

AGENDA
REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL - 515 CLARK AVENUE
NOVEMBER 15, 2016

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.

PROCLAMATIONS:

1. Proclamation for "Small Business Saturday," November 26, 2016

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

2. Motion approving payment of claims
3. Motion approving Minutes of Special Meetings of October 19, 2016, and November 1, 2016, and of Regular Meeting of October 25, 2016
4. Motion approving certification of civil service applicants
5. Motion approving Report of Contract Change Orders for October 16-31, 2016
6. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class B Native Wine - Kitchen, Bath & Home, 201 Main Street
 - b. Class E Liquor - AJ's Liquor III, 2401 "A" Chamberlain Street
7. Motion approving ownership change for Class E Liquor License for Target Store T01170, 320 South Duff Avenue
8. Motion approving ownership change for Class C Liquor License for Chipotle Mexican Grill, 435 South Duff Avenue, Suite 102
9. Motion approving ownership change for Class C Beer Permit and Class B Native Wine Permit for Casey's General Store #2298, 428 Lincoln Way
10. Motion approving transfer for Class C Beer Permit and Class B Wine permit for Aldi, Inc., to new location at 108 South 5th Street
11. Motion changing Regular Meeting Date from December 27, 2016, to December 20, 2016
12. Motion approving Encroachment Permit for sign at 121 Main Street
13. Resolution approving Restrictive Covenant Agreement with Assault Care Center Extending Shelter and Support (ACCESS) and authorizing payment of \$80,000 at time of closing
14. Asset Management Agreement (AMA)/Pipeline Services for Power Plant:
 - a. Resolution approving renewal of contract with BP Canada Energy Marketing Corp. of Omaha, Nebraska for AMA Addendum (for basic services) in an amount not to exceed \$30,000
 - b. Resolution approving renewal of contract with BP Canada Energy Marketing Corp. of Omaha, Nebraska for AMA Transaction Confirmation
 - c. Resolution approving renewal of contract with BP Canada Energy Marketing Corp. of Omaha, Nebraska for Transaction Confirmation
 - d. Resolution approving purchase of additional natural gas, plus delivery as needed, in an amount not to exceed \$500,000

15. Resolution awarding contract for construction and installation of interactive play wall at Ames Public Library to Swan Creek Cabinetry, Inc., of Boone, Iowa, in the amount of \$53,463.81
16. Resolution approving contract and bond for Electric Administration and Distribution Buildings Roof Replacements
17. Resolution approving Change Order No. 4 with FPD Power Development, LLC, for Power Plant Fuel Conversion - Electrical Installation General Work Contract
18. Resolution approving partial completion of public improvements and reducing security for Village Park Subdivision
19. Resolution approving partial completion of public improvement and reducing security for Quarry Estates Subdivision, 1st Addition
20. Resolution accepting completion of 2015/16 Airport Improvements (Terminal Site Work)
21. Resolution approving Water Territory Transfer Agreement between the City of Ames and Xenia for Ames Golf & Country Club and The Irons Subdivision
22. Resolution approving Final Plat for Hayden's Crossing Subdivision, 2nd Addition

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.

ELECTRIC SERVICES:

23. Motion approving purchase of excess energy from customer generation using "Fixed Cost" approach and directing staff to draft revisions to Appendix H of *Municipal Code* - Net Metering

ADMINISTRATION:

24. Staff report on request from MICA for \$50,000 for dental clinic operations

HEARINGS:

