>2,410,000</b>	<b>2,410,000</b>				
<b>FINANCING:</b>						
G.O. Bonds	867,000	867,000				
G.O. Bonds (Revenue Abated)	943,000	943,000				
FAA Funding	450,000	450,000				
State Grant Funds	150,000	150,000				
<b>TOTAL</b>	<b>2,410,000</b>	<b>2,410,000</b>				

**PROGRAM – ACTIVITY:**

Transportation – Airport

**DEPARTMENT:**

Public Works

**ACCOUNT NO.**

376-7076-439

330-7076-439

## **AGREEMENT FOR PUBLIC IMPROVEMENTS AT THE AMES MUNICIPAL AIRPORT**

**THIS CONTRACT AND AGREEMENT**, made and entered into this 10<sup>th</sup> day of February, 2015, by and between IOWA STATE UNIVERSITY (hereinafter called "ISU") and THE CITY OF AMES, IOWA (hereinafter called the "City");

**WITNESSETH:**

**WHEREAS**, the City is the owner and operator of the Ames Municipal Airport, which is a public airport bound by all pertinent regulations of the Federal Aviation Administration; and

**WHEREAS**, the Airport serves as an important entry point to the City and to ISU; and

**WHEREAS**, the Airport sits immediately adjacent to the Iowa State University Research Park; and

**WHEREAS**, current and potential tenants at the Research Park have expressed particular interest in having certain improvements made to support and strengthen their business operations; and

**WHEREAS**, it is the desire of both the City and ISU to facilitate certain improvements that will expand the operational capabilities and enhance the attractiveness of the Airport to visitors to the City and to businesses within the City; and

**WHEREAS**, it is agreed that these improvements should include a new aircraft storage hangar and a new airport terminal building; and,

**WHEREAS**, the City's original plan to finance these improvements called for the City, ISU, and the private sector to each contribute \$867,000 to finance these facilities; and,

**WHEREAS**, a new funding strategy has been identified to accomplish these improvements; and

**WHEREAS**, the City operates the Airport as a self-supporting venture; and

**WHEREAS**, ISU has space available in an existing hangar that could be used by a new Fixed Base Operator to provide aircraft maintenance at the Airport; and

**WHEREAS**, a new Fixed Base Operator (FBO) contract will not yet have been negotiated prior to initiation of the planned terminal and hangar projects;

**NOW, THEREFORE**, in consideration of the mutual promises hereinafter set forth, the parties hereto do agree and covenant as follows:



**I  
PARTIES**

A. The Parties to this agreement are the City and ISU. No other parties shall be admitted to this agreement, nor shall there be any assignment of this agreement without the express written consent of the existing parties hereto.

B. It is not the intention of the parties to this agreement that any new legal entity be created by virtue of this agreement; and the provisions of this agreement shall not be deemed to have created a partnership, trust, or other legal entity.

**II  
DURATION**

This agreement shall endure and remain in effect until the debt incurred by the City for financing the new terminal has expired, unless both parties mutually agree to terminate or extend this agreement earlier for whatever reason and upon whatever terms they may then agree.

**III  
PURPOSE**

**In general.** The purpose of this agreement is to provide for a joint and cooperative effort by the parties hereto to enhance the facilities available at the Ames Municipal Airport in accordance with the financing strategy outlined herein.

**IV  
AIRCRAFT MAINTENANCE HANGAR SPACE**

A. ISU agrees to make available approximately half of its existing hangar (located as shown on Exhibit I) for the City's designated Fixed Base Operator to utilize for providing aircraft mechanical and maintenance services.

B. The City agrees to include a provision in its lease agreement with the Fixed Base Operator that the designated portion of this hangar building shall be used solely as an aircraft maintenance facility.

C. The City shall require the Fixed Base Operator to obtain and maintain both liability and property insurance while utilizing its portion of this maintenance hangar in accordance with terms and limits prescribed by ISU.

D. Any revenue derived from the use of this hangar by the Fixed Base Operator shall be paid to the City and not to ISU, based upon the City's separate agreement with the Fixed Based Operator.

**V.**  
**NEW AIRCRAFT STORAGE HANGAR**

A. ISU shall be responsible to ensure that the following responsibilities are accomplished by a third party of its choosing:

1. The third party shall design and construct an aircraft storage hangar approximately 11,500 square feet in size to temporarily store aircraft overnight. This hangar shall be constructed on a site designated by the City in accordance with the City's site specifications. The plans and specifications for the hangar building shall be approved in advance by the City. The estimated cost of this hangar is \$1,000,000.
2. The third party shall construct the hangar structure and any other improvements on the hangar site in compliance with all ordinances, policies, and regulations of the City. All requirements for plans, permits, and approvals shall be adhered to by the third party.
3. The third party, in the use of the land on which the airport storage hangar is constructed, will not, on the grounds of race, color, or national origin, discriminate or permit discrimination against any persons or group of persons in any manner prohibited by Part 15 of the Federal Aviation regulations.
4. The third party shall complete construction of the aircraft storage hangar by no later than December 31, 2016.
5. Once the aircraft storage hangar has been constructed and the City's Building Official has issued a Certificate of Occupancy, ownership of this structure shall be transferred from the third party to the City by quit claim deed within thirty (30) days after issuance of the Certificate of Occupancy.
6. Prior to the issuance of a building permit for construction of this hangar, the third party shall confirm with the City in writing its commitment to comply with the provisions specified in this section.

B. The Parties agree that the above list of responsibilities is essential to this contract. Therefore, the Parties confirm that the City shall be allowed to obtain from ISU specific performance of the requirement for ISU to arrange for a third party to fulfill the responsibilities in Section V(A) in the event the initial third party does not or cannot perform these responsibilities.

**VI.**  
**NEW AIRPORT TERMINAL BUILDING AND SITE IMPROVEMENTS**

A. The City shall construct a new terminal building approximately 6,500 square feet in size, as well as associated site improvements adjacent to the terminal building and the

aircraft storage hangar referenced in Section V. The estimated cost of this building, including design, engineering and inspection, is \$1,700,000. The estimated cost of the site improvements is \$710,000.

B. In recognition of ISU's guarantee of a portion of the debt needed to construct the terminal improvements, in the event that the terminal building construction bid exceeds an amount that can be guaranteed by ISU, the City shall, at ISU's request, reject all bids for the terminal building construction. If a decision is made to reject all bids for the terminal building construction, the parties agree to work together to modify the design specifications in order to reduce the estimated cost of the terminal building.

## **VII. ISU GUARANTEE OF TERMINAL DEBT SERVICE**

A. The City shall provide funding in the amount of \$867,000 to help finance construction of the terminal building and associated site improvements noted in Section VI.

B. In order to fund the remainder of the anticipated terminal building costs, the City shall take action to issue additional general obligation bonds beyond the amount specified in Paragraph A up to an estimated principal amount of \$943,000 with a twenty (20) year final maturity. It is the parties' expectation that these bonds will be retired with the revenues derived from the FBO agreement in combination with other revenue from airport operations (exclusive of the airport farm).

C. For any fiscal year during which debt payments are made pursuant to Section VII(B), in the event that the combined revenues generated by the FBO agreement and by all other airport operating revenues (excluding airport farm revenue) are not adequate to cover the sum of (1) all airport operating expenses (excluding airport farm expenses) and (2) the City's annual debt service obligation for the debt specified in Section VII(B), ISU agrees that it shall guarantee and pay to the City any shortfall.

D. For any fiscal year during which ISU must make payment under Section VII(C), the parties further agree that ISU's maximum financial obligation shall be no greater than that same year's annual debt service payment for the bonds specified under Section VII(B).

E. For any fiscal year during which the combined revenues generated by the FBO agreement and by all other airport operating revenues (excluding airport farm revenue) exceed the sum of (1) all airport operating expenses (excluding airport farm expenses) and (2) the City's annual debt service obligation for the debt specified in Section VII(B), the parties shall equally share any such additional revenue. However, the maximum amount credited to ISU under this provision shall be equal to the annual land lease payment for the land upon which ISU has its hangar shown on Exhibit I.

F. By September 30<sup>th</sup> following the end of each fiscal year, the City shall provide ISU with an annual accounting of the non-farm operating revenues, of the non-farm operating expenses, and of the annual debt service paid under Section VII(B) for the previous fiscal year. If an amount is owed to the City as required by Section VII(C) above, ISU shall make such payment to the City within 30 days of the receipt of this accounting. If a credit is due ISU, the credit shall be applied against the current year's land lease payment.

**VIII.  
ADDITIONAL PROVISIONS**

A. During construction of the airport storage hangar, the City reserves the right to take any action it considers necessary to protect the aerial approaches of the airport against obstruction, together with the right to prevent ISU from erecting or permitting to be erected, any other permanent or temporary building, structure or obstruction on the airport which, in the opinion of City, would limit the usefulness of the airport or constitute a hazard to aircraft.

B. This lease shall be subordinate to the provisions of any existing or future agreement between the City and the United States, relative to the operation or maintenance of the airport, the execution of which has been or may be required as a condition precedent to the expenditure of Federal funds for the development of the airport.

**IN WITNESS WHEREOF**, the parties hereto have caused this instrument to be signed and sealed by their authorized representatives as of the date first above written.

