

AGENDA
REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL
NOVEMBER 24, 2015

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

CALL TO ORDER: 6:00 p.m.

PRESENTATION:

1. Presentation of City's new Web site

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

2. Motion approving payment of claims
3. Motion approving Minutes of Regular Meeting of November 10, 2015, and Special Meeting of November 17, 2015
4. Motion approving certification of civil service applicants
5. Motion approving Report of Contract Change Orders for November 1-15, 2015
6. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor & Outdoor Service – Outlaws, 2522 Chamberlain Street
 - b. Class B Native Wine – Chocolaterie Stam, 230 Main Street
 - c. Class C Beer – Swift Stop #8, 705 24th Street
 - d. Class C Liquor & Outdoor Service – Aunt Maude's, 543-547 Main Street
 - e. Class C Liquor & Outdoor Service – The Café, 2616 Northridge Parkway
7. Motion approving 5-day (December 7-11) Special Class C Liquor License for Olde Main Brewing Company at ISU Alumni Center, 420 Beach Avenue
8. Motion approving Sunday Sales for Bar, 823 Wheeler Street, Suite 4
9. Motion approving Class B Beer Permit for Mongolian Buffet, 1620 South Kellogg Avenue, Suite 103
10. Motion approving Class B Liquor License and Outdoor Service for Country Inn & Suites, 2605 SE 16th Street (pending satisfactory background check)
11. Resolution accepting Abstract of Votes for November 3, 2015, Regular City Election
12. Resolution approving 36-month contract with CenturyLink for Internet Services
13. Resolution approving Storm Water Easement with Arbor on the Green Homeowners Association for pond
14. Resolution approving request to close Lynn Avenue for installation of storm sewer
15. Resolution approving transfer of cellular antenna site lease at Homewood Golf Course from Iowa Wireless Services to TowerCo 2013, LLC
16. Resolution approving reallocation of Wellmark "3-Point Play" monies for purchasing specified indoor fitness equipment instead than outdoor fitness equipment that was approved in FY 2013/14 CIP
17. Resolution approving Modification to Self-Insured Health Insurance Summary Plan Document

18. Resolution awarding contract to Wesco Distribution of Des Moines, Iowa, for 750 KCMIL Copper Cable in the amount of \$73,252.20 (Alternate) for Electric Services, subject to metals adjustment at time of order
19. Resolution approving preliminary plans and specifications for WPC Decant Line Replacement project; setting the bid due date for January 5, 2016, and January 12, 2016, as date of public hearing
20. Resolution approving contract and bond for Water Treatment Plant High Service Pump #3 Replacement Project
21. Resolution approving Change Order No. 3 with TEI Construction Services, Inc., for Power Plant Fuel Conversion - Mechanical Installation General Work in the amount of \$187,984
22. Resolution approving Change Order No. 3 with Integrity Construction for Library Renovation project in an amount not to exceed \$5,750
23. Resolution approving Change Order No. 4 with HPC, LLC, for City Hall Renovation Project, Phase 2 in the amount of \$18,684
24. 2013/14 CyRide Route Pavement Improvements Program #2 (Garden Road, Garnet Drive, Viola Mae Avenue):
 - a. Resolution approving Change Order No. 1
 - b. Resolution accepting final completion
25. 2011/12 Asphalt Pavement Improvements (Ironwood Court):
 - a. Resolution approving Change Order No. 1
 - b. Resolution accepting final completion
26. Resolution accepting partial completion of public improvements and reducing security requirement for Quarry Estates Subdivision, 1st Addition
27. Resolution accepting final completion of 2012/13 Concrete Pavement Improvements Contract #3 (Lincoln Way Frontage Road)
28. Resolution accepting final completion of 2014/15 Collector Street Pavement Improvements (West Street and Woodland Street)

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

HEARINGS:

29. Hearing on rezoning of property at 101, 105, and 107 South Wilmoth Avenue from Residential High Density (RH) with University West Impact Overlay to Residential High Density (RH) and property at 205 South Wilmoth Avenue from Residential Low Density (RL) to Residential High Density (RH) [continued from November 10, 2015, meeting]:
 - a. First passage of ordinance rezoning property at 205 South Wilmoth Avenue from Residential Low Density (RL) to Residential High Density (RH)
 - b. First passage of ordinance rezoning property at 101, 105, and 107 South Wilmoth Avenue from Residential High Density (RH) with University West Impact Overlay to Residential High Density (RH)
30. Hearing on Urban Revitalization Plan for South Wilmoth Avenue:
 - a. First passage of ordinance establishing South Wilmoth Avenue Urban Revitalization Area
 - b. Resolution approving the Plan
31. Hearing on Water Pollution Control Facility Street Repairs:
 - a. Resolution approving final plans and specifications and awarding contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$406,901.48

32. Hearing on rezoning of property at 516 South 17th Street from Highway-Oriented Commercial (HOC) to Residential High Density (RH):
 - a. First passage of ordinance

PLANNING & HOUSING:

33. Staff Report on Campustown Facade Program
34. Major Final Plat for Iowa State University Research Park Phase III, First Addition:
 - a. Resolution approving Sidewalk Installation Agreement
 - b. Resolution accepting commitment letter from ISU as financial security for sidewalk improvements and maintenance of storm water facilities
 - c. Resolution approving Major Final Plat

PUBLIC WORKS:

35. Staff report on 118/120 Hayward Storm Sewer:
 - a. Motion providing direction to staff

ELECTRIC:

36. Repair of Unit No. 8 Expansion Joints:
 - a. Resolution instituting emergency proceedings and authorizing staff to obtain informal bids and enter into contract
 - b. Resolution waiving Purchasing Policy requirement for competitive bidding and awarding contract to Frenzelit of Lexington, North Carolina, in the amount of \$680,328, plus applicable sales taxes to be paid directly by City of Ames to State of Iowa

FINANCE:

37. City Council budget guidelines

ORDINANCES:

38. First passage of ordinance revising Chapter 23 pertaining to Bicycle Plans and Bikeways
39. Second passage of ordinance revising side setbacks for S-HM (Hospital-Medical) zoned parcels on the west side of Duff Avenue (third passage and adoption requested)
40. Second passage of ordinance pertaining to solar energy systems regulations
41. Third passage and adoption of ORDINANCE NO. 4234 rezoning, with Master Plan, property at 601 and 705 Dotson Drive from Government-Airport (S-GA) to Floating Suburban Residential Low Density (FS-RL)

COUNCIL COMMENTS:

CLOSED SESSION:

42. Motion to hold Closed Session as provided by Section 21.5(1)c, *Code of Iowa*, to discuss matters presently in litigation

ADJOURNMENT:

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

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

NOVEMBER 10, 2015

The Regular Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 6:00 p.m. on the 10th day of November, 2015, in the City Council Chambers in City Hall, 515 Clark Avenue. Council Members Gloria Betcher, Tim Gartin, Matthew Goodman, Chris Nelson, and Peter Orazem and *ex officio* Member Sam Schulte were present. Council Member Amber Corrieri arrived at 6:27 p.m.

PROCLAMATION FOR “NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK:” Mayor Campbell proclaimed November 14-22, 2015, as “National Hunger and Homelessness Awareness Week.” Representatives of the following agencies were present to accept the Proclamation: Youth and Shelter Services, Emergency Residence Project, Veteran Affairs, Story County Hunger Collaboration, Mid-Iowa Community Action Agency, ACCESS, and Finesse Spa Salon.

Ms. Baker-Latimer invited the public to attend the “Scoop of Soup” event that will occur in front of City Hall (in Parking Lot N) on November 17 from 11:30 a.m. to 1:30 p.m. A free-will donation will be taken, with those funds being given to the non-profit agencies.

PROCLAMATION FOR “SMALL BUSINESS DAY:” November 28, 2015, was proclaimed by the Mayor as “Small Business Day.” Cindy Hicks, Main Street Cultural District Director; Rebecca Olson, Campustown Action Association Director; and Drew Kamp, Chamber of Commerce, accepted the Proclamation.

CONSENT AGENDA: Council Member Nelson requested that Item No. 11 (net metering tariff covering commercial systems up to 500KW) be pulled for separate discussion.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of October 27, 2015, and Special Meetings of October 20, 2015, and November 2, 2015
3. Motion approving Report of Contract Change Orders for October 16-31, 2015
4. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class B Native Wine – Kitchen, Bath & Home, 201 Main Street
 - b. Class B Liquor – Country Inn & Suites, 2605 SE 16th Street
 - c. Class E Liquor – AJ’s Liquor III, 2401 Chamberlain Street
5. Motion approving 5-day (November 20-24) Special Class C Liquor License for Dublin Bay at Reiman Gardens, 1407 University Boulevard
6. Motion approving Class C Beer Permit for Joy’s Iowan-Asian Foods, Inc., 118 Hayward Avenue, Ste. 5 (pending satisfactory background check)
7. Motion directing City Attorney to prepare ordinance setting parking regulations for Ada Hayden Road and Quarry Drive
8. RESOLUTION NO. 15-677 approving appointment of Sarah Litwiller to fill vacancy on Parks and Recreation Commission

9. RESOLUTION NO. 15-679 approving Certificate of Consistency with City's 2014-2018 CDBG Consolidated Plan on behalf of Youth & Shelter Services, Inc.
10. RESOLUTION NO. 15-680 approving revision to 2015/16 COTA Annual Grant for India Cultural Association
11. RESOLUTION NO. 15-681 approving renewal for administrative and claims processing services with Wellmark Blue Cross Blue Shield of Iowa for Flexible Spending Account benefit for period from January 1 to December 31, 2016
12. RESOLUTION NO. 15-682 approving extension, to March 1, 2016, of park land leases with Iowa State University
13. RESOLUTION NO. 15-683 approving Easement Agreements with Union Pacific Railroad, Iowa State Ready-Mix Concrete, Inc., and Diane and Larry Schulte for 2013/14 Skunk River Trail Extension, Phase 2 (East Lincoln Way to South River Valley Park)
14. RESOLUTION NO. 15-684 accepting Permanent Easement and property acquisitions for ISU Research Park Phase III Roadway Improvements
15. RESOLUTION NO. 15-685 approving preliminary plans and specifications for Evaporative Condenser Replacement for Ames/ISU Ice Arena; setting December 9, 2015, as bid due date and December 22, 2015, as date of public hearing
16. RESOLUTION NO. 15-686 waiving Purchasing Policy requirement for competitive bidding for Geotube Bags for Power Plant Ash Pond and awarding contract to Geo-Synthetics, LLC, of Waukesha, Wisconsin, in the amount of \$193,803.75 (inclusive of Iowa sales tax)
17. RESOLUTION NO. 15-687 approving contract and bond for Water Pollution Control Lift Station Improvement Project
18. RESOLUTION NO. 15-688 approving contract and bond for Resource Recovery System Improvements (HVAC Improvements)
19. RESOLUTION NO. 15-689 approving Change Order No. 2 in the amount of \$156,131 with TEI Construction Services, Inc., for Power Plant Fuel Conversion - Mechanical Installation General Work
20. RESOLUTION NO. 15-690 accepting final completion of 2014/15 Traffic Signal Program (Lincoln Way and Union Drive)
Roll Call Vote: 5-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

MUNICIPAL CODE APPENDIX H TARIFF 5 PERTAINING TO NET METERING TARIFF COVERING COMMERCIAL SYSTEMS: Council Member Nelson asked staff to explain the proposed change to the *Municipal Code* pertaining to solar generating systems. Donald Kom, Electric Services Director, said that over the past year numerous Electric customers have inquired whether there is a policy dealing with the interconnection of green electricity generators to the City's system. Electric Services staff investigated the issue and has developed an Interconnection Agreement that covers the items necessary to safely isolate the customer-owned generator from the City's Electric Distribution System. The Net Metering Tariff will cover how the customer will be metered and billed for any excess electricity a system can produce each month.

Moved by Nelson, seconded by Gartin, to adopt RESOLUTION NO. 15-678 revising *Municipal Code* Appendix H Tariff 5 to include a net metering tariff covering commercial systems up to 500 KW.

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

PUBLIC FORUM: Mayor Campbell opened Public Forum. She closed Public Forum after no one requested to speak.

HEARING ON REZONING PROPERTY AT 101, 105, 107, and 205 SOUTH WILMOTH AVENUE: Mayor Campbell opened the hearing. She noted that staff was asking that the hearing be continued to November 24, 2015, because the Zoning Agreement had not yet been completed.