25. Hearing on Urban Revitalization Area for 2700, 2702, 2718, and 2728 Lincoln Way; 112 and 114 South Hyland Avenue; and 115 South Sheldon Avenue:
 - a. Resolution approving Plan
 - b. First passage of ordinance establishing 2700, 2702, 2718, and 2728 Lincoln Way; 112 and 114 South Hyland Avenue; and 115 South Sheldon Avenue Urban Revitalization Area
 - c. Resolution approving Development Agreement
 - d. Resolution setting date of public hearing for sale of right-of-way adjacent to 115 South Sheldon Avenue
26. Hearing on amendment to Campustown Urban Revitalization Area:
 - a. Resolution approving revised Plan
 - b. First passage of ordinance changing boundaries by removing properties addressed as 2700, 2702, and 2718 Lincoln Way
27. Hearing on Major Site Development Plans for 2036, 2041, 2105, 2121, and 2135 Cottonwood Road and 3201 University Boulevard:
 - a. Resolution approving Plan for apartments at 2041 Cottonwood Road
 - b. Resolution approving Plan for apartments at 2105 Cottonwood Road
 - c. Resolution approving Plan for apartments at 2121 Cottonwood Road
 - d. Resolution approving Plan for apartments at 2135 Cottonwood Road
 - e. Resolution approving Landscape Plan for 2036 Cottonwood Road and 3201 University Boulevard
28. Hearing on Zoning Ordinance text amendment to correct scrivener's errors in Ordinance No. 4269 pertaining to clubhouses within Floating Suburban Medium Density Residential (FS-RM)

Zoning Districts:

- a. First passage of ordinance (**second and third readings and adoption requested**)
29. Hearing on CyRide Reroofing 2016:
 - a. Resolution approving final plans and specifications and awarding contract to Academy Roofing & Sheet Metal of Des Moines, Iowa, in the total amount of \$307,000

PLANNING & HOUSING:

30. Resolution approving Plat of Survey and accepting Consent to Annex Agreement for 3615 Zumwalt Station Road
31. Staff update on Landscape Ordinance concept provisions (postponed from October 25, 2016, meeting)
32. Planning Department Work Plan discussion

ORDINANCES:

33. Hyde Avenue:
 - a. First passage of ordinance establishing parking regulations
 - b. First passage of ordinance establishing speed limit
34. 5571 Grant Avenue, now known as Hyde Avenue, (Rose Prairie)
 - a. Third passage and adoption of ORDINANCE NO. 4276 rezoning, with Master Plan, from Agricultural (A) to Suburban Residential Low Density (FS-RL), Suburban Residential Medium Density (FS-RM), and Convenience General Service (CGS)
35. Third passage of ORDINANCE NO. 4277 rezoning, with Master Plan, of 3115, 3119, 3301, 3325, 3409, and 3413 South Duff Avenue from Highway-Oriented Commercial (HOC) and Agricultural (A) to Residential High Density (RH) and Highway-Oriented Commercial (HOC)
36. Third passage and adoption of ORDINANCE NO. 4278 regarding permitted uses and Mixed-Use Development Standards in Campustown Service Center
37. Third passage and adoption of ORDINANCE NO. 4279 creating Minor Amendment Process for Major Site Development Plans and Special Use Permits

COUNCIL COMMENTS:

ADJOURNMENT:

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

MINUTES OF THE JOINT MEETING OF THE AMES CITY COUNCIL AND IOWA STATE STUDENT GOVERNMENT

AMES, IOWA

OCTOBER 19, 2016

The Ames City Council and Iowa State Student Government met in Special Joint Session at 7:00 p.m. on the 19th day of October 2016, in the Sun Room at the Iowa State Memorial Union, 2229 Lincoln Way, with the following Council members present: Tim Gartin, Bronwyn Beatty-Hansen, Chris Nelson, and Peter Orazem. *Ex officio* Member Sam Schulte, City Manager Steve Schainker, Assistant City Manager Brian Phillips, and Public Relations Officer Susan Gwiasda were also present.

Ex officio Member Sam Schulte asked the Council Members and City staff to introduce themselves. He then introduced the topic of housing concerns.

Senator Cody Smith stated that the main concern involves international students in particular, since gap periods between leases result in their having no place to live for a period of time. For those who come from Iowa communities, they are able to live back home during that time. Council Member Beatty-Hansen mentioned that she had not thought about it from that perspective. She indicated she could not think of a specific way to resolve that issue.

Senator Smith asked if there was something that could be done to start the conversation on the topic. Council Member Orazem said that this topic had not been brought up before, and it might be difficult to regulate leases. He said it would be helpful to know information about the scope of the problem.