IOWA STATE UNIVERSITY

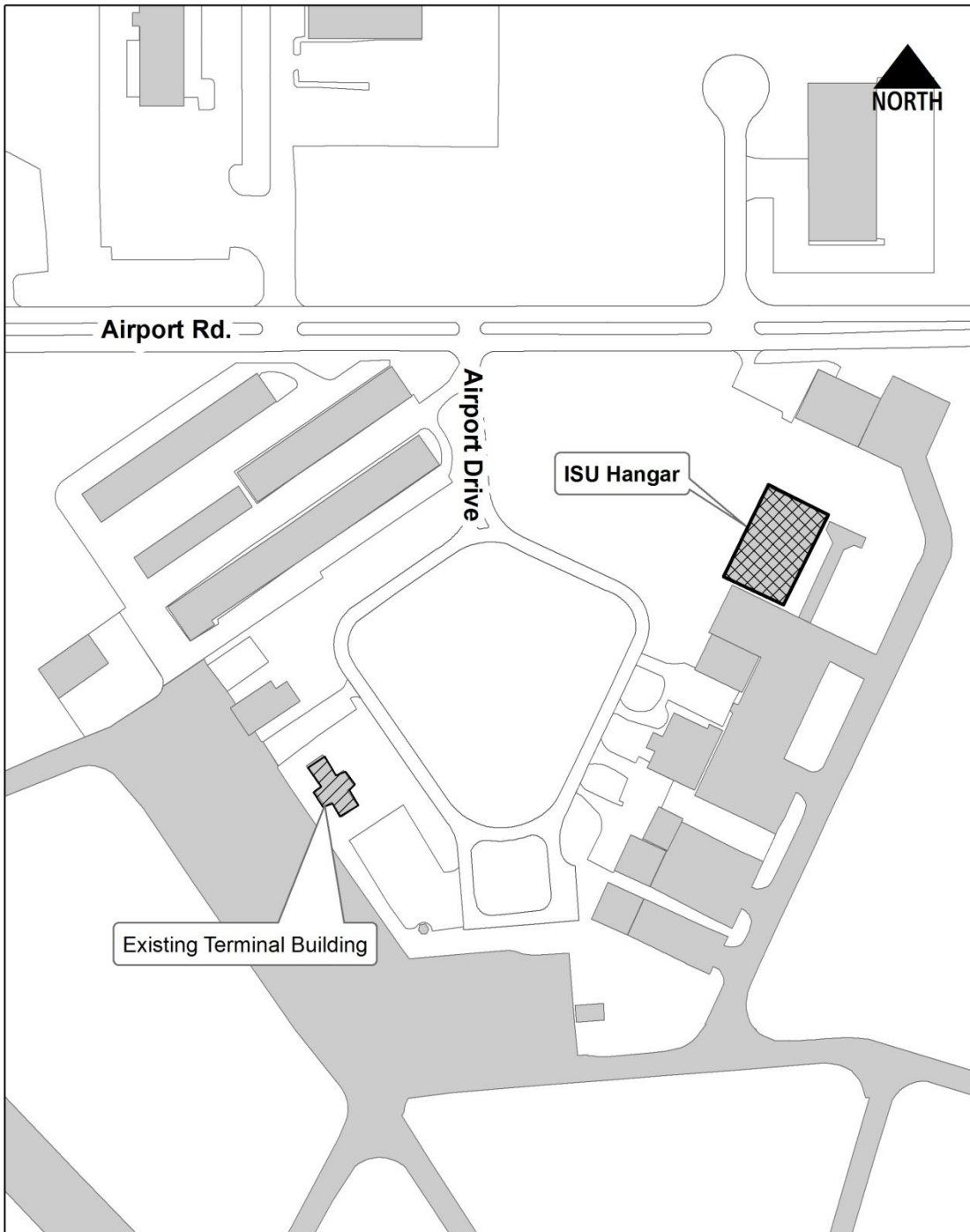
CITY OF AMES

By: \_\_\_\_\_  
Warren R. Madden,  
Senior Vice President for  
Business & Finance

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

Attest: \_\_\_\_\_  
Diane Voss, City Clerk

# Exhibit I



**COUNCIL ACTION FORM**

**SUBJECT: 2015 URBAN REVITALIZATION TAX ABATEMENT REQUESTS**

**BACKGROUND:**

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

Every year, property owners who have improved property within the City's URAs during the previous year may apply for tax exemption on the incremental added value of their properties. **The City must determine if the completed improvements meet the standards in the Urban Revitalization Plan for the URA in which the property is located.**

**Property owners of the following projects are requesting tax exemptions for the 2015 assessment year, which refers to improvements made in 2014:**

Roosevelt School URA. City Council created this URA in 2012 for the historic former school. Renovation completed very recently has provided 20 dwelling units.

Southeast 16<sup>th</sup> Street First URA. City Council created this URA in 2012 for commercial development in the Southeast Gateway. The new Deery car dealership has been developed on one of the lots in the URA (See Attachment B). Two other lots are available for commercial development and may receive tax abatements in the future as development occurs.

Downtown URA

This program has supported many façade improvement projects in the downtown. The latest is the renovation of a 100-ft long, two-story "Town Center" building with many retail tenants.

The attached listing contains estimated values for these projects totaling \$9,576,400 (See Attachment A). The estimates are based on construction cost or sales price provided by property owners and may not be the same as the added property value upon which the abatement is based.

**ALTERNATIVES:**

1. The City Council can approve all of the requests for tax exemption if it finds that all substantially conform to the respective Urban Revitalization Plans.
2. The City Council can deny any of these requests for approval of the tax exemptions if Council finds the improvements to not be in conformance with the respective Urban Revitalization Plans.

**MANAGER'S RECOMMENDED ACTION:**

**Staff has examined these projects as of February 1, 2015, and finds that the work completed conforms to the respective Urban Revitalization Plans approved by the City Council.**

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving these requests for tax exemption as conforming to the respective Urban Revitalization Plans.

This action will allow the qualifying requests for tax exemption to be processed by the City Assessor, who will determine the value of the respective tax exemptions.

**Attachment A**

**2015 Tax Abatement Eligible Properties**

Estimates of Incremental Values

**Roosevelt School Urban Revitalization Area**

Various (12 individual unit owners + 8 units owned by RES Development)  
921 9<sup>th</sup> Street  
Renovation of historic former public school  
3, 5 and 10 years \$5,304,800

**Southeast 16th Street First Urban Revitalization Area**

Deery, Deery and Deery  
1700 S.E. 16<sup>th</sup> Street  
Commercial Development  
3 Years \$4,161,600

**Downtown Urban Revitalization Area**

Russell Schoenauer, Sr.  
328-330 Main Street (Town Centre)  
Façade Reconstruction  
3 Years \$ 110,000



## Attachment B

### **Deery Brothers (1700 SE 16th Street) Conformance with Development Agreement and Urban Revitalization Criteria**

The City Council approved a Development Agreement and the creation of an Urban Revitalization Area for Deery Brothers at 1700 SE 16<sup>th</sup> Street (and two adjacent vacant lots) on October 23, 2012. This approval occurred only after the City Council adopted a set of criteria for the designation (see Attachment B-1).

On October 14, 2014, the City Council approved an amendment to the Development Agreement reflecting the changes to the grading (depth of the borrow pit), site (smaller building, storage areas), and landscaping (inclusion of forested mitigation along the channel). **On December 16, 2014, the City Council amended the Urban Revitalization Plan to reflect those same changes to the site plan.**

In order to be eligible for the abatement, Deery needs to retain compliance with the Urban Revitalization Policy. These criteria were operationalized in the Development Agreement.

Below are the Urban Revitalization Policy criteria, followed by City staff comments.

**1. The properties have frontage on Southeast 16<sup>th</sup> Street between South Duff Avenue and South Dayton Avenue.**

Staff Comments. The four properties associated with the site all have frontage on Southeast 16<sup>th</sup> Street between S. Duff Avenue and S. Dayton Avenue.

**2. Fill or other flood proofing will be placed on the site up to an elevation of, at least, 887 feet (NGVD 29), 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 levels).**

Staff Comments. The development agreement and approved plan indicates that the finished floor elevation of the Deery Brothers building will be at 888 (NGVD 29). An Elevation Certificate has been presented showing the lowest floor of the finished building as meeting that elevation.

The engineer for the project has provided a letter, dated January 6, 2015, indicating that the proposed improvements (the fill being placed on the site, the excavation within the Floodway, and channel straightening) will result in “no-rise” to the Base Flood Elevation.

**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.**

Staff Comments. This criterion requires the project to expend as much or more for the placement of fill and/or channel improvements than for the benefits received by the exemption (specifically, the value of the City's portion of the exemption). The Development Agreement specifies that the final costs of fill will need to be greater than the final value of the exemption or the "claw back" provisions will be initiated. Deery has submitted a letter of credit in the amount of \$300,000 and dated October 7, 2014 to allow the city to claw back the city's value of the abatement if Deery fails to meet this criterion.

The Finance Director has reviewed the invoices and proofs of payment submitted by Deery. Deery expended \$961,277.13 for fill improvements and channel straightening, as defined in the Development Agreement. Only one third of the total costs of Fill Improvements can be applied to the Deery lot. The other two lots in the Urban Revitalization Area are each credited with a third of the costs. So Deery can claim **\$320,425.71 as costs for Fill Improvements.**

Based on an assessment of the improvements by the City Assessor of \$4,161,600 and a 90% rollback, the value of the city's portion of a single year abatement (based on the city levy of \$10.85538 for taxes payable July 1, 2014 to June 30, 2015) is \$40,658.17. **The entire abatement for the three years of the abatement is estimated at \$121,974.51.** Therefore, it appears that one third of the costs of the Fill Improvements exceed the total value of the city's portion of the abatement, thus satisfying this criteria.