Moved by Gartin, seconded by Nelson, to continue the hearing to November 24, 2015, on rezoning property at 101, 105, and 107 South Wilmoth Avenue from Residential High Density (RH) with University West Impact Overlay to Residential High Density (RH) and property at 205 South Wilmoth Avenue from Residential Low Density (RL) to Residential High Density (RH).

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

HEARING ON ZONING ORDINANCE TEXT AMENDMENT TO REVISE SIDE SETBACKS FOR HOSPITAL-MEDICAL ZONED PARCELS ON THE WEST SIDE OF DUFF AVENUE:

City Planner Charlie Kuester explained that Mary Greeley Medical Center (MGMC) was seeking a text amendment to allow a zero setback for interior lot lines (lot lines that abut a similarly zoned lot). Side yard setbacks in the S-HM District are currently based on the number of stories in the building. The proposed amendment would not change setbacks for front yards or when adjoining a residentially zoned property.

According to Planner Kuester, MGMC's justification for the change is to allow for modification to its entrance located along a common property line with McFarland Clinic. Because of the close physical proximity and operational relationship between those two agencies, there is significant foot traffic between them. Mary Greeley Medical Center is seeking to make improvements to the north entryway that would include a covered vestibule to promote safety and comfort in inclement weather. That vestibule would cross the property line on to McFarland Clinic, which supports the construction of the vestibule and the text amendment. Mr. Kuester commented that staff believed that changing the setback standards for this type of use is appropriate and proposes that a zero setback be applied only on the west side of Duff Avenue.

The public hearing was opened by the Mayor. There being no one wishing to speak, the hearing was closed.

Moved by Goodman, seconded by Betcher, to pass on first reading an ordinance revising the side setbacks for S-HM (Hospital-Medical) zoned parcels on the west side of Duff Avenue.

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

HEARING ON ZONING ORDINANCE TEXT AMENDMENT TO CHAPTER 29 PERTAINING TO SOLAR ENERGY SYSTEMS REGULATIONS: The Mayor opened the public hearing. She closed same after no one requested to speak.

Council Member Gartin asked if staff had looked at other communities to see what they might be doing regarding solar systems. Planner Kuester answered that staff did not on this particular issue; there are very few examples. Staff tailored the proposed ordinance based on what they saw as needs in the Ames community.

Moved by Goodman, seconded by Nelson, to pass on first reading an ordinance revising Chapter 29 pertaining to solar energy systems regulations.

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

HEARING ON THE SALE AND ISSUANCE OF ELECTRIC REVENUE BONDS, SERIES 2015B: The public hearing was opened by Mayor Campbell. No one came forward to speak, and the Mayor closed the hearing.

Finance Director Duane Pitcher explained the difference between Revenue Bonds and the typical General Obligation Bonds. He stated that the fiscal year 2015/16 Budget included Electric Revenue Bonds in the amount of \$18,875,000 to fund Units No. 7 and 8 Fuel Conversion and Cooling Tower Repair projects. Due to better-than-expected bid results for those two projects, staff is now recommending that the bond issue amount be reduced to \$10,360,000. That is good news for the City as it will reduce the debt service for these Bonds from 20 to 15 years and electric rates will not have to be increased as much as earlier planned. With the lower bond issue amount, it is now anticipated that there will only be one rate increase of around 4% in FY 2018/19. Mr. Pitcher emphasized that the Electric Revenue Bonds will be secured with revenue from the Electric Utility; the City will make no pledge of other revenues. Because of that, it is expected that the credit rating will be of investment grade, but lower than the City's excellent G. O. Bond rating, which includes a pledge of the City's taxing authority for repayment.

Council Member Corrieri arrived at 6:27 p.m.

Moved by Goodman, seconded by Gartin, to adopt RESOLUTION NO. 15-691 approving the Preliminary Official Statement and electronic bidding for Electric Revenue Bonds, Series 2015B, in an amount not to exceed \$10,360,000 and setting the date of sale for December 8, 2015.

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

HEARING ON SALE OF 1109 ROOSEVELT AVENUE: Council Member Gartin stated that he would be abstaining from the vote on this issue due to a conflict of interest.

Housing Coordinator Vanessa Baker-Latimer recalled that the City Council had, on February 24, 2015, adopted a Resolution proposing the sale of the City-owned property located at 1109 Roosevelt to Habitat for Humanity of Central Iowa for \$25,000. This project is part of the City's 2014/15 Community Development Block Grant Neighborhood Sustainability Program. The proposed sale is scheduled to occur on or by November 13, 2015. Ms. Baker-Latimer noted that this was the ninth project that the City had partnered with Habitat for Humanity.

Mayor Campbell opened the public hearing. No one wished to speak, and the Mayor closed the hearing.

Moved by Betcher, seconded by Nelson, to adopt RESOLUTION NO. 15-692 approving the sale of City-owned property located at 1109 Roosevelt Avenue to Habitat for Humanity of Central Iowa, for affordable housing.

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

HEARING ON 2014-15 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER): The public hearing was opened by the Mayor and closed after there was no one requesting to speak.

Moved by Goodman, seconded by Corrieri, to adopt RESOLUTION NO. 15-693 approving the 2014-15 CAPER.

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

FLOOD PLAIN ORDINANCE AMENDMENT REGARDING ENVIRONMENTALLY SENSITIVE AREAS: Planning and Housing Director Kelly Diekmann recalled that the Council had included as part of the work plan of the Planning and Housing Department a task to address potential issues with improvements in the floodway. Mr. Diekmann prefaced the report by stating that staff had generated this item based on more recent comments and feedback related to intensification of developments that relied on the use of floodway or displacement of natural areas to support development of sites. He noted that some of the issues that were raised from the public and Council were about parking within a floodway, potential for increased runoff from development, and disturbance of riparian areas; however, this item was not meant to reconsider the issue of use of development in the floodway fringe or the development standard of requiring buildings to be protected to three feet above the 100-year base flood elevation.

Planner Kuester reviewed the purpose of the Flood Plain Ordinance that is contained in Chapter 9 of the *Municipal Code*. To meet those purposes, the City has adopted the standards required by the Iowa Department of Natural Resources as well as a few regulations unique to Ames, such as the standard that new development be protected to three feet above the water surface level of a 100-year flood event. Chapter 9 also describes what uses are allowed within the floodway and the floodway fringe and the process for receiving Flood Plain Development Permits. According to Mr. Kuester, Chapter 9 allows all types of development in the Floodway Fringe subject to compliance with the underlying zoning regulations and with the appropriate flood development standards. In the floodway, development is limited to open space uses, such as parking lots, golf courses, gardens, and sod farming. It was also noted that the City has a number of parking areas associated with parks that are in the floodway, such as some of the parking at Brookside Park. There are also a limited number of conditional uses that are allowed in the floodway, such as utilities, car lots, accessory structures for open space uses, boat marinas, and billboards.

It was also pointed out by Planner Kuester that the City had adopted a Zoning Ordinance (Chapter 29). That Ordinance includes specific base zones for allowed uses and development standards that govern

all aspects of the use of a property that is not controlled by Chapter 9. In addition to base zones, the City also at times applies Overlay Zones to address issues that are broader than one zoning district or affect a subset of properties within a base zoning district. The purpose of the Environmentally Sensitive Area Overlay (O-E Zone) was defined.

Mr. Kuester stated that the O-E Overlay Zone had never been mapped to specific properties within the City. The Ordinance allows such overlays to be mapped based on a scientific study that concludes that the area is “especially sensitive to adverse public impact from development due to unique environmental concerns.” The O-E does not contain specific regulatory requirements, such as use limitations. It requires the applicant to prepare an Environmental Assessment Report on how the development will address, obviate, or mitigate the environmental issues that led to the designation. The major regulatory tool within the O-E is the requirement for City Council approval of a Major Site Development Plan for any development within the Overlay District.

The Post-Construction Stormwater Management requirements contained in Chapter 5B were highlighted. Chapter 5B applies to development with 10,000 square feet of new impervious surfaces and ground disturbance activities exceeding one acre. Approval of a plan or a waiver from the standards is under the purview of the Municipal Engineer.

It was pointed out by Planner Kuester that some developments rely upon the use of the floodway to maximize the buildable area within the Floodway Fringe. Locating parking lots or stormwater detention ponds in the floodway are the two most common development activities that staff sees proposed in the floodway. According to Mr. Kuester, issues of that type could be addressed with text amendments to Flood Plain regulations.

Council Member Gartin asked if staff had contacted other communities that have been impacted by flooding to see what they are doing. Director Diekmann advised that staff had contacted other communities to see if there were similarities. Staff had held a workshop about a year ago on that subject.

Three options were presented to the Council members, as follows:

1. Prohibit Development Activities in the Floodway Under Chapter 9. Council would select this option if it believed that no disturbance of a floodway is warranted to support development in the Floodway Fringe.
2. Conditionally Permit Development Activities in the Floodway Under Chapter 9. The intent of requiring a Conditional Use Permit process would be Council’s belief that a case-by-case evaluation is necessary to ensure such improvements are consistent with the expectations of the ordinance or individual circumstances would make allowing the improvements permissible when they would not typically be acceptable.
3. Zone Properties Within the Floodway as Environmentally Sensitive Area Overlay (Chapter 29). The Council could direct staff to rezone all properties that include the floodway with the Environmentally Sensitive Overlay. The underlying base zoning district would not be changed with this option, but the additional requirements of the Overlay would apply. Such an Overlay zoning designation would require developers to describe how they will address, obviate, or

mitigate flood hazards through a Major Site Development Plan. The approval process would be a Major Site Development Plan that requires a recommendation from the Planning and Zoning Commission and a final decision by the City Council.

If the Council were to choose this option for mapping the O-E, staff would notify all properties within the floodway of a pending zoning change and the public hearings for adopting the new Zoning Map Overlay for the O-E. There are approximately 460 properties within the City, including government-owned lands (City, Iowa State University, State of Iowa), that intersect with the floodway.

The merits of Options 2 and 3 were discussed by the City Council. It was stated by Director Diekmann, at the inquiry of Council Member Orazem, that Option 3 was broader. It would involve rezoning of property to add the O-E Overlay. The Overlay would not necessarily restrict use of the entire property, especially in the Floodway Fringe, but would require a public hearing-based approval process. The strength of this approach is that the burden is on the applicant to demonstrate to the City Council that they have designed the project to address any negative impacts associated with the development.

Moved by Orazem, seconded by Goodman, to approve Option 3: Zone Properties within the Floodway as Environmentally Sensitive Area Overlay (Chapter 29).

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

MCFARLAND SUBDIVISION, PLAT 2: Planner Kuester advised that Ames Associates had received City Council approval in June 2015 for a two-lot subdivision that separated the McFarland Clinic at 3600 Lincoln Way from the remainder of the parcel. The remainder contains the West HyVee, the former Wallaby's site, and several smaller businesses in a small shopping center. Ames Associates is now requesting approval of a Final Plat for a Minor Subdivision of Lot 1 of the Plat to separate the former Wallaby's pad from the rest of the HyVee parcel. Sports Page, a small Iowa chain of restaurants, is seeking the redevelopment of the site for a new restaurant building.

According to Mr. Kuester, a Minor Subdivision process allows for filing of a Final Plat without the need of a Preliminary Plat. This is permitted when the subdivision does not require installation of public infrastructure, with certain exceptions for sidewalks and bicycle paths, and when there are fewer than three lots created by the Plat. Approval of a Minor Subdivision Final Plat requires a finding that the proposed subdivision meets all the design and improvement standards, City's ordinances, and adopted plans per the requirements of Chapter 23 Subdivision Code of the *Municipal Code*.