Senator Roberto Ortiz stated that last year, the City Council spoke about how rent regulation did not work, and asked what the Council had done to address the rising rent since. Council Member Nelson said he hears feedback regarding the number of apartments being built—both pros and cons. He expressed that the best thing the City could do is affect supply. He said there is a one year lag behind the Iowa State demand, but that the City was trying. Ames is starting to see more rent signs appear.

Senator Danielle Nygard inquired about Rent Smart Ames and asked what Council wants the students to do with it. She asked what the City has done to keep it up. Council Member Orazem said the City is happy to house it, but feels the students should promote it. Council Member Gartin mentioned that there is a lot of information there about tenant rights.

Council Member Orazem said students should engage Iowa State to help fund dispute resolution. He mentioned that landlords would be interested in low-cost dispute resolution as well. He indicated that there is an issue with consistency since there is a rotation of student leaders. Assistant City Manager Brian Phillips said he is happy to take feedback on what should be on the website and where it is promoted.

It was asked if the Council could estimate when the market will catch up with demand. Council Member Nelson said there is no way to know. Council Member Orazem said that no one

anticipated growth like this. Council Member Gartin said there is an undersupply of owner-occupied housing. Also, young people are less interested in buying. The ISU Research Park is adding more people who may be here only 3-5 years and want to rent.

Senator Abhijit Patwa stated that last year, rent went up 22%. There is a combination of availability and affordability issues. He said students must sign their contract early and at high prices. Council Member Gartin stated he shared that concern, and that there was no stomach on City Council for rent control. He encouraged the students to hang tight. There have been signs of downward pressure on rent.

Senator Eric Wirth asked what can be done to prevent situations where tenants have to sign next year's lease in the fall. Council Member Beatty-Hansen said that is true of prime rentals, specifically in Campustown. But other areas of town may not share that trait. The trade-off is the distance to campus. Senator Danielle Nygard said that even in West Ames, it is encouraged to sign lease before November at some apartments.

Senator Aimee Rodin echoed others' comments on housing. The other issue is that most leases are 12 months, while students are only here for nine. She asked if the Council could foresee any changes to the 12-month cycle for rental housing. Council Member Nelson said this was not likely to happen. Council Member Orazem said students were likely to see change in cost as more housing becomes available. Council Member Gartin mentioned there aren't a lot of open parcels waiting to be turned into housing. He added that when development happens, there are neighborhood and infrastructure issues that must be addressed.

Senator Roberto Ortiz stated that there have been lots of changes to Campustown. He asked what other developments are planned and what impacts were anticipated to businesses. Council Member Beatty Hansen mentioned developments planned for the 2700 block of Lincoln Way, and the Jensen development. She stated that "Mom and Pop" places are important to her. Rent is tricky, though. Some are able to move back in, but others can't come back. City Council looked at incentive to encourage non-chain businesses, but it did not pass.

Council Member Gartin asked the students what they thought of the flower pots. Senator Carter McNew said that some feedback he had received is that people feel safer because there is less traffic congestion. Senator Eric Schultz stated some of his constituents have communicated the flower pots make them feel safer. He asked that the Council look at statistical data regarding accidents.

Senator Abhijit Patwa inquired as to whether there was any update on making parking spaces available from 3:00 to 6:00 a.m. Council Member Orazem stated there are the same regulations on Main Street, with no parking 3:00 to 6:00 a.m. City Manager Steve Schainker explained that clearing the parking spaces during that time facilitates cleaning, snow removal. He stated the City Council has asked this year to discuss Campustown parking regulations.

It was mentioned that there would be a benefit from installing speed bumps on Welch. They would slow traffic around pedestrians. Council Member Orazem replied that speed bumps may

be more dangerous in a pedestrian-heavy area. He encouraged the attendees to send suggestions to City Council members, which they would forward to Traffic Engineer.

City Manager Steve Schainker stated that a study was underway for pedestrian travel along Lincoln Way. He expressed that the City will see recommendations from that regarding safety.