The value of the abatement is estimated and will change yearly depending on any changes to the assessed valuation, the state-mandated rollback, and the city's levy. The letter of credit has an expiration date of June 30, 2019 so the City will have the ability to claw back its portion, if needed.

**4. A public sidewalk is to be constructed along the south side of the Southeast 16<sup>th</sup> Street adjacent to the property.**

Staff Comments. The sidewalk is installed adjacent to Deery. Sidewalks adjacent to the other lots will be installed in the usual manner—prior to the occupancy of any buildings on the lot as allowed by the Agreement for Sidewalks and Street Trees included as part of the final plat documents.

The City Council approved a covenant in 2012 that defers the placement of the sidewalk adjacent to Outlot A until such time as the City builds a shared use path on the south side of the SE 16<sup>th</sup> Street bridge. This covenant waives the owner's rights to protest an assessment for the sidewalk when the time comes for the sidewalk to be installed.

**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

Staff Comments. The development agreement restricts these uses in order to receive property tax exemption. These restrictions will remain after the term of the exemption.

**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.**

Staff Comments The applicant obtained the necessary approvals from the Army Corps of Engineers, Iowa Department of Natural Resources, and the City and has completed the straightening of the east bank of the Skunk River adjacent to their property. In 2012, the engineer for Deery stated in his certification letter that the “project will mitigate flooding by providing an improved and stabilized channel in addition to the no-rise condition.” Calculations submitted with that no-rise certificate indicate that although there would be up to 0.08’ increase in the 100 year flood water surface elevation (WSEL) resulting from the fill alone, the river channel realignment will result in a 0.05’ decrease in the WSEL. Deery’s engineer recertified the mitigation impacts in a letter dated January 8, 2015.

## Attachment B-1

### URBAN REVITALIZATION POLICY

#### Southeast 16<sup>th</sup> 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 16<sup>th</sup> 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)

**COUNCIL ACTION FORM**

**SUBJECT:**                   **AWARD OF CONTRACT FOR 2015 RIVER VALLEY  
PARK COMPLEX IRRIGATION PROJECT**

**BACKGROUND:**

This project is to replace the irrigation system on six softball diamonds in River Valley Park. The current system, installed in the mid 1980's, is inefficient and is in need of significant repairs to restore functionality and improve reliability. Bids were solicited for the following items:

**Base Bid** – Provide all labor, equipment, materials, and other components necessary to complete the River Valley Park Complex Irrigation Project in accordance with the plans and specification.

**Alternate #1** – Contractor to remove and cap all existing equipment.

**Alternate #2** – Contractor to provide and install handheld remote maintenance radio (TMR-1) compatible with control system.

The original budget for this project is \$90,000. The engineering firm's original estimate for construction of this project was \$128,500.

**Thus far, \$10,000 has been used for design fees. This brings the remaining available budget to \$80,000 for construction, resulting in a shortfall of \$27,125. The City has \$31,000 of funding left over from Auditorium Flooring and Stage Replacement project that is available to assist with the budgetary gap for this project.**

**River Valley Park Complex Irrigation Project Bids:**

<b>Bidder</b>	<b>Base Bid</b>	<b>Add Alt. #1</b>	<b>Add Alt. #2</b>	<b>Total Bid With Alternates</b>
<b>T &amp; T Sprinkler Service, Inc., Ankeny, IA</b>	<b>\$104,850</b>	<b>\$1,450</b>	<b>\$825</b>	<b>\$107,125</b>
Iowa Irrigation Corp., Cambridge, IA	\$104,275	\$3,600	\$750	\$108,625
Peterson Companies, Inc., Chisago City, MN	\$156,118	\$3,790	\$1,500	\$161,408
K. E. Builders LLC, Boone, IA	\$160,000	\$8,000	\$15,000	\$183,000
Hermes Landscaping, Inc., Lenexa, KS	\$171,292	\$750	\$900	\$172,942

**ALTERNATIVES:**

1. Award the irrigation bid to T & T Sprinkler Service, Inc. with the Base Bid and Alternates #1 and #2 in the amount of \$107,125.
2. Award the irrigation bid to one of the other companies that bid on the project.
3. Reject all bids.

**MANAGER'S RECOMMENDED ACTION:**

**The proposed project will provide much needed improvements to six softball fields, restoring functionality, reducing breakdowns, improving reliability, and providing users with higher quality fields to play on.**

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby awarding the irrigation bid to T & T Sprinkler Service, Inc. with the Base Bid and Alternates #1 and #2 in the amount of \$107,125.

**COUNCIL ACTION FORM**

**SUBJECT: POWER PLANT FUEL CONVERSION – DISTRIBUTED CONTROL SYSTEM (DCS) REPORT OF BIDS**

**BACKGROUND:**

On November 12, 2013, the City Council voted to convert the City's Power Plant from coal to natural gas. Implementing this decision requires a significant amount of engineering, installation of equipment, and modification and construction in the Power Plant.

In conjunction with this conversion, on November 25, 2014 the City Council approved preliminary plans and specifications for the Distributed Control System. **This specific phase of the project is to purchase the new Distributed Control System (DCS). The DCS is a dedicated control system, made up of hardware and software, used for boiler controls and power plant systems. It is a crucial coordinating and communication system needed to operate the plant.**

Bid documents were issued to fifteen companies. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage and a Legal Notice was published in the Ames Tribune. The Engineer's estimate of the cost for this phase of the project is \$1,161,000.

**On January 28, 2015, three bids were received as shown on the attached report. The specifications and bids are quite complex, and Electric Services staff feels that additional time is needed to evaluate each bid in order to recommend an award that best meets the City's needs.**

The approved FY 2014/15 Capital Improvements Plan for Electric Services includes \$36,880,000 for the Unit #7 and #8 Fuel Conversion. This amount includes \$2,000,000 for engineering and \$34,880,000 for equipment and installation.

**ALTERNATIVES:**

1. Accept the report of bids and delay award for the Distributed Control System.
2. Award a contract to the apparent low bidder.
3. Reject all bids and direct staff to rebid.

**MANAGER'S RECOMMENDED ACTION:**

The Power Plant's existing Distributed Control System is over 14 years old, and is no longer supported by the manufacturer. An up-to-date control system is needed for the safe and efficient operation of the plant into the future. **By choosing alternative No. 1, staff will have adequate time to evaluate each bid and recommend an award that best meets the needs of the City.**

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





**2015-101 Distributed Control System (DCS) Bid Summary**

BIDDER:		Schneider Electric Houston, TX	Emerson Process Management Power & Water Solutions, Inc. Pittsburgh, PA	ABB Wickliffe, OH
		<b>1</b>	<b>FIRM PRICE for Distributed Control System and appurtenances, as specified in Specification C-2401, subdivided as follows:</b>	\$1,516,350.00
1.1	<b>ENGINEERING, PROGRAMMING, GRAPHICS AND PROJECT MANAGEMENT</b>	\$661,245.00	\$522,910.00	\$920,353.00
1.1.1	Unit 7 DCS Programming and Configuration	\$193,470.00	\$161,896.00	Included above
1.1.2	Unit 7 DCS Graphics Configuration	Included in 1.1.1	\$31,474.00	Included above
1.1.3	Unit 8 DCS Programming and Configuration	\$396,375.00	\$179,613.00	Included above
1.1.4	Unit 8 DCS Graphics Configuration	Included in 1.1.1	\$42,805.00	Included above
1.1.5	Project Management and Administration	\$71,400.00	\$107,122.00	Included above
<b>1.2</b>	<b>DISTRIBUTED CONTROL SYSTEM</b>			
<b>1.2.1</b>	<b>Total DCS Hardware</b>	\$719,995.00	\$897,291.00	\$1,379,283.60
1.2.2	Unit 7 DCS Hardware, Software, Workstations and accessories (excluding Performance Monitoring software)	\$185,780.00	\$192,173.00	Included above
1.2.3	Unit 8 DCS Hardware, Software, Workstations and accessories (excluding Performance Monitoring software)	\$443,195.00	\$420,934.00	Included above
1.2.4	DCS Software Licensing and Upgrades for one year per Specification C-2401.	\$30,125 estimate OPTION - Not in Base	Included	Not included
1.2.5	Low Fidelity Simulator per Specification C-2401, Division 6	\$53,370.00	\$134,749.00	Included above
1.2.6	DCS Spare Parts for start-up and Special Tools per Specification C-2401	\$32,150.00	\$12,438.00	Included above
1.2.7	System Security per Spec C-2401 as modified by Bidder's Offer (Emerson add)		\$130,997.00	
1.2.8	Freight	\$5,500.00	\$6,000.00	Included above
<b>1.3</b>	<b>TECHNICAL FIELD ASSISTANCE (TFA)</b>	\$104,000.00	\$103,937.00	\$241,088.40
1.3.1	Number of working days included in the above TFA price	90 days	640 Hours	TFS 50 Days TFS Tuning 16 Days
1.3.2	Price per work day in excess of the TFA time included above	\$1,300 / Day	\$1,593 / 8 hours + travel & living (Technical) \$2,145 / 8 hours + travel & living (Tuner)	TFS \$1,936.80/ Day TFS Tuning \$2,412.00 Day
1.3.3	Number of round trips to the Project Site included in the above TFA price	10 trips	10 trips	TFS 6 Trips TFS Tuning 4 Trips
1.3.4	Price per round trip in excess of trips included above	\$750/ Trip	Billable at Cost / Trip	TFS \$5,248.60/Trip TFS Tuning \$6,199.00/Trip
<b>1.4</b>	<b>ON SITE TRAINING</b>	\$31,110.00	\$70,862.00	\$109,275.00
1.4.1	Total cost for On Site Operator Training (up to 20 people)	\$15,210 for 1 session with 8 Student	\$57,725.00	\$18,315.00
1.4.2	Total cost for Technician Training at Supplier's office (up to 8 people)	\$15,900.00	\$13,137.00	\$90,960.00
1.4.3	Number of days included in the above Operator Training price	2	10	4
1.4.4	Number of days included in the above Technician Training price	5	80	8 students for unlimited classes for 1 Year
1.4.5	Number of round trips to the Project Site included in the above Operator Training price	1	2	1
1.4.6	Price per round trip in excess of trips included above	\$2,000 / Trip	Billable at Cost / Trip	\$4,615.00 / Trip
1.4.7	Price per one (1) additional week of On Site Operator Training	\$25,000 / week OPTION Not in Base	\$17,386 / week	\$17,780 /week
<b>2</b>	<b>OPTIONS</b>			
2.1	Spare Parts (Recommended for 5 years) per Specification C-2401, Section 111	\$76,110.00	\$76,736.00	\$51,503.41
2.2	High Fidelity Simulator C-2401, Section 614	Not Proposed	\$774,465.00	\$345,000.00
2.3	Cost to extend warranty to two (2) years (including software upgrades and licensing fees) after Owner acceptance and release of retention	\$30,900 estimate	\$46,255.00	\$42,800.00
2.4	Cost to extend warranty to three (3) years (including software upgrades and licensing fees)	\$31,880 estimate	\$92,510.00	\$85,600.00
2.5	Monthly cancellation charges - BASE BID:	N/A	See schedule	See schedule
2.6	Credit for Panelmatic Console (Emerson add)		\$15,312.00	
2.7	Ovation Remote IO for Pond I/O to the BOP DCS (Emerson add)		\$11,599.00	
<b>3</b>	<b>ADD / DELETE PRICING</b>			