Mr. Kuester advised that the current property owner has granted remote parking rights to support the development of a restaurant on the proposed new lot. The City would normally require a Remote Parking Agreement approved by the City Council to allow the restaurant to use the extra spaces on either the HyVee or McFarland lot. However, as part of the platting of the first subdivision plat, Ames Associates created and recorded a Cross Access and Parking Agreement that provides for the shared use of all parking. After reviewing that Agreement, staff believes it serves the purposes of a Remote Parking Agreement even without having the City be a party to the Agreement; no additional Remote Parking Agreement is needed with this Subdivision request. In the proposed agreement, the rights of parking and access are by easement and can only be amended by mutual agreement. This means the

rights of parking and access are in place for perpetuity as an easement and the owners would risk losing their property rights if they agreed to reduce the remote parking allocation. Approval of the Final Plat requires that all public improvements are in place, with exceptions for sidewalk/bike facilities, or the subdivision must be denied and a preliminary plat prepared showing the required improvements. According to Planner Kuester, staff has determined that the subject property has all required infrastructure in place for utilities and streets. A shared use path exists along Lincoln Way. Along the Dotson Drive boundary of the proposed plat, there is a 30-foot driveway at the south boundary and a 35-foot driveway near the middle of the site. Dotson does not have complete sidewalks, but in staff's opinion, there was no practical means to construct a sidewalk across the driveways or to create curb returns due to the width of the lot matching the existing pavement of the driveways. No sidewalk improvements across the existing driveways are required along Dotson with the subdivision.

The Council was advised of a bike path issue. According to Planner Kuester, in regards to bike paths, the site conforms to the shared use path needs along Lincoln Way. Chapter 23 specifies that new subdivisions must provide infrastructure that matches the requirements of the Ames Bicycle Route Master Plan and, in general, must conform to the plans adopted by the City. Currently, there is no active Bicycle Route Master Plan that specifies additional bicycle path facilities for the subject site; however, the Ames Area Metropolitan Long-Range Transportation Plan 2040 went into effect on October 12, 2015, and includes a facility identified as OFF-5 as a planned off-street bicycle facility along the south property line of the HyVee lot in this subdivision. The OFF-5 project is meant to create a parallel bicycle facility to Lincoln Way from Beedle Drive to the Intermodal facility in Campustown. The project is shown as potentially traversing numerous properties, including the subject HyVee site. The Long-Range Transportation Plan labels it as a "short-term implementation time."

It was noted by Planner Kuester that staff reviewed the area to consider placement of a facility. There is a high degree of uncertainty about the exact configuration of the path along the south property line and how opportunities may exist with apartment property to the south. The one key piece of the bicycle path that would be the most desirable in association with the HyVee lot would be a 150-foot-long easement through the existing south driveway to bypass a single-family home located at 2302 Dotson. This would allow for the path to then connect to the apartment complex south of the HyVee lot for the remainder of its extension to the east; however, that has not been designed or coordinated with the property owner as it was not a mandatory condition for Final Plat approval.

Vicki Feilmeyer, Nyemaster Goode Law Firm, 1416 South Duff Avenue, Suite 201, stated that she was representing Ames Associates. Ms. Feilmeyer showed the Council the Final Plat for McFarland Subdivision that was approved by the Council on June 23, 2015. She also showed the proposed Plat for a new subdivision to be called McFarland Subdivision, Plat 2. At this time, according to Ms. Feilmeyer, it would not be an easy task to get an easement from HyVee. She said she just learned about the bike path easement issue last Wednesday. Ms. Feilmeyer asked the Council to approve the Manager's recommended action and approve the Minor Final Plat at this meeting.

Council Member Goodman cautioned that the Council is going to have to be more aggressive with property owners in the future to facilitate the infrastructure needed to install shared use paths and allow connectivity.

Moved by Orazem, seconded by Gartin, to adopt RESOLUTION NO. 15-694 approving Option 1: to approve the Minor Final Plat for McFarland Subdivision, Plat 2.

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

2015 URBAN RENEWAL REPORT, CERTIFICATION OF TIF DEBT FOR CAMPUSTOWN AND ISU RESEARCH PARK, AND ANNUAL APPROPRIATE OF KINGLAND TIF REBATE: Finance Director Pitcher explained that the Urban Renewal Report includes uploading documents related to the Urban Renewal Districts, such as the plan document and City Council action establishing the District, as well as financial information on TIF funds related to those Districts. The Report includes financial information for the South Duff TIF District, which is the only active TIF for the City. Documents for the ISU Research Park and the Kingland TIF Districts have also been uploaded to the Department of Management Web site and will be available for public viewing.

Moved by Betcher, seconded by Nelson, to adopt RESOLUTION NO. 15-695 approving the 2015 Urban Renewal Report, certification of TIF Debt for Campustown and ISU Research Park, and annual appropriation of Kingland TIF Rebate.

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

ORDINANCE REZONING, WITH MASTER PLAN, PROPERTY AT 601 AND 705 DOTSON DRIVE: Moved by Nelson, seconded by Betcher, to pass on second reading an ordinance rezoning, with Master Plan, of property at 601 and 705 Dotson Drive from Government-Airport (S-GA) to Floating Suburban Residential Low Density (FS-RL).

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

ORDINANCE REZONING PROPERTY AT 125 AND 130 WILDER AVENUE: Moved by Corrieri, seconded by Gartin, to pass on third reading and adopt ORDINANCE NO. 4233 rezoning property at 125 and 130 Wilder Avenue from Convenience Commercial Node (CVCN) to Planned Residential District (F-PRD).

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 Betcher, seconded by Corrieri, to direct staff to place on a future agenda the Heartland Senior Services letter dated November 2, 2015, asking the City to consider selling the land and building at 205 South Walnut and giving the proceeds to Heartland Senior Services.

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

Moved by Betcher, seconded by Corrieri, to direct staff to place on the next City Council Agenda the issue contained in the memo from the Planning and Housing Department, i.e., the house at 1205 Dayton Avenue being built in the floodway.

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

Moved by Betcher, seconded by Corrieri, to direct staff to place on a future agenda the letter from RES Development, Inc., dated November 6, 2015, pertaining to the redevelopment of 118 and 120 Hayward Avenue.

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

Moved by Gartin, seconded by Corrieri, to refer to staff for a report the letter from Brent Haverkamp dated November 6, 2015, pertaining to Workforce Housing Tax Credits for developers on projects that meet certain criteria pertaining to tax credits.

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

Moved by Corrieri, seconded by Goodman, to refer to staff the email from HIRTA dated November 5, 2015, requesting funding for June 2015 in the amount of \$3,156.63.

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

ADJOURNMENT: Moved by Betcher to adjourn the meeting at 7:42 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

NOVEMBER 17, 2015

The Ames City Council met in special session at 6:07 p.m. on the 17th day of November 2015, in the South Ballroom at the Iowa State University Memorial Union. Attending from the Ames City Council were Mayor Ann Campbell and Council Members Gloria Betcher, Tim Gartin, Amber Corrieri, Matthew Goodman, Chris Nelson, Peter Orazem, and *Ex officio* Member Sam Schulte.

Representing the Kauffman Foundation were Policy Director Jason Wiens and Program Officer Evan Absher; Clifford Smith, GlobalVetLink; Allen Bierbaum, Priority 5; Kevin Kimle, Iowa State University; Judi Eyles, Pappajohn Center for Entrepreneurship; and Mike Crum, ISU Economic Development and Industry Relations.

Mike Crum introduced the workshop and expressed the importance of entrepreneurship to the University.

Jason Wiens and Evan Absher of the Kauffman Foundation gave a presentation on 'Fostering Entrepreneurship at the Local Level'. They discussed the importance of helping entrepreneurs by welcoming immigrants, connecting and championing, streamlining business permitting and licensing, and reconsidering use of tax incentives.

The workshop recessed at 7:18 p.m. and reconvened at 7:32 p.m.

Judi Eyles gave a brief overview of the past twenty years of entrepreneurship in Ames and the resources available in the community.

Clifford Smith, Allen Bierbaum, and Kevin Kimle each described their background and challenges in entrepreneurship during the panel discussion. The key things needed to succeed as an entrepreneur in Ames were said to be mentoring, connections, and an attractive town in order to keep employees and customers interested.

ADJOURNMENT: The meeting adjourned at 8:40 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

Heidi Petersen, Recording Secretary

MINUTES OF THE AMES CIVIL SERVICE COMMISSION

AMES, IOWA

NOVEMBER 19, 2015

The Ames Civil Service Commission convened in regular session at 8:15 a.m. on November 19, 2015, in the Council Chambers of City Hall, 515 Clark Avenue. Because it was impractical for the Commission members to be present in person, Commission Members Crum, Pike, and Ricketts were brought into the meeting telephonically. Human Resources Director Kaila Kenjar and Human Resources Analyst Monica Harford attended the meeting.

APPROVAL OF MINUTES: Moved by Pike, seconded by Ricketts, to approve the minutes of the October 22, 2015, Civil Service Commission meeting as written.

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

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

Animal Control Clerk:	Abigail Weimann	92
	Cheryl Spencer	86
Lead Lane Worker:	Christopher Lumley	77

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

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

Electric Line Foreman:	Michael Ylonen	86
	Dennis Gamble	82

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

REQUEST TO ABOLISH PLANNER CERTIFIED LIST: Moved by Crum, seconded by Ricketts, to grant the request to abolish the Planner entry-level certified list.

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

COMMENTS: The next regularly scheduled Civil Service Commission meeting was set for December 17, 2015, at 8:15 a.m.

ADJOURNMENT: The meeting adjourned at 8:19 a.m.

Michael R. Crum, Chair

Jill Ripperger, Recording Secretary



REPORT OF CONTRACT CHANGE ORDERS

Period:	<input checked="" type="checkbox"/>	1 st – 15 th
	<input type="checkbox"/>	16 th – End of Month
Month & Year:	November 2015	
For City Council Date:	November 24, 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)
Electric Services	Power Plant Fuel Conversion - Bid No. 2 Turbine Steam Seal System for Unit 8	1	\$186,320.00	General Electric International, Inc.	\$0.00	\$24,536.00	D. Kom	CB
Electric Services	Geotechnical Engineering Consulting Services - Lime and Ash Ponds	1	\$62,800.00	Wenck Associates, Inc	\$0.00	\$3,500.00	B. Trower	CB
Electric Services	GT1 Combustion Turbine - Generator Preaction Sprinkler System, Carbon Dioxide System and Fire Alarm Upgrade	1	\$145,200.00	Associated Fire Protection	\$0.00	\$4,190.00	D. Kom	CB
			\$		\$	\$		
			\$		\$	\$		

*Caring People
Quality Programs
Exceptional Service*

TO: Mayor Ann Campbell and Ames City Council Members

FROM: Lieutenant Jeff Brinkley – Ames Police Department

DATE: October 21, 2015

SUBJECT: Beer Permits & Liquor License Renewal Reference City Council Agenda
November 24, 2015

The Council agenda for November 24, 2015, includes beer permits and liquor license renewals for:

- Class C Liquor & Outdoor Service – Outlaws, 2522 Chamberlain St
- Class B Native Wine – Chocolaterie Stam, 230 Main St
- Class C Beer – Swift Stop #8, 705 24th St
- Class C Liquor & Outdoor Service – Aunt Maude’s, 543-547 Main St
- Class C Liquor & Outdoor Service – The Café, 2616 Northridge Pkwy

A routine check of police records for the past twelve months found no violations for Chocolaterie Stam, Swift Stop #8, or Aunt Maude’s. The police department would recommend renewal of this license.

Violations

- One patron at Outlaws was cited for on premises and possession underage during the past year.
- An employee at The Café was cited for selling alcohol to minors during a police compliance check in early 2015.

We are continuing to monitor compliance and would recommend renewal at this time for these licenses.