Senator Cody Smith asked what the progress was on City Council's discussion regarding solar energy. Council Member Orazem stated that there was a meeting last night regarding community solar. He said the goal is to get something in place by the end of next year. He mentioned the City also has energy from wind. Council Member Gartin added that the Power Plant was converted this year from coal to natural gas.

Senator Abhijit Patwa asked what the long-term plan is for CyRide with the increase in enrollment. Council Member Gartin stated that a consultant had been retained to review how the service is delivered. He expressed that CyRide was working extremely hard to keep service working.

Senator Eric Wirth indicated that at Hayward and Mortensen, CyRide buses wait a long time. He asked if there was any plan to install a signal there. Council Member Nelson explained that there are institutional roads in the community, and that intersection is controlled by Iowa State.

Senator Cameron Thomson stated there was a big increase in traffic on Ash from Lincoln Way to Mortensen. He asked if there were any plans to address that. City Manager Steve Schainker stated that he was not aware of any. He stated that the bike lane that was added acts as a traffic calming device. Council Member Gartin suggested that the students send the City Council an email. The Police Department may be able to spend time there to address this hot spot.

Ex officio Sam Schulte thanked the group for the discussion.

Meeting adjourned at 8:13 p.m.

Ann H. Campbell, Mayor

Brian Phillips, Assistant City Manager

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

NOVEMBER 1, 2016

The Ames City Council met in special session at 6:30 p.m. on the 1st day of November, 2016, in the Community Room of the Ames Bethesda Lutheran Church, 1517 Northwestern Avenue, pursuant to law. Mayor Ann Campbell called the Meeting to order on behalf of the Ames City Council. Chairperson Sarah Buck called the meeting to order on behalf of the Mary Greeley Medical Center (Hospital) Board of Trustees. Chairperson Rick Sanders called the meeting to order on behalf of the Story County Board of Supervisors. In addition to Mayor Campbell, the following Council members were present: Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem. *Ex officio* Member Sam Schulte was also present. Representing the Hospital Board of Trustees, in addition to Chairperson Buck, were Louis Banitt, Ken McCuskey, and Mary Kitchell. In addition to Chairperson Sanders, Story County Supervisor Wayne Clinton attended.

PRESENTATION OF HEALTHY LIFE CENTER CONCEPT: Facilitator Donna Gilligan stated that the purpose of this meeting was to have open conversation about the concept of a Healthy Life Center. No decisions will be made at this meeting. If the conversation is supported by the organizations represented, a more extension process will begin to engage the public.

Ms. Gilligan said that in February 2016, a group of people sanctioned by their boards came together to start a conversation about a Healthy Life Center concept. The following organizations participated in those dialogues: City of Ames City Council, Ames Parks and Recreation, Des Moines Area Community College, Heartland Senior Services, Iowa State University, Mary Greeley Medical Center, and Story County Supervisors, and their representatives were seated around the tables at this meeting. Invited to participate in tonight's discussion were the following:

Ames Parks and Recreation:

Keith Abraham, Department Director
Melissa Rowan, Parks and Recreation Commission Member
Sarah Litwiller, Parks and Recreation Commission Member
Allen Bierbaum, Parks and Recreation Commission Member
Ed Moran, Parks and Recreation Commission Member
Vikki Feilmeyer, Parks and Recreation Commission Member
Julie Johnston, Parks and Recreation Commission Member
Jason Schaben, Parks and Recreation Commission Member

Heartland Senior Services:

Nancy Carroll, Director
Bret Pugh, Board Member
Linda Glantz Ward, Board Member
Karen Petersen, Board Member
Matt Wenger, Board Member
Harold Pike, Board Member
Paula Toms, Board Member
Bob Gelina, Board Member
Nicole Facio, Board Member
Winnie Gleason, Board Member
Jane Halliburton, Board Member
Peter Martin, Board Member

Iowa State University:

Kate Gregory
Laura Jolly
Miles Lackey
Jonathan Wickert

Des Moines Area Community College:

Kim Linduska

According to Ms. Gilligan, the groups had determined that their purpose would be to provide a one-of-a-kind Center that makes the life-long goal of healthy living accessible and enjoyable to people of all ages and socio-economic status. She reviewed the critical elements that had been driving the group and the work that had been done so far. The group has been meeting on a monthly-plus basis.