3.1	Price to add or delete one (1) PC-based Operator workstation with dual LCD monitors and all accessories	\$4,400.00	\$5,829 / \$5,199	\$12,013.76 / \$9,010.32
3.2	Price to add or delete one (1) PC-based Operator workstation with single LCD monitor and all accessories	\$4,120.00	\$5,170 / \$4,597	\$11,533.19 / \$8,649.89
3.3	Price to add or delete one (1) PC-based Engineering workstation with single LCD monitor and all accessories	\$4,575.00	\$8,523 / \$7,662	\$14,222.72 / \$10,667.04
3.4	Price to add or delete a Redundant Processing Unit or Process Controller (excluding I/O)	\$7,800.00	\$22,164 / \$19,948	\$25,019.50 / \$18,764.63
3.5	Price to add or delete isolated 4-20 mA (with HART), RTD or thermocouple inputs in groups of 8	\$615 - FBM214b	\$326 / \$298	\$2,769.68 / \$2,007.26
3.6	Price to add or delete isolated RTD or thermocouple inputs in groups of 8	\$805 - FBM202/\$535 - FBM 203	\$239 / \$219 (RTD only)	\$1,449.67 / \$1,087.25
3.6a	Price to add or delete isolated thermocouple inputs (Emerson add)		\$208 / \$190	
3.7	Price to add or delete 4-20 mA dc outputs in groups of 8	\$630 - FBM215	\$217 / \$198	\$2,429.67 / \$1,822.25
3.8	Price to add or delete digital inputs in groups of 8 (dry contact)	\$540 - FBM207c	\$117 / \$107	\$1,751.74 / \$1,313.81
3.9	Price to add or delete digital inputs in groups of 8 (field wetted contact)	N/A	\$170 / \$155	N/A
3.10	Price to add or delete digital outputs in groups of 8 (solid state outputs)	N/A	N/A	\$1,500.08 / \$1,125.06
3.11	Price to add or delete digital outputs in groups of 8 (electromechanical relay outputs)	\$545 - FBM242	\$308 / \$281 (G2R 1 Form C)	N/A
3.11a	Price to add or delete digital outputs in groups of 8 (electromechanical relay outputs) (Emerson add)		\$377 / \$345 (KUEP 1 Form C)	
3.12	Price to add or delete a ETHERNET interface card for MODBUS TCP/IP or OPC datalinks	\$2,200.00	\$257 / \$235	\$25,019.50 / \$18,764.63
3.13	Price to add or delete a DH+ interface card	N/A	N/A	\$26,429.33 / \$19,822.00
3.14	Price to add or delete a MODBUS serial interface card	\$1,590.00	\$211 / \$193	\$25,342.06 / \$19,006.54
3.15	Price to add or delete a DCS cabinet with modular power supply and internals	N/A	\$3,600 / \$3,291	\$5,148.73 / \$3,861.55
3.16	Price to add or delete a DCS cabinet (empty shell)	N/A	\$1,043 / \$9,534	\$2,600.51 / \$1,950.38
3.17	Price to add or delete a Marshalling Cabinet complete with terminal blocks	N/A	N/A	See Above
3.18	Price to add or delete a Printer	\$520.00	\$3,157 / \$2,885 (Color)	\$3,185.54 / \$2,861.65
3.19	Price to add or delete a Printer B & W (Emerson add)		\$2,390 / \$2,184 (B & W)	

~~ITEM # 11  
DATE: 01-27-15~~

**COUNCIL ACTION FORM**

**SUBJECT: STORM WATER EASEMENT VACATION – 301, 303, 305 AND 321  
SOUTH 5<sup>TH</sup> STREET**

**BACKGROUND:**

The property owner of 301, 303, 305, 321, and 407 South 5<sup>th</sup> Street and of 420-428 South Walnut Avenue is in the process of selling those properties. During the title opinion search, it was discovered that there are easements over the properties at 301, 305, 307 and 321 South 5<sup>th</sup> Street (Lots 2 and 3 of Lindholm's Subdivision). The first easement is "to construct, reconstruct, operate and maintain a storm sewer outlet", and the second is "to construct, reconstruct, operate, open and forever maintain an open ditch from said old creek channel to Squaw Creek". Both of these easement descriptions found at Story County are shown in Attachment A.

These existing easements have impeded the sale of these properties, since the easements encompass the entirety of the parcels. Staff was unable to find any evidence that these easements were ever vacated, even though there has been significant development in the area since their creation in 1929. Aerial maps of the existing easement areas are shown for the area in 1930 [the exhibit says 1929] (Attachment B) and in 2013 (Attachment C).

An additional map in Attachment D shows the storm sewer infrastructure for the area to provide drainage from the south end of Kellogg Avenue (installed in 1977) in Corieri's Subdivision 1<sup>st</sup> Addition. **This storm sewer line is in an existing easement that was established with the subdivision, and adequately covers the City's interest for the storm sewer.**

**Staff has determined that the easements over lots 2 and 3 are no longer needed, since there is no longer an open ditch from the south end of Kellogg Avenue to Squaw Creek.** Vacating that portion of the easements would allow the sale of the properties to take place. The remaining areas (affected properties that were not part of this request) could also be vacated and new easements established over the existing storm sewer pipes, should City Council direct staff to set this as a priority project.

**ALTERNATIVES:**

1. Set February 10, 2015, as the date of public hearing for the proposed vacation of the storm sewer easement at 301, 305, 307 and 321 South 5<sup>th</sup> Street (Lots 2 and 3 of Lindholm's Subdivision).

2. Set February 10, 2015, as the date of public hearing for the proposed vacation of the storm sewer easement at 301, 305, 307 and 321 South 5<sup>th</sup> Street (Lots 2 and 3 of Lindholm's Subdivision) and direct staff to begin the process of negotiating new easements over the existing storm sewer, which are currently covered by the 1929 easement, and return at a later date to set a hearing date for the vacation of the existing easements.
3. Reject the request to vacate the easement.

**MANAGER'S RECOMMENDED ACTION:**

By moving forward with the process to approve the vacation of the easement, City Council will meet this property owner's ability to sell the property.

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

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Cont'd.

That this Court has full and complete jurisdiction of the subject matter of this action and each and all of the parties thereto;

That each and all of the allegations of plaintiff's petition are true and he is entitled to all of the relief ask\_ for in said petition that the plaintiff is the absolute and unqualified owner in fee simple of the property hereinafter described. That the plaintiff and the parties from whom he derived title have been in open, continued and notorious possession of said real estate for a period of more than twenty years last past. That plaintiff's title and estate should be quieted in him against all of the defendants and all persons claiming by through, or under them; and should be forever barred and estopped from making any claim in and to the real estate hereinafter described, or to any part or parcel thereof.

It is therefore Ordered, Adjudged and Decreed that the plaintiff was at the time of the commencement of this action and is now the owner in fee simple for the following described real estate; Lots One, (1), and Two, (2), in the Northwest Quarter; and the Southeast Quarter of the Northwest Quarter, (except "Out-Lot 'A' and Sunnyside Addition); and the Northeast Quarter of the Southwest Quarter, (except 8 Acres in the Southeast corner) and Lot 8 and the East 8 Acres of Lot Seven, (7), in the West half of the Northwest Quarter; all of said property is in Section Eleven, (11), and Township 83 North and Range 24 West of the 5th P.M. Iowa; and his right and interest in said premises as such owner in fee simple is hereby declared, fixed and established.

O. J. Henderson  
Judge of the District Court of Iowa.

Case Closed

Costs Paid In Full.