Applicant License Application ()

Name of Applicant: <u>LJPS Inc.</u>		
Name of Business (DBA): <u>Olde Main Brewing Company</u>		
Address of Premises: <u>420 Beach Ave</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>
Business <u>(515) 232-0553</u>		
Mailing <u>PO Box 1928</u>		
City <u>Ames</u>	State <u>IA</u>	Zip: <u>50010</u>

Contact Person

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

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

Term:5 days

Effective Date: 12/07/2015

Expiration Date: 01/01/1900

Privileges:

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

Status of Business

BusinessType: <u>Privately Held Corporation</u>
Corporate ID Number: <u>286196</u> Federal Employer ID <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

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

Applicant License Application (LC0039389)

Name of Applicant: <u>Tumbling Dice, Inc.</u>		
Name of Business (DBA): <u>Bar</u>		
Address of Premises: <u>823 Wheeler Street</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>
Business <u>(515) 233-5907</u>		
Mailing <u>1113 Murray Drive</u>		
City <u>Ames</u>	State <u>IA</u>	Zip: <u>50010</u>

Contact Person

Name Daniel Sondrol
Phone: (515) 233-5907 Email csondrol1@gmail.com

Classification Class C Liquor License (LC) (Commercial)
Term: 12 months
Effective Date: 08/01/2015
Expiration Date: 07/31/2016
Privileges:
Class C Liquor License (LC) (Commercial)
Sunday Sales
Status of Business

BusinessType: <u>Privately Held Corporation</u>
Corporate ID Number: <u>221036</u> Federal Employer ID <u>42-1479449</u>

Ownership
Daniel Sondrol

First Name: Daniel **Last Name:** Sondrol
City: Ames **State:** Iowa **Zip:** 50010
Position: President
% of Ownership: 50.00% **U.S. Citizen:** **Yes**

Cheryl Sondrol

First Name: Cheryl **Last Name:** Sondrol
City: Ames **State:** Iowa **Zip:** 50010
Position: Vice President
% of Ownership: 50.00% **U.S. Citizen:** **Yes**

Insurance Company Information

Insurance Company: <u>Illinois Casualty Co</u>

Policy Effective Date: 08/01/2015

Policy Expiration 07/31/2016

Bond Effective

Dram Cancel Date:

Outdoor Service Effective

Outdoor Service Expiration

Temp Transfer Effective

Temp Transfer Expiration Date:

Applicant License Application ()

Name of Applicant: <u>W&Z Mongolian Buffet INC.</u>		
Name of Business (DBA): <u>Mongolian Buffet</u>		
Address of Premises: <u>1620 s. kellogg ave suite 103</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>
Business <u>(515) 232-2338</u>		
Mailing <u>1620 s. kellogg ave suite 103</u>		
City <u>Ames</u>	State <u>IA</u>	Zip: <u>50010</u>

Contact Person

Name <u>yuxian zheng</u>
Phone: <u>(515) 232-2338</u> Email <u>346971590@qq.com</u>

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

Term:12 months

Effective Date: 11/10/2015

Expiration Date: 01/01/1900

Privileges:

Class B Beer (BB) (Includes Wine Coolers)

Sunday Sales

Status of Business

BusinessType: <u>Privately Held Corporation</u>
Corporate ID Number: <u>509579</u> Federal Employer ID <u>47-5345443</u>

Ownership

yuxian wang

First Name: yuxian **Last Name:** wang
City: Ames **State:** Iowa **Zip:** 50014
Position: owner
% of Ownership: 50.00% **U.S. Citizen:** No

wenyi zheng

First Name: wenyi **Last Name:** zheng
City: **State:** Iowa **Zip:** 50325
Position: owner
% of Ownership: 50.00% **U.S. Citizen:** No

Insurance Company Information

Insurance Company: <u>Allied Insurance</u>

Policy Effective Date: 11/10/2015

Policy Expiration 11/10/2016

Bond Effective

Dram Cancel Date:

Outdoor Service Effective

Outdoor Service Expiration

Temp Transfer Effective

Temp Transfer Expiration Date:

Name of Applicant: <u>IGO Legacy Hotel Group LLC</u>		
Name of Business (DBA): <u>Country Inn & Suites Ames</u>		
Address of Premises: <u>2605 SE 16th Street</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>
Business <u>(218) 729-9445</u>		
Mailing <u>4257 Haines Rd</u>		
City <u>Hermantown</u>	State <u>MN</u>	Zip: <u>55811</u>

Contact Person

Name <u>Cheryl Goldberg</u>
Phone: <u>(218) 729-9445</u> Email <u>sraye@legacyhotelgroup.com</u>

Classification Class B Liquor License (LB) (Hotel/Motel)

Term: 12 months

Effective Date: 11/30/2015

Expiration Date: 01/01/1900

Privileges:

- Class B Liquor License (LB) (Hotel/Motel)
- Living Quarters
- Outdoor Service
- Sunday Sales

Status of Business

BusinessType: <u>Limited Liability Company</u>
Corporate ID Number: <u>508346</u> Federal Employer ID <u>41-1879474</u>

Ownership

Mike Ives

First Name: Mike **Last Name:** Ives
City: Grand Rapids **State:** Minnesota **Zip:** 55744
Position: Owner
% of Ownership: 33.33% **U.S. Citizen:** Yes

Cheryl Goldberg

First Name: Cheryl **Last Name:** Goldberg
City: Duluth **State:** Minnesota **Zip:** 55811
Position: Partner
% of Ownership: 26.67% **U.S. Citizen:** Yes

Dave Goldberg

First Name: Dave **Last Name:** Goldberg

City: Duluth **State:** Minnesota **Zip:** 55811
Position: Partner
% of Ownership: 6.67% **U.S. Citizen:** **Yes**
Willard Ogren
First Name: Willard **Last Name:** Ogren
City: Iron River **State:** Wisconsin **Zip:** 54847
Position: Partner
% of Ownership: 33.33% **U.S. Citizen:** **Yes**

Insurance Company Information

Insurance Company: <u>Scottsdale Insurance Company</u>	
Policy Effective Date: <u>11/30/2015</u>	Policy Expiration <u>11/30/2016</u>
Bond Effective	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective	Temp Transfer Expiration Date:

STATE OF IOWA
ABSTRACT OF VOTES

Story County, Iowa

We, the undersigned Members of the Board of Supervisors and ex-officio County Board of Canvassers for this County, do hereby certify the following to be a true and correct abstract of the votes cast in this County at the 2015 Ames City Election held on the 3rd day of November, 2015, as shown by the tally lists returned from the several election precincts.

Council Member At Large, City of Ames (2015)

Story

Bronwyn Beatty-Hansen	Received two thousand five hundred twenty-one (2521) votes
Matt Converse	Received two thousand two hundred eleven (2211) votes
Candidate Total	Four thousand seven hundred thirty-two (4732) votes
SCATTERING	Eight (8) votes
TOTAL	Four thousand seven hundred forty (4740) votes

We therefore declare:

Bronwyn Beatty-Hansen duly elected for the office of Council Member At Large, City of Ames (2015) for the term of 4 years.

Council Member Ward 2, City of Ames (2015)

Story

Timothy L. Gartin	Received one thousand four hundred thirty-eight (1438) votes
Candidate Total	One thousand four hundred thirty-eight (1438) votes
SCATTERING	Forty-seven (47) votes
TOTAL	One thousand four hundred eighty-five (1485) votes

We therefore declare:

Timothy L. Gartin duly elected for the office of Council Member Ward 2, City of Ames (2015) for the term of 4 years.

Council Member Ward 4, City of Ames (2015)

Story

Daniel Lloyd DeGeest	Received three hundred eighty-five (385) votes
Chris Nelson	Received five hundred sixty-three (563) votes
Candidate Total	Nine hundred forty-eight (948) votes
SCATTERING	One (1) votes
TOTAL	Nine hundred forty-nine (949) votes

We therefore declare:

Chris Nelson duly elected for the office of Council Member Ward 4, City of Ames (2015) for the term of 4 years.

Hospital Trustee, City of Ames (2015)

Story

Sarah Buck	Received three thousand five hundred sixty-two (3562) votes
Brad Heemstra	Received three thousand two hundred fifty-one (3251) votes
Kenneth D. McCuskey	Received three thousand eighty-one (3081) votes
Candidate Total	Nine thousand eight hundred ninety-four (9894) votes
SCATTERING	One hundred fifteen (115) votes
TOTAL	Ten thousand nine (10009) votes

We therefore declare:

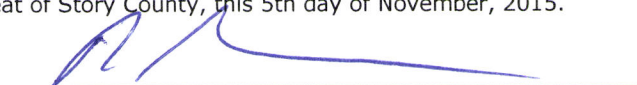
Sarah Buck duly elected for the office of Hospital Trustee, City of Ames (2015) for the term of 4 years.
Brad Heemstra duly elected for the office of Hospital Trustee, City of Ames (2015) for the term of 4 years.
Kenneth D. McCuskey duly elected for the office of Hospital Trustee, City of Ames (2015) for the term of 4 years.

STATE OF IOWA
ABSTRACT OF VOTES

Story County, Iowa

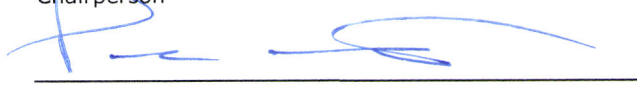
IN TESTIMONY WHEREOF, we have hereunto set our hands and caused to be affixed the seal of this county by the Clerk of the Board of Supervisors.

Done at Nevada the county seat of Story County, this 5th day of November, 2015.



Chairperson

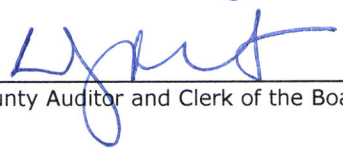
(Seal)



Wayne E. Cleator

Members of the Board
of Supervisors and
ex-officio County
Board of Canvassers

Attest:



County Auditor and Clerk of the Board of Supervisors

COUNCIL ACTION FORM

SUBJECT: CENTURYLINK 36-MONTH INTERNET SERVICE AGREEMENT

BACKGROUND:

The City currently contracts with CenturyLink to provide Internet service at a 70 Mbps data transfer rate at a cost of \$2,261 per month or \$27,132 per year. This service is used at 17 locations throughout the City network. Due to increasing Internet utilization to provide City services and a reliance on the Internet for communications and information transfer to conduct City business, it is necessary to increase the City's data transfer rate. CenturyLink has quoted the monthly rate for a 1 Gbps (1,000 Mbps) Internet service as follows:

36-month contract at \$2,500 per month or \$30,000 per year

By entering into this 36-month agreement, the City will increase the data transfer rate from 70 Mbps to 1 Gbps (1,000 Mbps) for an additional \$2,868 per year.

Because the 36-month contract option covers more than one year, City Council approval is required. The CenturyLink agreement contains a "non-appropriation" clause, giving the City the option to unilaterally cancel the contract if funds are not appropriated by City Council in future years.

ALTERNATIVES:

1. Approve an agreement between the City of Ames and CenturyLink to provide 1 Gbps data transfer rate Internet service for a 36-month contract at \$2,500 per month or \$30,000 per year.
2. Continue under the current agreement that provides internet speeds at 70 Mbps data transfer rate.

MANAGER'S RECOMMENDED ACTION:

By approving an agreement with CenturyLink to provide Internet service for the City, we will receive high-speed, dedicated service that will meet our current and future Internet bandwidth requirements.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving an agreement between the City of Ames and CenturyLink to provide 1 Gbps data transfer rate Internet service for a 36-month contract at \$2,500 per month or \$30,000 per year.

Staff Report

ARBOR ON THE GREEN POND

May 12, 2015

BACKGROUND:

At the January 13, 2015 City Council meeting, City Council referred to staff a letter from Patrick Brooks, Arbor on the Green Home Owner's Association (HOA) President. The letter requests that the City take over management of the pond via easement instead of the pond being managed by the HOA. The original letter is Attachment A.

The area received a Neighborhood Improvement Grant from the City in 1997 to improve the pond to make the area "a quiet area of green space with a healthy environment for fish, ducks, animals and birds. It will once again be a visually attractive space in the neighborhood and an extended visual green space for Moore Memorial Park. All residents, adults, and children, including nearby university students and their families, will have an opportunity to stop, swing, look and dream." This declaration from the grant application, coupled with the utilization of city funds, made this a "public" space.

Currently, the City maintains control of the storm water system upstream and downstream of this existing pond and has made significant investments in recent years in those areas. The pond at Moore Memorial Park (upstream) was recently improved with a new outlet structure and additional storage, including a forebay to reduce the amount of solids and nutrients that pass through the pond. This was accomplished with the 2012/13 Flood Response and Mitigation Project and the 2009/10 Storm Water Facility Rehabilitation Project at a total cost of \$769,059. Currently, the creek bank along the rear of the properties on Pinehurst Drive (downstream) is under construction to stop erosion in the area through the 2012/13 Storm Sewer Outlet Erosion Control Project with estimated costs of \$91,000. The overall area showing the pond and the respective adjacent projects is also shown in Attachment B.