The desired outcomes for this meeting were stated by Ms. Gilligan as follows:

1. Increased understanding of the need for the Healthy Life Center
2. A common vocabulary for expressing the need and concept to others
3. Continued and/or increased support from the collaboration partners for the Healthy Life Center
4. Support for a Feasibility Study to move the concept forward

The following assumptions had been made as far as who would be at the table:

1. There is commitment to an open dialogue.
2. There is interest within the community for having a thorough exploration of the Healthy Life Center concept.
3. It is a complex concept and it is achievable.
4. Unprecedented collaboration that will continue.

Gary Botine, Mary Greeley Medical Center Chief Financial Officer, spoke on the need for such a facility. He stated that the following eight key drivers that support a Healthy Life Center had been identified:

1. Aging population of Iowa, Story County, and Ames
2. Chronic disease management
3. Childhood obesity/inactivity
4. Healthiest Iowa and Healthiest Ames
5. Desire to attract and retain millennials to Ames
6. Ames is a retirement destination
7. Need to enhance quality-of-life facilities
8. History of successful partnerships among governmental entities

Mr. Botine provided statistics about the Baby Boomers population (born between 1946 and 1964) that support the need for a Healthy Life Center. He said there were 76 million people born during those years. There will be 10,000 people retiring per day between 2011 and 2029. Currently, there are over 750,000 Boomers in Iowa, which equates to one in every four people. The Baby Boomer Generation will have an enormous impact on health care as it ages. Currently, 63,000 Iowans have Alzheimer's with 134,000 unpaid care givers for them. The Baby Boomer Generation wants and expects to age well. They want to help others; are health-conscious and want to stay active and in shape; want to be life-long learners, to socialize and interact with the community; and want to be involved with all ages and not be

isolated in stand-alone senior centers. They want to lose the stigma of the senior center. Mr. Botine gave the definition of chronic diseases and stated that those diseases are often preventable and frequently manageable through early detection, improved diet, exercise, proper counseling, and treatment therapy. He noted that 50% of Americans live with a chronic condition, and 75% of health care dollars in the United States (U.S.) go toward treating chronic diseases. People with chronic conditions are the most frequent users of health care in the U.S. Statistics on childhood obesity in the U. S. were also given. Mr. Botine added that, for the first time ever, Mary Greeley Medical Center's Strategic Plan includes Health and Wellness.

According to Mr. Botine, in 2011, Ames community health leaders embraced the vision of the Governor's Healthiest State Initiative. Even though Ames was not selected as a Blue Zones community, there was a grassroots effort spearheaded by John Shierholz and Cheryl Langston and led by individuals and organizations all over Ames that are still working together to make Ames the healthiest community in Iowa. Mr. Botine commented that just today it was announced that Wellmark has announced a new program: "Healthy Hometown Initiative," and Ames was selected as the model community to lead the effort for the state of Iowa.

Nancy Carroll said that it was clear from the time the group first began meeting that this would be a total community-wide collaboration. That group initially included Superintendent Tim Taylor and Board President Luke Deardorff from the Ames Community School District. After the dialogue had occurred over the first four months, the School District stated that it would be best for them to locate the cold-water competitive pool at Ames High; however, they were clear that they were very supportive of the community group moving in the direction of the Healthy Life Center. The School District is continuing its discussions about its pool. An option that they are reviewing is operating under an enterprise system, and if that is the case, they will not need any City financial participation moving forward.

Ms. Gilligan invited members of the six community organizations that began the collaboration dialogue to offer their comments about and support for the Healthy Life Center concept. Each of the following representatives stated why such a facility would be beneficial for the persons needing their agencies' services: Linda Glantz Ward, Heart Senior Services Board; Brian Dieter, CEO of Mary Greeley Medical Center; Deb Schildroth, Story County Board of Supervisors; Kim Linduska, Des Moines Area Community Collage; Laura Jolly, Iowa State University; and Steve Schinker, City of Ames.