\*-----\*

J. L. Harper and Anna R. Harper	:	Easement \$350.00
To	:	Dated July 5, 1929
	:	Ack'd July 5, 1929
City of Ames, Iowa	:	Filed September 27, 1929

KNOW ALL MEN BY THESE PRESENTS:

That J. L. Harper and Anna R. Harper, of Story County, State of Iowa, in consideration of the sum of Three hundred Fifty and 00/100 (\$350.00) Dollars, in hand paid by the City of Ames, Iowa, do hereby sell and convey unto the said City of Ames, Iowa an easement in and across the following described premises, situated in the County of Story, State of Iowa, to-wit:

Through and across Lot two (2) of the Northwest quarter (NW $\frac{1}{4}$ ), the Southeast quarter (SE $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ), the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ), all in Section Eleven (11), Township Eight-three (83) North, Range 24, from the South end of Kellogg Avenue in Ames, Story County, Iowa, to Squaw Creek, with the right in said grantee to construct, reconstruct, operate and maintain a storm sewer outlet,

And we hereby covenant with the said City of Ames, Iowa, that we are lawfully seized of said premises; that they are free from encumbrance and that we have good and lawful authority to sell and convey the same, and we do hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

And the said Anna R. Harper hereby relinquishes her right of dower in and to the premises above conveyed.

Dated this 5th day of July 1929,

J. L. Harper  
Anna R. Harper, Duly Acknowledged.

\*-----\*

BATMAN - SAYERS ABSTRACT CO., NEVADA, IOWA

4--42--568

#6

NO. BOOK PAGE

5--42--571

# 7

J. L. Harper and Anna R. Harper, : Easement \$675.00  
 his wife :  
 :  
 : Dated August 26, 1929  
 To : Ack'd August 26, 1929  
 : Filed September 27, 1929  
 City of Ames :

KNOW ALL MEN BY THESE PRESENTS:

That J. L. Harper and Anna R. Harper, his wife, of Story County, and State of Iowa, in consideration of the sum of Six Hundred Seventy-five and 00/100(\$675.00) Dollars, in hand paid by the City of Ames, Iowa, do hereby Sell and Convey unto the said City of Ames, an easement and right to empty storm sewer outlet into the old Squaw Creek channel at a point about four hundred (400) feet North of Squaw Creek and to open and forever maintain an open ditch from said old channel to Squaw Creek, upon the following described premises, situated in the County of Story, State of Iowa, to-wit:

Lot Two (2) of the Northwest Quarter (NW $\frac{1}{4}$ ) the Southeast Quarter (SE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) the Northeast (NE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ), all in Section Eleven (11), Township Eight-three (83) North, Range Twenty-four (24) from the South end of Kellogg Avenue to Ames, Story County, Iowa.

with the right in said grantee to construct, re-construct, operate, open and forever maintain an open ditch from said old creek channel to Squaw Creek.

And we hereby covenant with the said City of Ames, Iowa that we are lawfully seized of said premises; that they are free from encumbrance and that we have good and lawful authority to sell and convey the same, and we do hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

And the said Anna R. Harper hereby relinquishes her right of dower in and to the premises above conveyed.

Dated this 26th day of August 1929.

J. L. Harper  
 Anna R. Harper, Duly Acknowledged.

\*-----\*

ESTATE OF JAMES L. HARPER, DECEASED

Combined Probate Docket 15, Page 121, Estate #7121 and other records and files in the office of the Clerk of the District Court of Story County, Iowa, show:

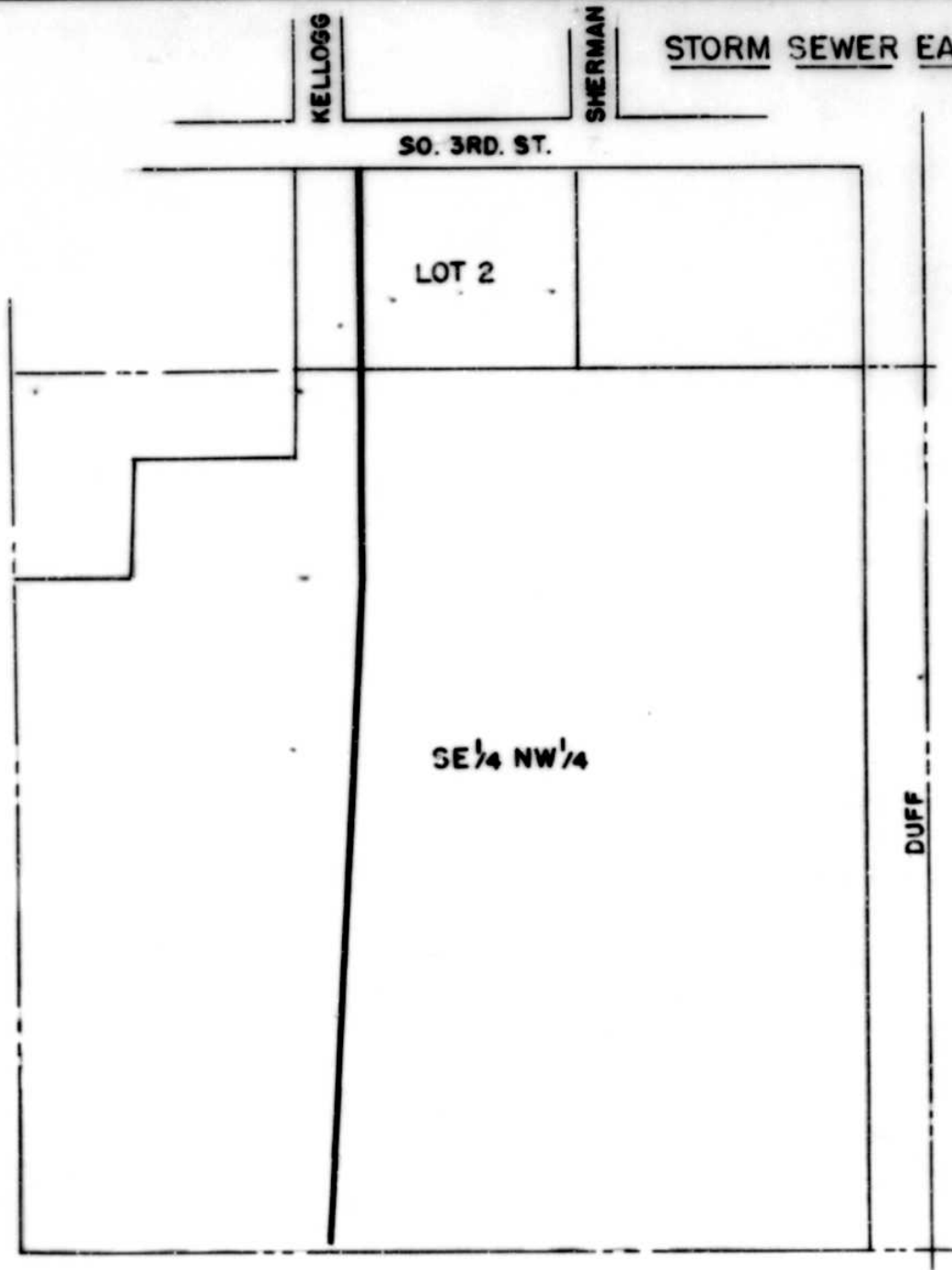
January 22, 1942 AFFIDAVIT OF DEATH filed by Arthur Buck, shows James L. Harper died on January 18, 1942 a resident of Ames, Iowa and he was not related to me.

January 22, 1942 ~~LAST WILL AND TESTAMENT~~ filed as follows:

BATMAN - SAYERS ABSTRACT CO., NEVADA, IOWA

--15--121

STORM SEWER EASEMENT



1" = 250'