STAFF COMMENTS:

Under current requirements, a subdivision would have to meet all the requirements outlined in the new Post Construction Stormwater Management Ordinance that includes, but is not limited to; drainage calculations for the area, watershed mapping, natural resource survey, soil management plan, maintenance, repair and landscaping plan and dedication of easements. **Additionally, property owners of residential, commercial, and industrial properties are responsible for short and long-term maintenance of all water quality practices. The City of Ames accepts long-term responsibility (e.g. dredging, outlet structure replacement) for large water quantity (flood) control practices (e.g. detention basins) as part of residential developments.** A recorded easement is required to be provided to the City of Ames to cover the entirety of and

access to the large water quantity control practices. **The property owners have short-term maintenance responsibility (e.g. mowing, weed control, removal of volunteer trees) of the water quantity (flood) control practices as part of residential developments.**

The existing pond was not developed as a required storm water management feature with the subdivision. The 1993 site plan for development of townhouses to the north shows the pond as existing and the final plat places the pond in "Outlot A". These are shown in Attachment C.

There are no existing storm sewer connections directly into the pond other than the pass through flow from Moore Memorial Park, which is considered "public" water.

OPTIONS

Taking into consideration the above information, the City Council could consider the following options:

Option 1

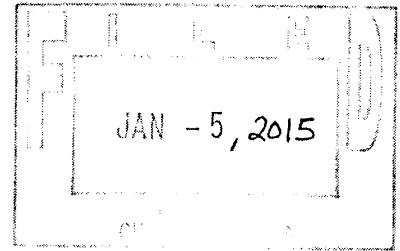
Direct staff to work with Legal to draft an easement giving the City the long-term maintenance responsibilities of the existing pond. By doing so the City would be responsible for the dredging, or deepening of the pond should it become necessary while the HOA would retain the responsibilities of short-term care such as, but not limited to, mowing and general maintenance of the area and it's amenities.

Option 2

Do nothing and leave the existing pond under the direction of the HOA.

It should be noted, that regardless of the above options, the current condition of the pond in regards to the extent of siltation is not known. Should Option 1 be chosen, the City would be responsible for sediment removal and the project would need to be prioritized within the Capital Improvements Plan.

ARBOR ON THE GREEN
HOME OWNERS ASSOCIATION
AMES, IOWA
January 04, 2015



TO: Mayor Ann Campbell and Council Persons:

RE: Drainage Pond Easement

Dear Mayor and Council Person:

Arbor On The Green recently received a letter from the City of Ames about needed inspections, and related matters, concerning storm water management practices related to the pond owned by the Association. This letter brought to our attention the fact that the pond, located on Association common property, represents the only part of the recently improved drainage system over which Ames does not either own fee simple title nor have an easement for public purposes. The Arbor On The Green Home Owners Association believes it to be in the best interests of the City of Ames to have an easement over this part of the water drainage system instead of having it continue to be owned solely by the Home Owners Association. In this regard consider the following:

1. The Home Owners Association is not asking for any monetary compensation for this easement, but only that the City Legal Department handle preparation of the required papers.
2. This easement would allow the City of Ames management of the entire length of this storm water drainage system without permission from others.
3. With the development of additional real estate in the northwest part of town additional water will likely be directed through this drainage system of channels and ponds and become more important to Ames in terms of management of this system.
4. Arbor On The Green residents have confidence that the needed management of this drainage system by the City of Ames will be to the benefit of all Ames residents.
5. The owners/residents of Arbor On The Green do not have the needed expertise to make management decisions concerning required maintenance and needed changes.

We are asking that this matter be referred to the Ames Public Works Department for study before accepting an easement from Arbor On The Green Home Owners Association. Please let us know when this matter will be included on an Agenda for public discussion.

Thank you for consideration of this matter.

Arbor On The Green Home Owners Association,

By: 

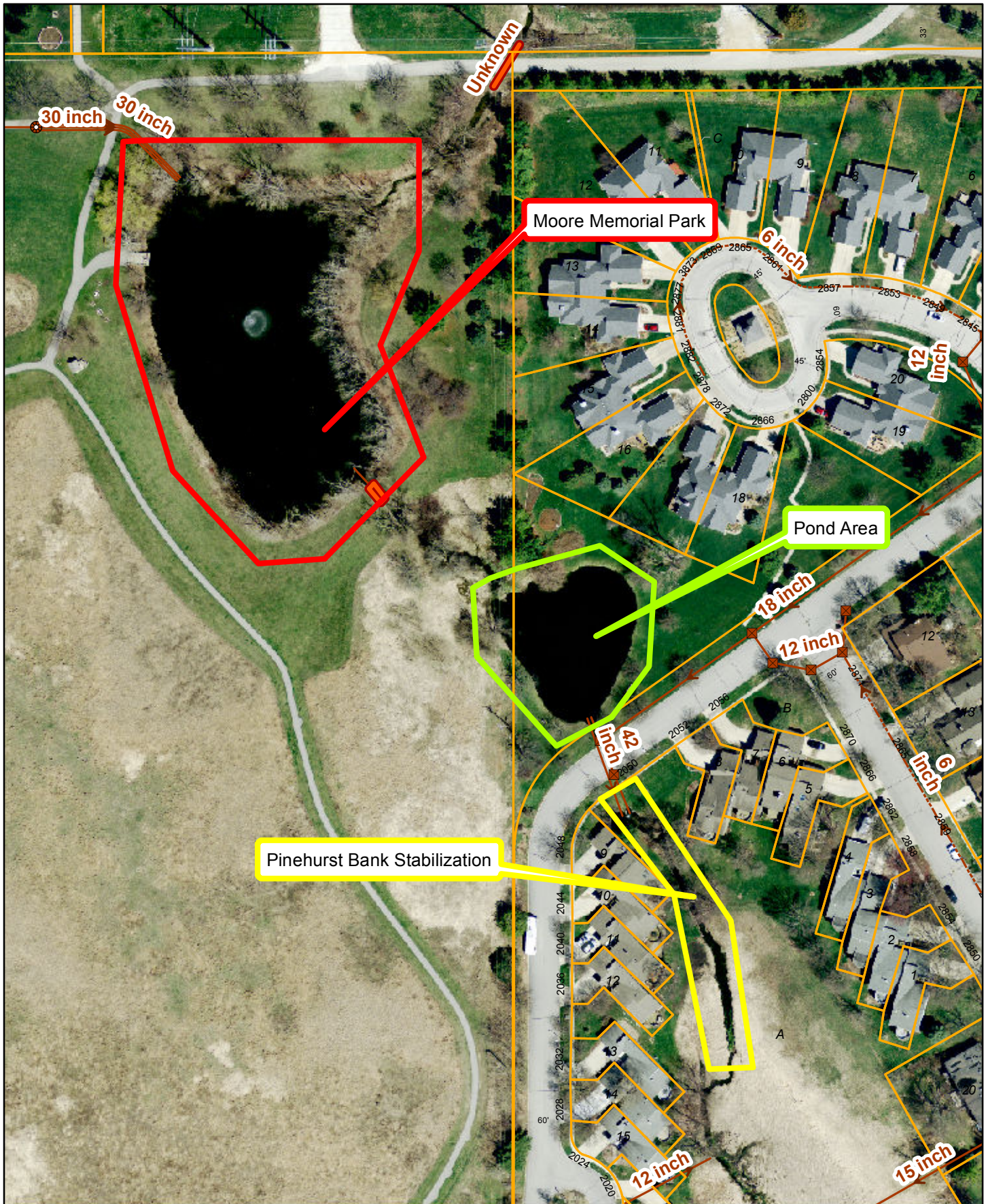
Patrick W. Brooks, President

2881 Greensboro Circle

Ames, Iowa 50010

641-485-6413

brooker50158@outlook.com



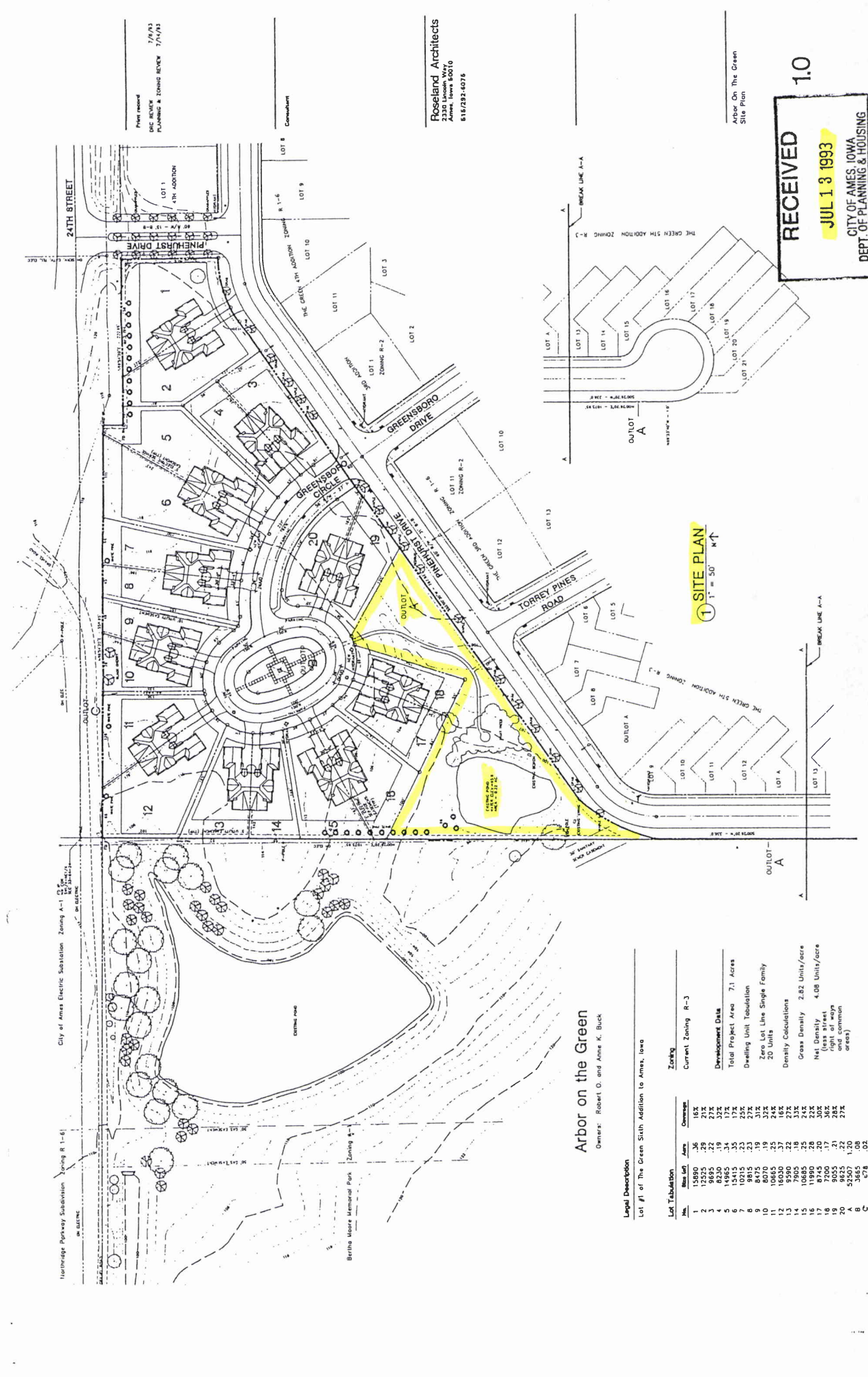
Geographic Information System (GIS) Product Disclaimer: City of Ames GIS map data does not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership & land use nor does it replace field surveys of utilities or other features contained in the data. All features represented 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, merchantability and fitness for or the appropriateness for use rests solely on the User.