Nancy Carroll explained what exactly was the Healthy Life Center concept. She said that it represents a holistic approach. It focuses on health promotion, supports physical activity, creates social connections, enhances long-term health, teaches nutritional behavior, and connects multi-generations. It is not just a recreation center. Again, it's purpose is to make healthy living accessible and enjoyable to people of all ages and socio-economic status. Ms. Carroll described the integrated approach that was built around the populations that will be served, the facilities that will support those, and the programs that would contribute toward the end result of "Live Well, Age Well." Education and Applied Student Learning would circle around three "bubbles" that would include the components of Physical Activity, Health and Nutrition, and Social Networks. Possible areas to be covered by each component were also explained.

Ms. Carroll commented that a location has not been determined. She gave the criteria for the location.

Mr. Dieter emphasized that what is being proposed is subject to a feasibility study and approval from the City Council, Mary Greeley Medical Center Board of Trustees, and the Heartland Board of Directors. The strategies were based on a gross number estimate of cost at \$30 million.

Mr. Schainker noted that, while it still has to be discussed and approved by the City Council, it is being recommended for purposes of discussion that the facility would be owned by the City of Ames, and it would bear the physical plant responsibilities. Agreements will have to be entered into regarding operation expenses. Mary Greeley Medical Center and the Heartland Senior Services could be tenants. A summary of the capital funding and operational funding strategies being explored was also given. Mr. Dieter said that it should be expected that there will be variance in the rough set of numbers. Both Mr. Schainker and Mr. Dieter emphasized that all numbers being given are subject to discussion and approval. It was noted by Mr. Schainker that a consultant will have to be hired who will give a very specific estimate of capital costs. It is not just design costs; there is a cost for a bond issue. The consultant would also estimate operating costs and their distribution. Revenues would also have to be estimated and a determination made as to how those revenues would be allocated.

It was offered by City Manager Schainker that the City of Ames could, subject to City Council approval, finance the feasibility study since it is proposed that the City would own the feasibility. He stressed that potential sites will have to be identified because, depending on what is needed to prepare the site, it could have a large impact on the costs.

The next steps were given as:

1. Each entity communicates its support in continuing to participate in the exploratory process.
2. The City would initiate a Request for Proposal for a feasibility study.
3. The Healthy Life Center Steering Team assesses land options and recommends a location.
4. The City allocates funding to retain a consultant to complete the feasibility study.

Others present were invited to participate in the discussion. City Council Member Bronwyn Beatty-Hansen asked about the time frame for site options. City Manager Schainker said Steering Committee will continue working and staffs from the respective groups could be looking for potential sites. Funds for the feasibility study would not be discussed by the City Council until February 2017.

Story County Supervisor Wayne Clinton commented that it is important to be upfront with the goals, purpose, and approximate costs, and for the agencies to be upfront as to whether they are in favor of moving forward or not.

Mary Greeley Medical Center Board President Sarah Buck asked if there are sites that might be an option for this facility. She noted that the School Board had left the table when it decided to build its own pool; however, there are many children within the School District who would benefit from a Healthy Life Center. She questioned whether the School District might consider returning to be part of the discussion. Ms. Carroll said all site options are on the table. City Manager Schainker said they will look first to publicly owned land, and if that is not an option, it will have to be determined if there is privately owned land that is available. School Board President Luke Deardorff said, while they are very supporting of the concept, representatives of the School District felt they were being more of a roadblock since there are many challenges facing the District. The School District does have land that is for sale.

City Council Member Peter Orazem offered that it made no sense to him to have two 25-meter pools as opposed to one 50-meter pool. If there is a need for a warm-water pool, the age group needs to be clearly identified. He emphasized that pools should not be built that would be in competition with each other. The facility should be built in order to meet the needs of the clientele, which appears to be centered at this time on the elderly. He noted that 31% of the space appears to be dedicated to a warm-water facility, whose main clientele has not been clearly identified. Parks and Recreation Director Keith Abraham described the differences between the two possible pools. When there is one basin, everyone

wants to use the pool at the same time. A six-lane warm-water pool is not just for lap swimming; it is desired for swim lessons and aqua classes. Also, during every swim meet, the pool would not be available. The aquatic center would serve many more people than the 60-plus population.