03493

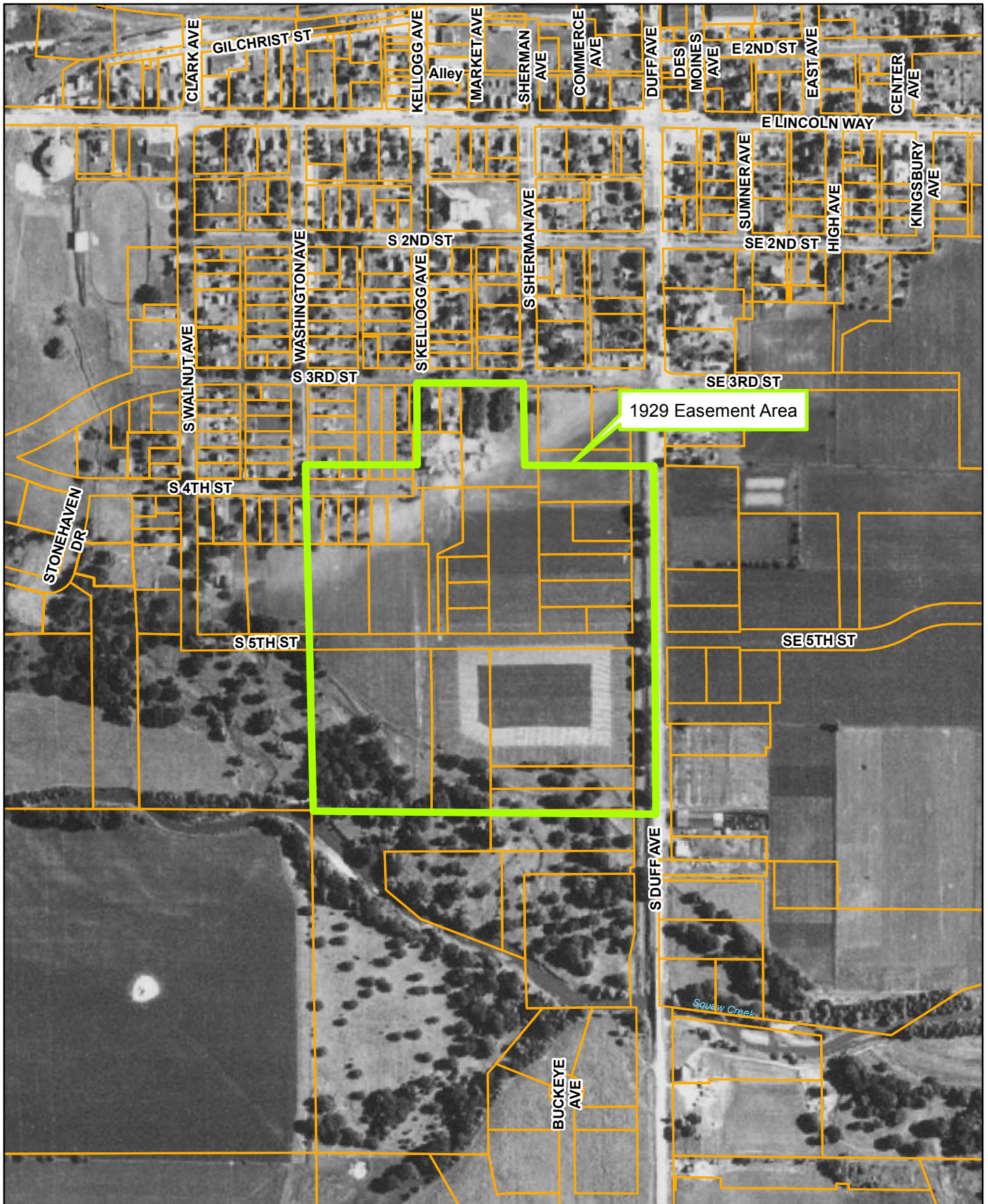
Attachment A

THROUGH AND ACROSS LOT 2 OF NW 1/4, AND SE 1/4 NW 1/4 SEC. 11 - 83 - 24 FROM THE SOUTH END KELLOGG AVE. TO SQUAW CREEK.

FROM: J.L. & A.R. HARPER JULY 5, 1929 \$ 350.00

RECORDED IN BOOK 42 PAGE 568 OF MISC. SEPT. 27, 1929

RECORDED IN BOOK 42 PAGE 571 OF MISC. SEPT. 27, 1929 \$ 675.00



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

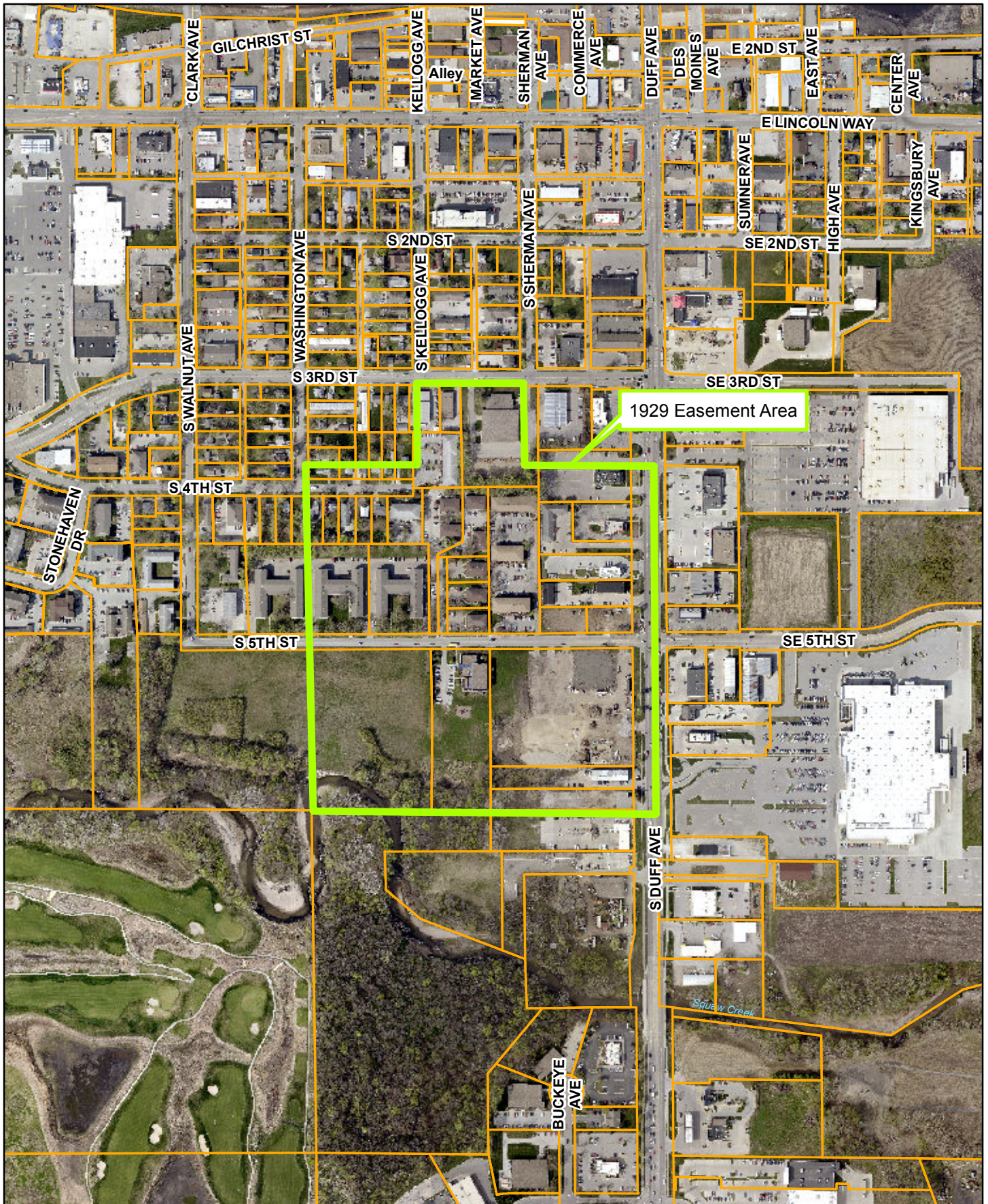


1929 Easement for  
South Meadow 1929  
Attachment B



Scale: 1 in = 500 ft  
Date: 1/20/2015





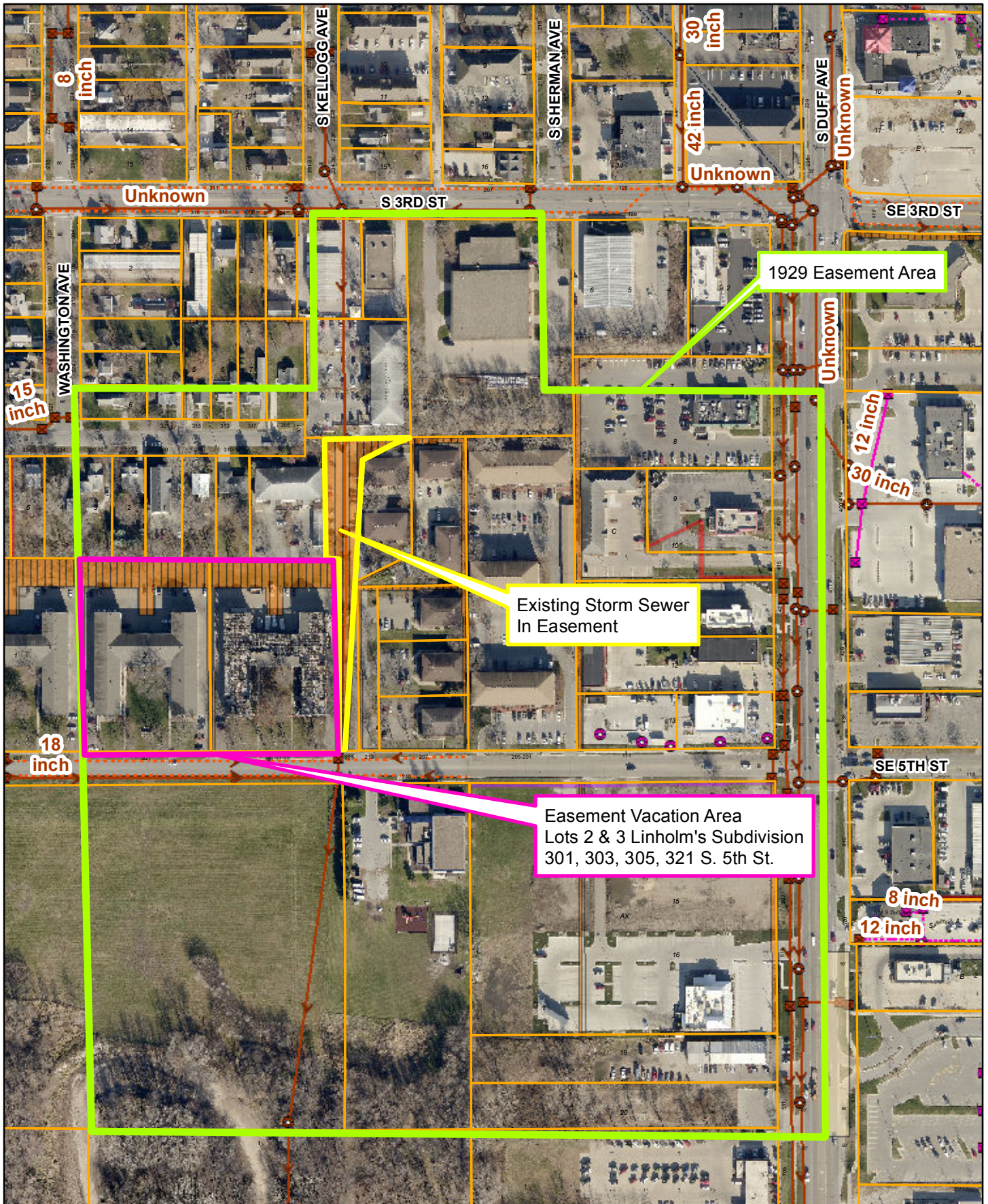
Geographic Information System (GIS) Product Disclaimer: City of Ames GIS map data does not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership & land use nor does it replace field surveys of utilities or other features contained in the data. All features represented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