Arbor on the Green
 Pond and Adjacent Projects
 Attachment B



Scale: 1 in = 125 ft
 Date: 5/4/2015



Price received
 7/2/93
 7/2/93
 7/2/93

Consultant

Roseland Architects
 Ames, Iowa 50010
 516/232-6076

Arbor On The Green
 Site Plan

RECEIVED
JUL 13 1993
 CITY OF AMES, IOWA
 DEPT. OF PLANNING & HOUSING

1.0

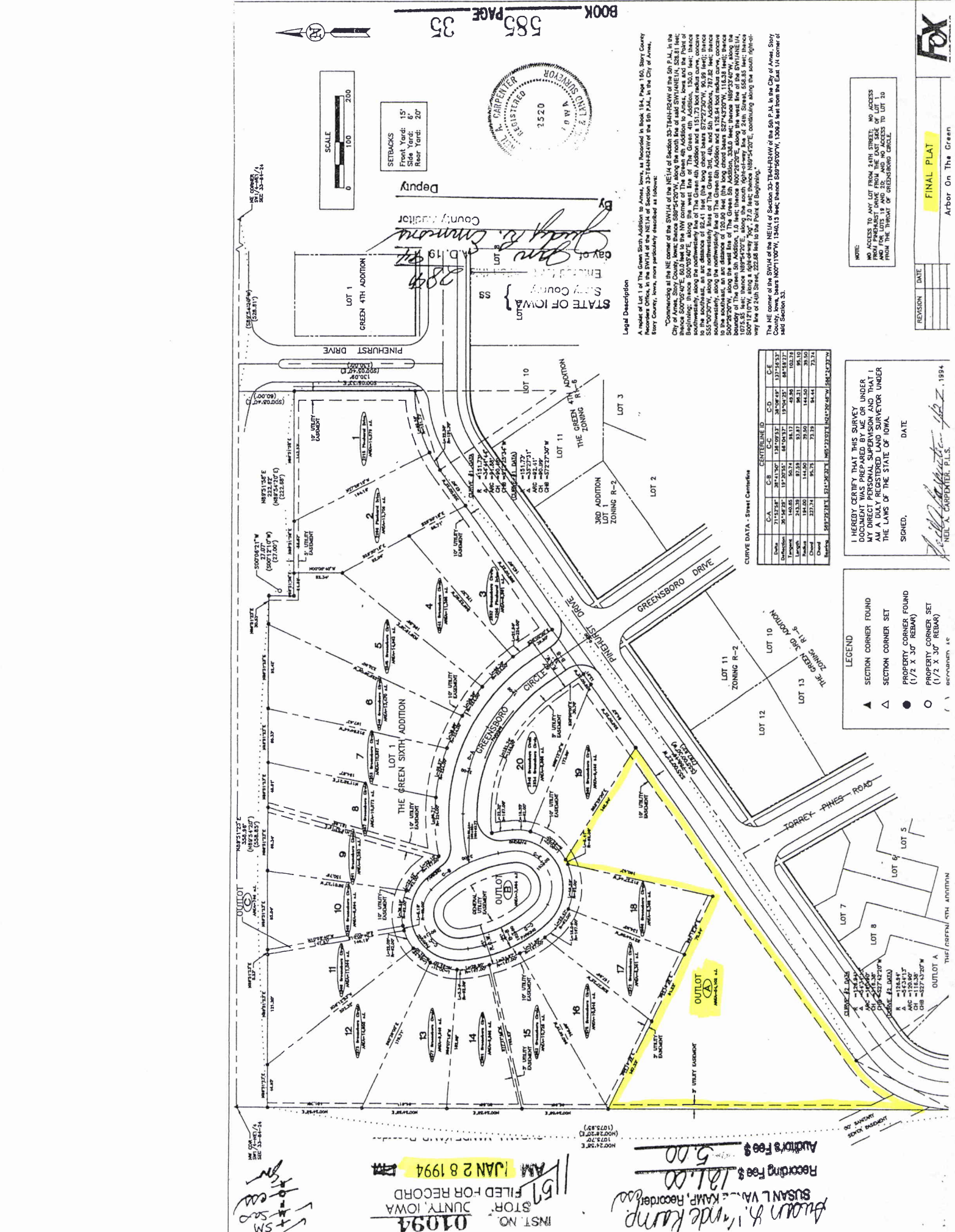
① SITE PLAN
 1" = 50' N.T.

Arbor on the Green
 Owners: Robert O. and Anne K. Buck

Legal Description
 Lot #1 of The Green Sixth Addition to Ames, Iowa

Lot Tabulation		Zoning	
Lot	Area	Current Zoning	R-3
1	12525 .26	27%	
2	9685 .22	27%	
3	8530 .19	32%	
4	8530 .19	32%	
5	15415 .35	17%	
6	10215 .23	25%	
7	10215 .23	25%	
8	8725 .19	31%	
9	8725 .19	31%	
10	8070 .19	32%	
11	10665 .35	24%	
12	7905 .18	32%	
13	9590 .22	27%	
14	7905 .18	32%	
15	11990 .28	22%	
16	11990 .28	22%	
17	8745 .20	30%	
18	9055 .21	28%	
19	9055 .21	28%	
20	9825 .22	27%	
A	52507 1.20		
C	3278 .02		

Development Data	
Total Project Area	7.1 Acres
Dwelling Unit Tabulation	20 Units
Zero Lot Line Single Family	20 Units
Density Calculations	2.82 Units/acre
Gross Density	4.08 Units/acre
Net Density (including right of ways and common areas)	4.08 Units/acre



SETBACKS
Front Yard: 15'
Side Yard: 6'
Rear Yard: 20'



Legal Description

A reader of Lot 1 of The Green Sixth Addition to Ames, Iowa, as Recorded in Book 194, Page 160, Story County Register, is advised that the SW1/4 of the NE1/4 of the SW1/4 of Section 23, T84N-R24W of the 5th P.M. in the City of Ames, Iowa, more particularly described as follows:

Commencing at the NE corner of the SW1/4 of the NE1/4 of Section 23, T84N-R24W of the 5th P.M. in the City of Ames, Iowa, Iowa, more particularly described as follows: The NW corner of The Green 4th Addition to Ames, Iowa, and the Point of Beginning, along the west line of The Green 4th Addition, 130.0 feet; thence southeasterly along the northerly line of The Green 4th Addition, 90.98 feet; thence to the southeast, an arc distance of 82.41 feet (the long chord bears S72°27'30\"

CURVE DATA - Street Centerlines

Station	C-A	C-B	C-C	C-D	C-E
Station	511.4237	511.4237	511.4237	511.4237	511.4237
Delta	140.05	90.74	140.05	140.05	140.05
Chord	140.05	90.74	140.05	140.05	140.05
Length	140.05	90.74	140.05	140.05	140.05
Chord	140.05	90.74	140.05	140.05	140.05
Station	511.4237	511.4237	511.4237	511.4237	511.4237

I HEREBY CERTIFY THAT THIS SURVEY DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

SIGNED: _____ DATE: _____

Neil A. Carpenter
NEIL A. CARPENTER, P.L.S., 1994

- LEGEND
- ▲ SECTION CORNER FOUND
 - △ SECTION CORNER SET
 - PROPERTY CORNER FOUND (1/2 X 3/8\"
 - PROPERTY CORNER SET (1/2 X 3/8\"
 - () UNKNOWN

FILED FOR RECORD
AM JAN 28 1994
STORY COUNTY, IOWA
INST. NO. 01094
SUSAN L. VALE, RAMP, Recorder
Recording Fee \$ 121.00
Auditor's Fee \$ 5.00

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

Prepared by: Jessica D. Spoden, City of Ames Legal Department, 515 Clark Avenue, Ames, IA 50010; Ph.: 515-239-5146
Return recorded document to: Ames City Clerk, City of Ames, 515 Clark Avenue, Ames, IA 50010

**EASEMENT AGREEMENT
ARBOR ON THE GREEN POND MAINTENANCE**

THIS EASEMENT AGREEMENT (hereinafter "Agreement") is made as of 17th day of Nov., 2015 between ARBOR ON THE GREEN HOMEOWNERS ASSOCIATION, INC., their successors and assigns, (hereinafter "Grantor") and the City of Ames, a municipal corporation (hereinafter "Grantee").

- A. Grantor, as part of a homeowners association, is the owner in common of certain real property locally known as Arbor on the Green Pond (hereinafter "Property"), and more particularly described as:

Arbor on the Green Pond, contained within Outlot A, Arbor on the Green Pond Subdivision, Ames, Story County, Iowa

as shown on Exhibit A attached hereto and incorporated herein.

- B. Grantor desires to grant certain easement rights to and upon the Property in connection with the transfer of certain long-term maintenance responsibilities.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor and Grantee agree as follows:

1. Circumstance & Purpose. Grantor owns the Property in common as part of a homeowners association; however, the Property has historically been utilized as a public space benefitting all citizens. Grantor desires to transfer the long-term maintenance responsibilities related to the Property to the Grantee.

2. Grant. Subject to the restrictions set forth in this Agreement, Grantor hereby grants to Grantee a nonexclusive perpetual easement over, under, along, across and through a portion of the Property legally described as

Outlot A, Arbor on the Green Pond Subdivision, Ames, Story County, Iowa

as shown on Exhibit A attached hereto and incorporated herein (the "Easement Area").

3. Maintenance of Easement Area. Grantee shall be responsible for all required long-term maintenance of the Easement Area including, but not limited to, the dredging or deepening of the pond as necessary. Grantor shall be responsible for short-term care including, but not limited to, mowing and general maintenance of the area and amenities. Both Grantee and Grantor agree that they shall comply with all rules, laws, ordinances and requirements regarding its maintenance and use of the Easement Area and shall obtain any and all required permits and licenses at their sole cost and expense.
4. Indemnification. Grantee shall assume liability for all damage to the real estate described herein to the extent that such damage is caused by failure of the Grantee to use due care in the exercise of the rights granted by this easement. It is agreed that Grantee shall repair and/ or replace all grass, trees, shrubs, and landscaping damaged while exercising rights under this easement. It is further understood that Grantor shall be responsible for mowing, care of trees and shrubs, as well as seeding when not required as a result of Grantee exercising rights under this Agreement.
5. Grantor's Use of Easement Area. Grantor may not erect on the Easement Area any building or other improvement that would interfere with the Grantee's easement rights hereunder without the prior written consent of Grantee. Grantor reserves the right to conduct activities on the premises which do not interfere with the rights under this Agreement.
6. Aerator. Upon the recording of this Agreement, Grantor shall deliver the aerator used for the Property to Grantee. Upon delivery, Grantee shall become the owner and be responsible for future installation and removal. The electrical box serving the aerator has recently been rebuilt and also becomes the property of Grantee.

DATED this 17th day of Nov., 2015.

ARBOR ON THE GREEN HOMEOWNERS ASSOCIATION, INC.

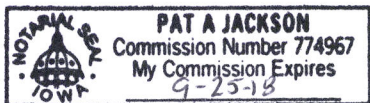
By Patrick W. Brooks
Patrick W. Brooks, President

By Anita Nimitz
Anita Nimitz, Secretary

STATE OF IOWA, COUNTY OF STORY, ss:

This instrument was acknowledged before me on Nov. 17th, 2015, by Patrick W. Brooks and Anita Nimitz, as President and Secretary, respectively, of Arbor on the Green Homeowners Association, Inc.

Pat A Jackson
Notary Public in and for the State of Iowa



CITY OF AMES, IOWA

By _____
Ann H. Campbell, Mayor

Attest _____
Diane R. Voss, City Clerk

STATE OF IOWA, COUNTY OF STORY, ss:

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.

Notary Public in and for the State of Iowa

Exhibit A



Pond
"Property"

Outlot A
"Easement Area"

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.



Easement for
Arbor on the GreenPond Maintenance



Scale: 1 in = 100 ft
Date: 10/12/2015

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

Prepared by Patrick W. Brooks, 2881 Greensboro Circle, Ames, Iowa 50010; 641-485-6413

Return to Patrick W. Brooks at 2881 Greensboro Circle, Ames, Iowa 50010

ABSTRACT OF BOARD MEETING MINUTES

ARBOR ON THE GREEN HOMEOWNERS ASSOCIATION, INC.

STATE OF IOWA, COUNTY OF STORY, SS:

I, Anita Nimtz, am the duly appointed and serving Secretary of the Board of Directors, Arbor On The Green Homeowners Association, Inc., and hereby certify and state under oath the following:

A Special Meeting of the Board of Directors was called for November 13, 2015, at 2pm and the required notice of this meeting was given to all those required to receive such notice. A quorum of those required were present when the meeting was called to order.

At this Special Meeting the following motion was made and seconded concerning Agenda item # 1 which was the matter of the Easement Agreement with the City of Ames:

It is moved that the Board of Directors of the Arbor On The Green Home Owners Association, Inc. approve the Easement Agreement with the City of Ames, direct that the Association

President and Secretary sign this Agreement on behalf of Arbor On The Green Home Owners Association, Inc., and take such additional steps as are required to make this Agreement final.

This motion passed and such passage is recorded in the official minutes of the meeting of November 13, 2015.