City Council Member Amber Corrieri noted that in a past City-wide survey, it was noted that the community wanted the City to address both the people who had an interest in a warm-water facility and those who wanted a cold-water competitive facility. They also indicated a desire for the City and School District to work together. Ms. Corrieri also raised her concerns over the scope of the project and asked if it might be expanded in the future. Specifically, she asked if the focus of the conversation would be to limit it to a Healthy Life Center, rather than a human services campus. She also wondered if the consultant would be asked to address the feasibility of the space and how it's used. City Manager Schainker answered that the consultants will rely on the users for input as to how much space it needs. They will look at functionality of the space. Mr. Botine said the Steering Committee felt that the scope has to be manageable. As word gets out about this possible facility, more entities will want to be included. Input from those entities will be taken. The Community Needs Assessment will be taken into consideration. The amount of land will be a critical factor as well.

Heartland Senior Services Board Member Peter Martin said this is really about all residents of Ames, not just the elderly. The emphasis is on health and life; not about the pool; healthy living entails activities of all kinds. The focus should not be narrowed to just be for older people or young people. He also noted that Heartland should not be isolated as a facility on its own. Elderly people want to interact will people of all ages.

Allen Bierbaum, Parks and Recreation Commission Member, stressed that this must be a facility that welcomes people of all ages of all socio-economic statuses. He doesn't want people to lose sight that the facility would not just be a place where people would go to swim. Other options, such as a playground where children can get exercise in the winter months, and an indoor gymnasium that can be used year-round, should be included.

City Council Member Gloria Betcher asked about multi-generational interaction, and specifically, getting the younger generations involved with older people at an early age. She believes that more recreational opportunities need to be included for the younger kids. Ms. Betcher asked about the outdoor aspect, e.g., outdoor gardens, and whether that was included in the estimated five to seven acres that would be needed. Kate Gregory said the space estimate is pretty rough at this time. The garden was not initially included in the five- to seven-acre estimate. Ms. Betcher also noted that she had recently heard a presentation that showed AARP surveys had shown that Baby Boomers and Millennials actually want some of the same things.

City Council Tim Gartin asked to know the current footprint of Heartland Senior Services. Director Nancy Carroll stated that their current facility is about half of what is really needed.

Mr. Gartin also stated that he wanted the Boys and Girls Club to be at the table and have a voice in the discussion. They are currently capped for space, and Mr. Gartin does not believe that the need will lessen. He also commented that the School District has an understanding of the needs of students, and he encouraged it to engage as the process moves forward.

Ms. Gilligan reiterated the purpose of the proposed Healthy Life Center concept. She noted that one element that seemed to be common was that it would be a place to build and grow relationships among all age groups. Ms. Gilligan said that throughout the month of November, the collaborative groups will be seeking input from all of its members.

ADJOURNMENT: Moved by Nelson, seconded by Orazem; moved by McCuskey, seconded by Kitchell; moved by Sanders, seconded by Clinton, to adjourn the meeting at 8:14 p.m. All motions passed unanimously.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

OCTOBER 25, 2016

The Regular Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 6:00 p.m. on the 25th day of October, 2016, in the City Council Chambers in City Hall, 515 Clark Avenue. Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem were present. *Ex officio* Member Sam Schulte was absent.

Mayor Campbell announced that the Council would be operating from an Amended Agenda. Added to the Consent Agenda was an item pertaining to the 2016/17 Accessibility Enhancement Improvements Program, specifically awarding a contract to T. K. Contracting of Pella, Iowa; and approving its contract and bond.