1929 Easement for  
South Meadow 2013  
Attachment C



Scale: 1 in = 500 ft  
Date: 1/20/2015





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



1929 Easement for  
South Meadow 1929  
Attachment B



Scale: 1 in = 233 ft  
Date: 1/23/2015

~~ITEM # 12  
DATE: 01-27-15~~

## COUNCIL ACTION FORM

**SUBJECT:           2014 NATIONAL ELECTRICAL CODE**

### **BACKGROUND:**

The National Electrical Code (NEC), published by the National Fire Protection Association (NFPA), is the model code of standards for electrical construction and maintenance in use throughout the United States. The Code is updated at three year intervals to reflect the latest improvements in public safety technologies. The State of Iowa, all major Iowa communities, and the City of Ames regularly adopt the most recent edition of the NEC.

The State of Iowa has adopted the 2014 edition of the NEC, and it became effective on January 1, 2015. The City of Ames follows State adoption to assure consistency of State and local standards. Electricians doing work within the City of Ames are required by their State licensure to follow the NEC adopted by the State, which as of January 1, 2015, would be the 2014 NEC. The City of Ames is currently regulated by the last adopted NEC, which is the 2011 version of the code.

The first step in the code adoption process is an in depth review of the 2014 NEC by Inspections staff. Staff receives not only the 2014 NEC code book, but also reference materials that describe the significant changes between the 2011 and 2014 versions of the code. Research is conducted with staff from other Iowa jurisdictions to understand their process and any stumbling blocks that they encountered along the way. Once a thorough review is complete, the process moves on to the City's Building Board of Appeals.

The Building Board of Appeals is a seven member board appointed by the Mayor with the approval of the City Council. Each member is qualified by experience and training in matters pertaining to building construction. The membership of the Board consists of the following professionals:

- Licensed Architect
- Professional Engineer
- General Contractor
- Homebuilder
- Licensed Journeyman or Master Electrician, or Electrical Contractor
- Licensed Journeyman or Master Plumber, or Plumbing Contractor
- Licensed Master HVAC Technician, or Mechanical Contractor

The Building Board of Appeals is tasked with reviewing proposed text amendments to Ames *Municipal Code*, Chapter 5, Building, Electrical, Mechanical and Plumbing Code. Proposed text amendments are reviewed by the Board with a public hearing and recommendation to the City Council.

On October 20, 2014, Inspections staff sent an e-mail to all contractors who have done business with the Inspection Division over the past year to notify them of the proposed 2014

NEC adoption process, and to notify them that their attendance and input at the November 3, 2014, Building Board of Appeals meeting would be welcome.

The Building Board of Appeals held its public hearing on November 3, 2014. The Board then passed a motion to recommend to the City Council approval of the 2014 NEC with the State of Iowa exceptions and one local amendment. One local contractor attended the Board meeting and did not provide input.

**The proposed local amendment is the same amendment as was adopted by the City of Ames with the adoption of the 2011 NEC. This amendment limits the use of nonmetallic-sheathed cable in other than one- and two-family or multi-family dwellings.** The State adopted exceptions include the same two exceptions that were adopted with the 2011 NEC which limits the requirements for ground fault circuit interruption (GFCI) receptacles in certain instances where receptacles are not readily accessible or receptacles for appliances in dedicated spaces. Three new exceptions were added by the State, two of which lessen the requirements for arc fault circuit interrupters (AFCI) in certain existing situations, and the third new exception is a clarification on compliance with the adopted International Energy Code.

### **SIGNIFICANT CHANGES:**

**Below is an overview of the significant changes of the proposed 2014 NEC from the currently adopted 2011 code. Although this is not an inclusive list, it does highlight the majority of new changes from the previous code cycle.**

The following four new articles have been added to the 2014 NEC:

- Article 393 - Low-voltage suspended ceiling power distribution systems
- Article 646 - Modular data centers
- Article 728 - Fire resistive cable systems
- Article 750 - Energy management systems

The following are some changes in the 2014 NEC for single and multifamily dwelling units:

- Section 210.8(A)(7) will expand GFCI protection for all receptacles located within 6 feet of dwelling unit sinks. This removes the words “located in areas other than kitchens” to require GFCI protection for all 125-volt, single-phase, 15 and 20 ampere receptacles installed within 6 feet of the outside edge of dwelling unit sinks (including kitchen sinks).
- Section 210.8(A)(10) will require GFCI protection for dwelling laundry area receptacles.
- Section 210.8(D) will require GFCI protection for dishwashers in dwellings.
- Section 210.12(A) will expand AFCI protection for all 120-volt, single-phase, 15 and 20 ampere branch circuits supplying outlets and devices in kitchen and laundry areas of dwellings.
- Section 680.21(C) will require GFCI protection for all pool pump motors regardless of amperage.

The following are some changes in the 2014 NEC for commercial and industrial projects:

- Section 110.26(C)(3) will lower the requirement for panic hardware on personnel doors from 1200 amperes to 800 amperes.

- Section 110.26(E)(2)(a)&(b) will extend dedicated space requirements to outdoor equipment.
- Section 210.64 will require a receptacle within 50 feet of all non-dwelling service equipment.
- Section 590.4(J) will prohibit temporary branch circuits and feeders from being laid on the floor or ground.
- Section 700.28 will require an engineer to design selective coordination for emergency systems

**ALTERNATIVES:**

1. Set the public hearing for February 10, 2015, to review the proposed changes to the Ames *Municipal Code*, Chapter 5 and the proposal to adopt the 2014 edition of the National Electrical Code (NEC) with one local amendment and State of Iowa exceptions.
2. Direct staff to work with the Building Board of Appeals to develop further local amendments to the recommended codes.

**MANAGER'S RECOMMENDED ACTION:**

The Building Board of Appeals has reviewed the proposal and has recommended approval to the City Council. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby setting a public hearing for February 10, 2015.

## MINUTES OF THE REGULAR MEETING OF THE BUILDING BOARD OF APPEALS

AMES, IOWA

NOVEMBER 3, 2014

### Call to Order

The regular meeting of the Building Board of Appeals was called to order by Chairman Larry Cormicle at 4:00 p.m., November 3, 2014, in Room 235 in City Hall, 515 Clark Avenue. Present from the Building Board of Appeals were Larry Cormicle, Brad Heemstra, Larry Brandt, Nathan Werstein, and Dan Nuntini.

Staff members present were Seana Perkins, Scott Ripperger, Nick Patterson, and Jessica Spoden.

Guests present were appellant Jeff Rains of BSB Design, general contractor Keith Dallenbach, two members of the Sigma Chi building committee, and Dan Krogman from Kurrent Electric.

Moved by Heemstra, seconded by Brandt, to approve the minutes of July 7, 2014

Vote on Motion: 5-0

Motion passed unanimously

### Old Business

None

### New Business

A. Appeal of the Electrical code, NEC-2011 Section 334.10 and City of Ames local code amendment 5.205 by Sigma Chi Beta Omicron.

Jeff Rains gave a summary of the project. The history of the amendment in place restricting the use of metal cable primarily refers to commercial structures. It is still allowed in multi-family structures although fraternity houses do not fall under that category because they have sleeping units, not dwelling units. The code defines a dwelling unit as a sleeping unit with a kitchen. The Sigma Chi sleeping units have a space for a microwave and small refrigerator but not a range, so based on this, the electrical code classifies the fraternity as an "other structure" which was eliminated by the adoption of the City of Ames amendment. Since the fraternity is a residential use, and the appellant believes the intent of the amendment was to limit the use of metal cable in commercial structures, they are asking for the ability to use metal cable in this application.

Steve (keith?) Dallenbach stated that this is a financial hardship for the fraternity. The project is being funded by donations from alumni and the cost to have use NM cable is close to \$20,000.

Rains added that their electrician suggested using metal cable in the kitchen area.

Seana Perkins reviewed the steps taken by the City regarding the Code Modification request. The definition of fraternity does not meet the exemption criteria. Our local amendment 5.205 prohibits the use of metal cable in this type of application, so the City denied the request.

Brad Heemstra stated that there have been many discussions over the years about upgrading fraternities and sororities for safety, but as a City we have chosen not to allow romex in fraternities. He asked how long this policy has been in place.

Nick Patterson stated that the City of Ames adopted this particular amendment in 2002 and it has gone through several code adoptions. Inspections over the years of fraternities and sororities have shown more wear and tear and abuse than other residential properties.