The real estate described in the Easement Agreement is "Outlot A, Arbor On The Green Pond Subdivision, Ames, Story County, Iowa".

ARBOR ON THE GREEN HOMEOWNERS ASSOCIATION, INC.

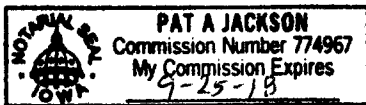
BY: *Anita Nimtz*

ANITA NIMTZ, SECRETARY

This document was acknowledged, under oath, before me on Nov. 17th, 2015, by Anita Nimtz as Secretary of Arbor On The Green Homeowners Association, Inc.

By: *Pat*

Notary Public in and for the State of Iowa



approved

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

Prepared by Patrick W. Brooks, 2881 Greensboro Circle, Ames, Iowa 50010; 641-485-6413

Return to Patrick W. Brooks at 2881 Greensboro Circle, Ames, Iowa 50010

ARBOR ON THE GREEN HOMEOWNERS ASSOCIATION, INC.

Statement of Approval as to Easement Agreement between the City of Ames, an Iowa Municipal Corporation, and Arbor On The Green Homeowners Association, Inc., and waiver.

This Easement Agreement (a copy of which is attached hereto) is hereby **APPROVED and AGREED TO** and it is requested that the Board of Directors **APPROVE** this Easement Agreement and the required Officers sign same and perform such acts as are required to complete this transfer.

Each of us signing **WAIVE** further notice concerning this transfer as well as the 90 day notice required by Article IV, Sect. 3 (e), found in the Declaration of Covenants and Restrictions of Arbor On The Green Homeowners Association, Inc.

Each of us signing further understand that with this signed document in hand the Board of Directors will meet in Special Session to vote on final approval and presentation to the Ames City Council for their final approval before recording, at which time this transfer shall be final.

Each of us further understands that before this Easement Agreement can be made final **two-thirds** of qualified voting Association members must agree to approval of this Easement Agreement.

Those of us signing below hereby agree to the transfer under the attached Easement and Agreement and make the waiver(s) recited above.

Barbara Johnson 10-28-2015

Barbara Johnson, 2215 Pinehurst Drive, Ames, Iowa 50010

Gonold C. Smith 11-03-15

Ronald and Jacqueline Smith, 2209 Pinehurst Drive, Ames, Iowa 50010

^{10/28/15}
Marvin Beck Jane Farrell-Beck 10/28/15

Marvin Beck and Jane Farrell-Beck, 2837 Greensboro Circle, Ames, Iowa 50010

William F. Nimitz 10/28/2015 Anita J. Nimitz 10/28/15

William and Anita Nimitz, 2841 Greensboro Circle, Ames, Iowa 50010

Mark H. Hamilton 10-29-15

Mark H. Hamilton, 2845 Greensboro Circle, Ames, Iowa 50010

George and Ann Hausman 11-2-15

George and Ann Hausman, 2849 Greensboro Circle, Ames, Iowa 50010

Phil and Susan Sargent 10/31/15

Phil and Susan Sargent, 2853 Greensboro Circle, Ames, Iowa 50010

Rodney Brink Joyce Brink 10-28-15

Rodney and Joyce Brink, 2857 Greensboro Circle, Ames, Iowa 50010

Franklyn Amos Rosalie Amos 10/28/15

Franklyn and Rosalie Amos, 2861 Greensboro Circle, Ames, Iowa 50010

x C Phillip Baumel 10-25-15

C. Phillip Baumel, 2865 Greensboro Circle, Ames, Iowa 50010

Orley L. Kilburn Charis D. Kilburn 10-28-2015

Orley L. and Charis D. Kilburn, 2869 Greensboro Circle, Ames, Iowa 50010

Tim Ellett Cindy K Ellett 10-29-15

Timothy and Cindy Ellett, 2877 Greensboro Circle, Ames, Iowa 50010

Patrick W. Brooks, Mary J. Brooks 10-24-15

Patrick W. Brooks, and Mary J. Brooks, 2881 Greensboro Circle, Ames, Iowa 50010

Thomas A. Barta 10-28-15

Thomas Barta, 2882 Greensboro Circle, Ames, Iowa 50010

Marcia Ann Holst Sean M Holst 10-28-15

Marcia Holst, 2878 Greensboro Circle, Ames, Iowa 50010

Virginia Stafford, 2872 Greensboro Circle, Ames, Iowa 50010

Steve Rodermel 10-30-15

Steven Rodermel, 2866 Greensboro Circle, Ames, Iowa 50010

Janice G. Walter 10-29-15

Janice G. Walter, 2860 Greensboro Circle, Ames, Iowa 50010

Ann Hawthorne 10-28-15

Ann Hawthorne, 2854 Greensboro Circle, Ames, Iowa 50010

Karen Hoiberg Eric D. Hoiberg 11-3-15

Eric and Karen Hoiberg, 2873 Greensboro Circle, Ames, Iowa 50010

COUNCIL ACTION FORM

**SUBJECT: STREET CLOSURE FOR UTILITY SERVICE INSTALLATION AT 2311
CHAMBERLAIN**

BACKGROUND:

The property owner at 2311 Chamberlain Street is currently in the process of constructing a new apartment building behind the existing University Towers building (111 Lynn Avenue). The site requires a new storm sewer structure and pipe installation. In order to properly install these items, closure of Lynn Avenue will be necessary to perform the work. A map of the area is shown in Attachment A.

Policy dictates that City Council approve temporary closures of those streets that are classified as arterials or are active CyRide routes, which is the case with Lynn Avenue (Gold Route #22).

Due to the locations of the utility connections, this work will require the closure of Lynn Avenue for approximately 15 calendar days to safely accommodate the new water service installation. The property owner has proposed to begin Monday December 21, 2015 over the ISU winter break. This schedule does allow for some flexibility in the schedule to ensure the street is open prior to the ISU spring semester. Access to the University Towers and the Memorial Lutheran Church will be maintained at all times, as well as safe pedestrian access through the area. The timing of the work will minimize the impact to CyRide and to area students by taking advantage of the Iowa State University winter break. Should the work be completed sooner than the total 15 day closure request, the street will be reopened to traffic at that time.

Staff will work with the project manager for this development to contact the property owners on Lynn Avenue from Lincoln Way to Chamberlain Street regarding the closure. A copy of the notification to area residents and businesses is also in Attachment A. Staff also reached out to CyRide and Iowa State University and they concur that the timing and duration of the closure is acceptable.

ALTERNATIVES:

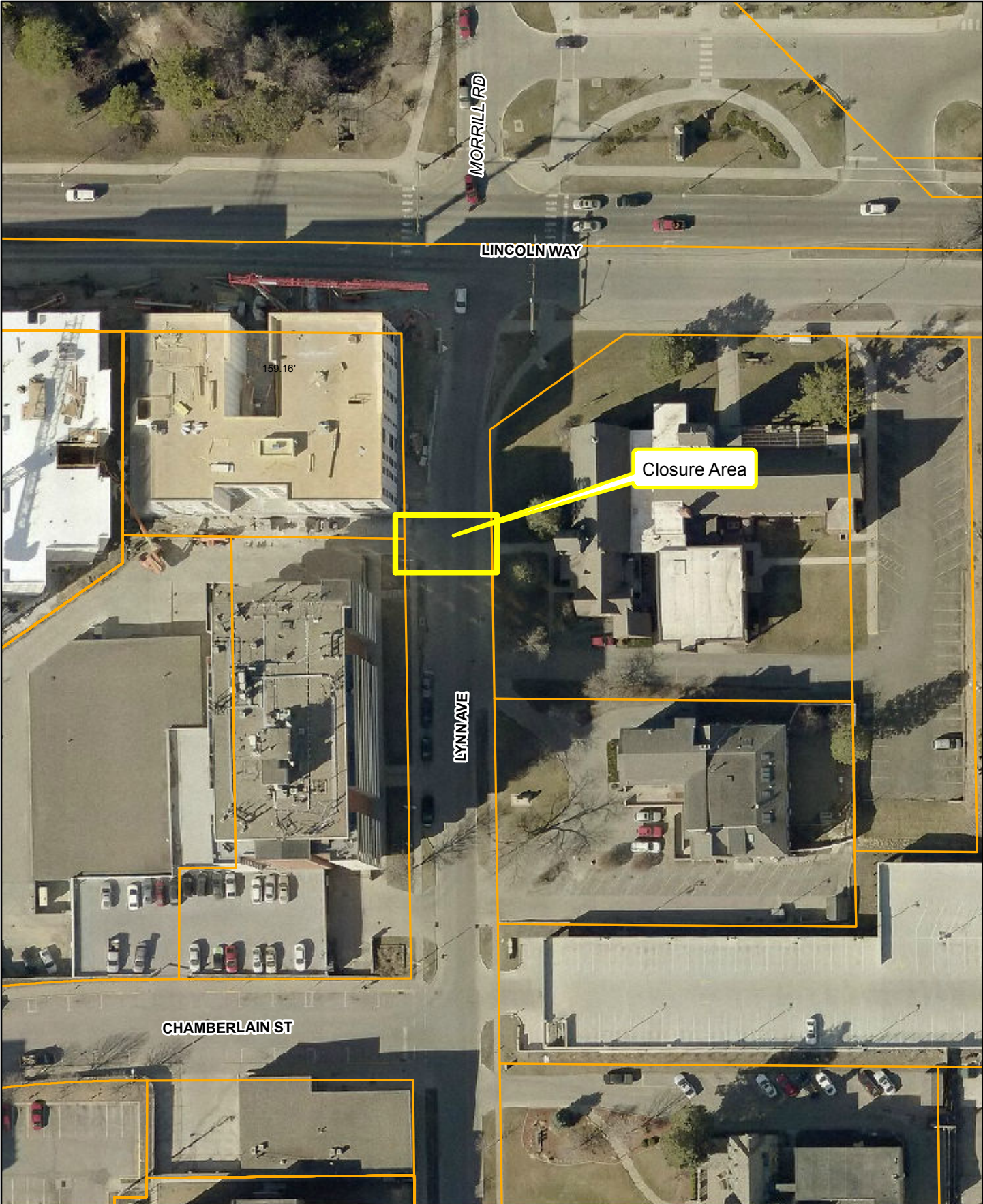
1. Approve the closure of Lynn Avenue, as noted above, to facilitate the installation of the needed storm sewer.
2. Direct staff to work with the property owner to determine exact alternate dates to conduct the utility service installation.

MANAGER'S RECOMMENDED ACTION:

By granting the closure Lynn Avenue, City Council would be facilitating the best possible coordination between the City and the property owner for this project, as well as providing the means to keep this major Campustown renovation project on schedule.

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

Attachment A



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, merchantability and fitness for or the appropriateness for use rests solely on the User.



Lynn Avenue Closure



Scale: 1 in = 75 ft
Date: 11/19/2015



November 18, 2015

**RE: The Edge Student Housing Project, 2311 Chamberlain Street
Temporary Road Closure Notification / 110 Block of Lynn Avenue**

Dear Property Manager,

The purpose of this letter is to notify you of a pending request to the Ames City Council for closure of Lynn Avenue just south of the Lincoln Way intersection for a short duration this fall 2015. As many of you know, McShane is well underway with construction of a new 7 story mixed-use building known as "The Edge" located at 2311 Chamberlain Street.

Our objective is to gain permission to close Lynn Avenue in order to install water, sanitary, and storm connections to the existing city utility services located in the street. We have already accomplished redesign efforts in order to minimize our work in the city's right-of-way, such as locating connections in close proximity to one another. By doing this, we have reduced the size of street excavation required to install the new underground utility services.

The specific area of street closure will be approximately 125 feet south of the Lynn Avenue and Lincoln Avenue intersection and extending across Lynn Avenue. It is our plan for our neighbors (The Foundry to the North and Memorial Lutheran Church to the South) to maintain access to Lynn Avenue throughout construction. We also plan to maintain safe pedestrian traffic by keeping the city sidewalk east of Lynn Avenue open during this time. Please refer to the attached "Lynn Street Closure Map" for a visual.

We are specifically requesting the permission to close down Lynn Avenue for a period of approximately (2) two weeks starting on Monday, December 21st 2015 and ending on Friday, January, 8th 2016. The reason we selected these dates was to minimize (as much as possible) the disruption to local bus routes as well as student traffic. During these 15 calendar days, we plan to install our required utility lines and repair the street to allow for normal traffic starting Saturday, January, 9th 2016.

We appreciate your consideration and cooperation. Respectfully,

Derek Lewis
Assistant Project Manager
McShane Construction Company

Brian Wood
Project Manager
McShane Construction Company

COUNCIL ACTION FORM

SUBJECT: TRANSFER OF CELLULAR SITE LEASES FROM IOWA WIRELESS SERVICES TO TOWERCO

BACKGROUND:

Several cellular providers have contracts to place private cellular network equipment on City property. One of these locations is Homewood Golf Course. In early 2014, the lease for the Homewood antenna was assigned from the original owner's successor company, T-Mobile, to Iowa Wireless Services. Per the lease agreement, the City provided its consent to this assignment. Iowa Wireless Services has now assigned its interest in the lease to TowerCo 2013, LLC. Consent from the City to this transfer has been requested.

The lease expires on December 31, 2016, and may renew for two more five-year terms.

ALTERNATIVES:

1. Approve transfer of the lease for the cellular antenna at Homewood Golf Course from Iowa wireless Services to TowerCo 2013, LLC.
2. Direct staff to gather more information about this transfer.

MANAGER'S RECOMMENDED ACTION:

Iowa Wireless Services has requested approval to transfer its interest in this lease to TowerCo. Iowa Wireless Services has completed its responsibilities as outlined in the lease agreement and TowerCo will be required to comply with the existing lease provisions.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving transfer of the lease for the cellular antenna at Homewood Golf Course from Iowa Wireless Services to TowerCo 2013, LLC.

COUNCIL ACTION FORM**SUBJECT: REALLOCATING WELLMARK 3-POINT PLAY MONEY****BACKGROUND:**

In 2010, Wellmark began its 3-Point Play program encouraging sports fans to eat right, move more, and feel better. This program partnered with Parks and Recreation Departments in the communities home to Iowa State University, University of Iowa, Drake University, University of Northern Iowa, University of South Dakota, and South Dakota State University. Each Department gets \$300 for every field goal made during football games and \$30 for every 3-point basket made by both the men's and women's basketball teams. Since the program began, the City of Ames has received more than \$95,000 from Wellmark. Most of the money has been used to purchase new or replace equipment in the Community Center Cardio room.

In the FY 2013/14 Capital Improvements Plan, \$20,000 was approved to purchase outdoor fitness equipment with money from the 3-Point Play program. This equipment has not been purchased, and upon further review, staff would like to reallocate this money for the purchase of 11 spinning bikes. Staff contacted several communities who have installed outdoor fitness equipment and the feedback received indicated the equipment was not heavily used. On the contrary, Staff's further research indicates that spinning classes are almost always full. Not only will spinning be an additional course offering, but an additional revenue stream as well.

3-Point Play Revenue

2013/14	\$15,440
2014/15	<u>\$13,940</u>
Total	\$29,380

Equipment Expense

11 Keiser M3I Indoor Cycles	\$18,148
Total	\$18,148

Excess Funds **\$11,232**

After the purchase of the spinning bikes, there will be an additional \$11,232 available. Staff would like to use these excess funds for the following purchases:

Peak Pilates Total Workout System Reformer & Tower	\$4,895
Reformer Accessories (i.e. jump board, mat box, etc.)	\$828
T5XR Nustep Recumbent Bike with Wide Seat – ADA Compliant	<u>\$5,554</u>
Total	\$11,277

ALTERNATIVES:

1. Approve the reallocation of the \$20,000 for outdoor fitness equipment reflected in the FY 2013/14 CIP for the purchase of 1) eleven spinning bikes and 2) the Reformer, Reformer accessories, and the Nustep.
2. Do not approve the reallocation of the \$20,000 reflected in FY 2013/14 CIP and continue with the plan to purchase the outdoor fitness equipment.
3. Refer back to staff.

MANAGER'S RECOMMENDED ACTION:

The proposed project will address a need for new equipment to provide more popular recreational opportunities for our residents. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the reallocation of the \$20,000 for outdoor fitness equipment reflected in the FY 2013/14 CIP for the purchase of 1) eleven spinning bikes and 2) the Reformer, Reformer accessories, and the Nustep.

COUNCIL ACTION FORM

SUBJECT: HEALTH INSURANCE – SUMMARY PLAN DOCUMENTS AMENDMENT

BACKGROUND:

As a self-funded health insurer, the City of Ames has the ability to select from among qualifying events that allow employees to enroll in health benefits. This criterion is defined in the Summary Plan Descriptions which are provided through Wellmark each year.

Under these Summary Plan Descriptions, employees are able to sign up for health insurance and qualify for a City premium contribution when they experience a “qualifying event,” such as when they are initially hired. In the past, these qualifying events have not included a change in status that occurs when an employee is promoted from a less than full-time position to a full-time position. In those cases, employees must wait until the following year’s open enrollment period to elect health coverage.

One exception to this policy has been at CyRide, where transit drivers sometimes move from .75 FTE (full-time equivalent) positions to full-time positions. In those instances, past practice has been for employees to elect health coverage upon moving into a full-time position.

It is within the City’s power to alter this enrollment process and allow employees to elect coverage upon promotion into full-time positions. **The current policy denies employees the opportunity to have an expanded City contribution to their health premiums until the following year. To eliminate this hardship, the attached amendment is proposed to expand the qualifying event criterion for all Summary Plan Descriptions.**

The City’s annual open enrollment period begins on July 1st. The proposed amendment applies to the City’s plan document effective December 1, 2015. This change will apply to all promotions that occur moving forward. It is also staff’s request that the change apply retroactively to one position where the employee was promoted to full-time in 2015. The retroactive application will allow this one full-time employee to elect health insurance effective December 1, 2015. This is the only individual to whom this change will apply retroactively.

ALTERNATIVES:

1. Approve the attached amendment to the City’s health insurance Summary Plan Descriptions.

2. Do not approve the attached amendment.

MANAGER'S RECOMMENDED ACTION:

This amendment will introduce a greater measure of equity into the relatively rare situations where employees are promoted into full-time positions, but who currently have to wait until the following calendar year to enroll in health care and qualify for an increased City contribution to their health care premium.

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



Wellmark Blue Cross Blue Shield of Iowa
Wellmark Health Plan of Iowa, Inc.

Independent Licensees of the Blue Cross and
Blue Shield Association

Amendment to Your Coverage Manual

This amendment applies to your coverage manual, effective December 1, 2015. The headings refer to coverage manual sections. Please review the amendment and keep it with your coverage manual.

Coverage Changes and Termination

Coverage Change Events

The following provision is added to your coverage:

Significant Cost Changes. Significant cost increase or decrease in the amount of the elective contributions that results from an action taken by the employee such as switching between full-time and part-time status.

All other terms and provisions of your coverage manual, including any amendments we may have issued previously, remain unaltered and in effect.

David S. Brown
Executive Vice President, Chief Financial Officer and
Treasurer
Wellmark Blue Cross and Blue Shield of Iowa;
Wellmark Health Plan of Iowa, Inc.

COUNCIL ACTION FORM

SUBJECT: AWARD OF CONTRACT TO FURNISH 750 KCMIL CABLE FOR THE ELECTRIC SERVICES DEPARTMENT

BACKGROUND:

This bid is for the purchase of 6,000 feet of 750 KCMIL cable to replenish inventory for the Electric Services Department. This cable is kept on hand in order to ensure availability for the department’s needs. Typically, this cable is used to provide service for commercial and residential applications and is necessary to meet the anticipated needs of the Electric Services Department for new construction and maintenance projects.

On November 2, 2015, an invitation to bid (ITB) document was issued to forty-one firms. The ITB was advertised on the Current Bid Opportunities section of the Purchasing webpage.

On November 17, 2015, 5 bids were received as shown below:

BIDDER	TOTAL COST
Wesco Distribution (Alternate) Des Moines, Iowa	\$73,252.20
RESCO Ankeny, Iowa	\$91,934.40
Kriz-Davis Co Ames, Iowa	\$99,189.00
Wesco Distribution Des Moines, Iowa	\$102,078.00
Karish Industries Orange, California	Non-responsive

Staff reviewed the bids and concluded that the apparent low bid in the amount of \$73,252.20 (inclusive of Iowa sales tax) submitted by Wesco Distribution (Alternate), Des Moines, Iowa, is acceptable.

The City Council should note that because of the metal content of this product, Wesco Distribution attached a metal escalation/de-escalation clause due to the volatile market for metal, which may adjust the price on the day the cable is ordered. While this is not an ideal situation for the City, this cable is necessary to the efficient operation of the utility.

ALTERNATIVES:

1. Award a contract to Wesco Distribution (Alternate), Des Moines, Iowa, for the purchase of 750 KCMIL cable, in the amount of \$73,252.20 (inclusive of Iowa sales tax), subject to metals adjustment at time of order.
2. Reject all bids and attempt to purchase 750 KCMIL cable on an as needed basis.

MANAGER'S RECOMMENDED ACTION:

It is important to purchase cable at the lowest possible cost with minimal risk to the City. It is also imperative to have this cable available to meet customer needs. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

COUNCIL ACTION FORM

**SUBJECT: WATER POLLUTION CONTROL FACILITY DECANT LINE
REPLACEMENT**

BACKGROUND:

In 2015, bids were received for a new biosolids tank with improved load out facilities. However, bids came in nearly one million dollars over the initial budget. Despite efforts to redesign and reduce construction costs, a cost-effective solution was not found for the tank, and staff has indefinitely postponed the full project. A small portion of this initial project was to replace the sludge lagoon decant line that has become plugged over time. An attempt has been made to clean out the existing decant line, but this was unsuccessful. This line is critical to the operation of the plant and still needs to be replaced to continue normal operation. The new line will be a different material than the existing ductile iron to help mitigate clogging in the future. Along with replacing the line, a manhole will be added to allow for better access for cleaning. Valves associated with the decant line that have neared the end of their service life will also be replaced.

This project has gone out for bids previously, but the lowest responsible bid received exceeded the dollar threshold that requires City Council approval. The consulting engineer originally estimated the project at a significantly lower amount than the bids received. The higher-than-expected bid prices are attributed to a combination of the accelerated project schedule and current contractor availability.

In order to proceed, the project must be re-bid with the Notice to Bidders being issued by the Council. To help try to bring the cost down, the deadline for completion in the specifications has been extended. The project is now ready for rebidding. The estimated project expense is as follows.

Engineering fees (tank)	\$ 105,986
Engineering fees (decant line)	9,500
Construction Estimate	160,000
<u>Contingency</u>	<u>20,000</u>
Total project cost	\$ 295,486

A summary of the project budget is shown below.

FY 13/14 CIP (Actual Expense)	\$ 101,419	Engineering
FY 14/15 CIP (Actual Expense)	1,568	Engineering
<u>FY 15/16 CIP (Amended)</u>	<u>201,600</u>	<u>Decant Line</u>
Project Total	\$ 304,587	

The decant line replacement is associated with the Residuals Handling Improvements Project which began in the 2013/14 Capital Improvements Plan. The original project was anticipated to use a Clean Water State Revolving Fund (SRF) loan. However, the decant line is estimated at a substantially lower cost and staff proposes to use the available balance in the Sewer Fund instead of debt financing. The current year CIP will be amended to delete the larger biosolids storage tank (\$2,073,014), and retain only enough funding to complete the decant line replacement (\$201,600). Council will see a modified and less expensive solution to the need for additional flexibility in managing biosolids as a part of the FY 16/17 CIP that will be presented in January.

ALTERNATIVES:

1. Grant preliminary approval of the plans and specifications and issue a Notice to Bidders, setting January 5, 2016, as the bid due date and January 12, 2016, as the date for public hearing and award.
2. Do not approve plans and specifications at this time.

MANAGER'S RECOMMENDED ACTION:

The decant line is a critical part of the normal operation of the Water Pollution Control Facility. The plugged line means liquid will not be able to be drained from the storage lagoon, potentially causing the lagoon to overflow and cause environmental harm. To ensure that the decant liquid from the lagoon is properly treated, the plugged line must be replaced. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.



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MEMO

20

To: Mayor and Members of the City Council

From: City Clerk's Office

Date: November 20, 2015

Subject: Contract and Bond Approval

There is no Council Action Form for Item No. 20. Council approval of the contract and bond for this project is simply fulfilling a *State Code* requirement.

/jr