Dallenbach stated that exceptions have been issued to Greek housing for multiple reasons usually based on economic conditions as non-profits. The economic situation of a donated building for residences is worth considering. Is this a hardship being placed on fraternities and sororities? He is not concerned about abuse in this new building or this being a building that can't take abuse. The walls will be built in a way that makes the building more durable to address those concerns.

Jessica Spoden confirmed that economic hardship has been a reason for other variances that have been issued by the City.

Cormicle asked if the other variances were for life safety issues or appearance and zoning. Spoden clarified that they have not been for life safety.

Dallenbach does not believe that romex has been proven to be a dangerous product.

Rains stated that the owner is concerned about the original intent of the code. Commercial applications are understandable, but this is a residential project.

Brandt asked how many fraternities or sororities are currently involved in major construction and have they filed for variances? The City has not allowed romex in commercial buildings since the 1950's.

Spoden stated that another fraternity has received a variance for their parking requirements.

Rains again stated that this project is not a commercial building. Brandt countered that it is the equivalent of a boarding house.

Discussion was held about cooking units and heating elements.

Heemstra reiterated that since 2002 other Greek houses have had to use metal cable in similar situations. He then asked for clarification on whether it was the City's intent in 2002 to not allow romex in fraternities. What prompted the decision at that time?

Brandt stated that the code changed allowing romex to be in some type III, IV, and V construction, which prompted the decision by the City not to go along with it.

Nathan Werstein asked about the timing of this decision in relation to the adoption of the 2014 NEC. Spoden stated that the 2014 NEC will not be in effect until January 2015 and this project is underway now.

Heemstra expressed concern about pulling out one project and changing direction on a code that has been in effect since 2002.

Moved by Brandt, seconded by Heemstra, to deny the appeal

Vote on Motion: 5-0

Motion passed unanimously

#### B. 2014 NEC Code Adoption

Perkins presented the proposed timeline for the 2014 NEC code adoption: 1<sup>st</sup> reading and public hearing November 25, 2014; 2<sup>nd</sup> reading December 9, 2014; 3<sup>rd</sup> reading December 23, 2014. Adoption date would be effective January 1, 2015 to align the City of Ames with the State of Iowa adoption process. The State of Iowa will likely have exceptions to the 2014 NEC. In the memo to the Board, staff laid out options for the Board to consider. One option is to adopt the 2014 NEC straight up with our local amendments. The second option is to follow the State of Iowa and adopt it following their exceptions and our local amendments.

Heemstra asked how the Board will know what the State exceptions are. Will the Board circle back on the State exceptions? Is the memo suggesting the Board just adopt what the State does when they do not know what the State is going to do? Will the Board revisit what the State has decided?

Perkins stated that one of the options is just to adopt what the State adopts assuming that the State is going through the process and will choose the exceptions that are right for the State of Iowa and the City of Ames would trust that.

Ripperger stated that no matter what the State does, the City of Ames is still bound by the State code. We can make it more restrictive, but we cannot make it less restrictive.

Spoden concurred by saying the State would not be making the NEC more restrictive, if anything, they would be making it less restrictive. Spoden also stated that if the State was to make changes at a later date, those changes would automatically be adopted by the City code.

Discussion was held on the state adoption. Spoden stated that the State is not required to adopt the National Electrical Code. The history of the State has been to make the code less restrictive.



Cormicle and Heemstra questioned if the City of Ames was going to accept the less restrictive stance that the State adopts. Should the Board wait to adopt the 2014 NEC until after the State has adopted it to see what exceptions they have adopted? If the State makes the code lenient, the Board can reconvene and subsequently adopt local ordinances.

Moved by Heemstra, seconded by Nutini, to adopt the 2014 NEC with the State of Iowa exceptions and our local amendment

Vote on Motion: 5-0

Motion passed unanimously

Board Comments

None

Adjournment

The Board adjourned at 4:43pm

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Eileen Carter, Recording Secretary

## Ames Municipal Code Chapter 5 – EXCERPTS

### Sec. 5.100. TITLE & ADOPTION.

(11) **Electrical.** The National Electrical Code, 2011 **2014** edition, published by the National Fire Protection Association, One Batterymarch Park, Quincy, Massachusetts, and ~~as adopted by the Iowa Electrical Examining Board~~ is hereby adopted as the electrical code of the City of Ames and shall govern electrical work and installations in the City of Ames, except for such specific, higher standards and requirements as have been or may from time to time be enacted by the City of Ames.

### Sec. 5.205. ELECTRICAL.

The provisions of the National Electrical Code (NEC), 2011 **2014** edition, are hereby amended as follows:

- (1) Section 334.10, ***Nonmetallic-Sheathed Cable, Uses Permitted***, of the said National Electric Code is amended by deleting Subsection (3) therefrom and inserting in lieu thereof a new Subsection (3): All other structures shall be wired using other methods as allowed by the NEC.
- (2) Add the following exceptions to Article 210.8(A)(2), ***paragraph (A), subparagraph (2) Ground-Fault Circuit-Interrupter Protection for Personnel, Dwelling Units (A)(2)***:
  - (a) Exception No. 1-~~to (2)~~: Receptacles that are not readily accessible.
  - (b) Exception No. 2-~~to (2)~~: A single receptacle or a duplex receptacle for two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another, and that is cord-and-plug connected in accordance with 400.7(A)(6), (A)(7), or (A)(8).
  - (c) Receptacles installed under the exceptions to 210.8(A)(2) shall not be considered as meeting the requirements of 210.52(G).
- (3) Add the following exceptions to Article 210.8(A)(5), ***Ground-Fault Circuit-Interrupter Protection for Personnel, Dwelling Units (A)(5)***:
  - (a) Exception No. 2-~~to (5)~~: Receptacles that are not readily accessible.
  - (b) Exception No. 3-~~to (5)~~: A single receptacle or a duplex receptacle for two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected in accordance with 400.7(A)(6), (A)(7), or (A)(8).
  - (c) Receptacles installed under the exceptions to 210.8(A)(5) shall not be considered as meeting the requirements of 210.52(G).
- (4) ***Delete section 210.12(B), Arc-Fault Circuit-Interrupter Protection, Branch Circuit Extensions or Modifications – Dwelling Units.***
- (5) ***Delete exception to section 220.12, Lighting Load for Specified Occupancies, and insert in lieu thereof the following exception:***  
***Exception: Where the building is designed and constructed to comply with an energy code adopted by the local authority, the lighting load shall be permitted to be calculated at the values specified in the energy code.***
- (6) ***Delete section 406.4(D)(4), General Installation Requirements, Replacements, Arc-Fault Circuit Interrupter Protection.***

**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTIONS 5.100(11), 5.205(1), (2) AND (3) AND ENACTING NEW SECTIONS 5.100(11), 5.205(1), (2), (3), (4), (5) AND (6) THEREOF, FOR THE PURPOSE OF ADOPTING BY REFERENCE THE 2014 EDITION OF THE NATIONAL ELECTRICAL CODE WITH LOCAL EDITS REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.**

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Sections 5.100(11), 5.205(1), (2) and (3) and enacting new Sections 5.100(11), 5.205(1), (2), (3), (4), (5) and (6) as follows:

**“Sec. 5.100. TITLE & ADOPTION.**

(11) **Electrical.** The National Electrical Code, 2014 edition, published by the National Fire Protection Association, One Batterymarch Park, Quincy, Massachusetts, is hereby adopted as the electrical code of the City of Ames and shall govern electrical work and installations in the City of Ames, except for such specific, higher standards and requirements as have been or may from time to time be enacted by the City of Ames.

**Sec. 5.205. ELECTRICAL.**

The provisions of the National Electrical Code (NEC), 2014 edition, are hereby amended as follows:

(1) Section 334.10, Nonmetallic-Sheathed Cable, Uses Permitted, is amended by deleting Subsection (3) therefrom and inserting in lieu thereof a new Subsection (3): All other structures shall be wired using other methods as allowed by the NEC.

(2) Add the following exceptions to Article 210.8(A)(2), Ground-Fault Circuit-Interrupter Protection for Personnel, Dwelling Units:

(a) Exception No. 1: Receptacles that are not readily accessible.

(b) Exception No. 2: A single receptacle or a duplex receptacle for two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected in accordance with 400.7(A)(6), (A)(7), or (A)(8).

(c) Receptacles installed under the exceptions to 210.8(A)(2) shall not be considered as meeting the requirements of 210.52(G).

(3) Add the following exceptions to Article 210.8(A)(5), Ground-Fault Circuit-Interrupter Protection for Personnel, Dwelling Units:

(a) Exception No. 2: Receptacles that are not readily accessible.

(b) Exception No. 3: A single receptacle or a duplex receptacle for two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected in accordance with 400.7(A)(6), (A)(7), or (A)(8).

(c) Receptacles installed under the exceptions to 210.8(A)(5) shall not be considered as meeting the requirements of 210.52(G).

(4) Delete section 210.12(B), Arc-Fault Circuit-Interrupter Protection, Branch Circuit Extensions or Modifications – Dwelling Units.

(5) Delete the exception to section 220.12, Lighting Load for Specified Occupancies, and insert in lieu thereof the following exception:

Exception: Where the building is designed and constructed to comply with an energy code adopted by the local authority, the lighting load shall be permitted to be calculated at the values specified in the energy code.

(6) Delete section 406.4(D)(4), General Installation Requirements, Replacements, Arc-Fault Circuit Interrupter Protection.”

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

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

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

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

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

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