PROCLAMATION FOR “NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK,” NOVEMBER 12-20, 2016: Mayor Campbell proclaimed November 12-20, 2016, as “National Hunger and Homelessness Awareness Week.” Vanessa Baker-Latimer, City Housing Coordinator, introduced Hope Metheny, representing Youth and Shelter Services; Shannon Bardole, representing The Hunger Collaboration; Haley Losoff, representing the Ames Community School District; and Nick Anderson, representing the Emergency Residence Project. Those individuals accepted the Proclamation as representatives of four of the 11 agencies participating in National Hunger and Homelessness Awareness Week. Ms. Baker-Latimer invited the public to the annual “Scoop a Soup” event to be held on November 15 from 11:30 A.M. to 1:30 p.m. in front of City Hall.

CONSENT AGENDA: Mayor Campbell noted that she had been asked to pull Items 10, 11, and 13 from the Consent Agenda for separate consideration.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of October 11, 2016, and Special Meeting of October 18, 2016
3. Motion approving Report of Contract Change Orders for October 1 - 15, 2016
4. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class B Beer - Mongolian Buffet, 1620 South Kellogg Avenue, Suite 103
 - b. Special Class C Liquor - Le’s Restaurant, 113 Colorado Avenue
5. Motion approving revision to Outdoor Service Privilege for Tip Top Lounge, 201 East Lincoln Way
6. Motion approving new 5-day (November 12-16) Special Class C Liquor License for Orchestrate Management at ISU Alumni Center, 420 Beach Avenue, pending dram shop insurance
7. RESOLUTION NO. 16-616 approving Quarterly Investment Report for quarter ending September 30, 2016
8. RESOLUTION NO. 16-617 accepting Ames Municipal Utility Retirement Report
9. RESOLUTION NO. 16-624 awarding contract to Bobcat of Ames, of Ames, Iowa, in the amount of \$64,383.03 for purchase of Utility Work Vehicle and Attachments for Water Plant Operations
10. 2016/17 Accessibility Enhancement Improvements Program:
 - a. RESOLUTION NO. 16-646 awarding contract to T. K. Concrete of Pella, Iowa
 - b. RESOLUTION NO. 16-647 approving contract and bond
11. RESOLUTION NO. 16-626 approving Change Order No. 2 for Geotube Filter Bag Hauling to Boone County Landfill with Chitty Garbage Service, Inc., of Nevada, Iowa
12. RESOLUTION NO. 16-627 approving Change Order No. 8 for Natural Gas Conversion Equipment, including Burners, Igniters, Scanners, Thermal Analysis, and Computer Modeling
13. RESOLUTION NO. 16-628 approving partial completion of public improvements for Crane Farm Subdivision and revised security amount

14. Water Pollution Control Facility Street Repairs Project:
 - a. RESOLUTION NO. 16-629 approving Change Order No. 1
 - b. RESOLUTION NO. 16-630 accepting completion
 15. RESOLUTION NO. 16-631 accepting completion of 2015/16 Concrete Pavement Improvements Program #1 (Friley Road)
 16. RESOLUTION NO. 16-632 accepting completion of 2015/16 Water System Improvements Program #1 - Water Main Replacement (Country Club Boulevard)
 17. RESOLUTION NO. 16-633 accepting completion of 2015/16 Shared Use Path System Expansion (South Dakota Avenue)
 18. RESOLUTION NO. 16-634 accepting completion of 2014/15 Downtown Street Pavement Improvements (5th Street)
 19. RESOLUTION NO. 16-635 accepting completion of 2015/16 Traffic Signal Program (U.S. Highway 30/University Boulevard)
 20. RESOLUTION NO. 16-636 approving Plats of Survey for 2320 and 2338 Lincoln Way
- Roll Call Vote: 6-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

ADDITIONAL FUNDING TO HOPKINS AND HUEBNER FOR OUTSIDE COUNSEL SERVICES: Council Member Betcher asked City Attorney Judy Parks for an update on the dollar amount that has been approved for outside legal counsel. Ms. Parks stated that they have gone through slightly less than \$75,000. The bulk of that has been spent on the prosecution functions that are being handled by Megan Flynn. Ms. Parks explained that there was a split of the money between prosecution services and the Hopkins and Huebner Law Firm, who is handling time-sensitive, non-prosecution work. There is about \$7,000 left in that fund; however, there are projects already in the hands of Hopkins & Huebner that will expend that amount and more. Therefore, the additional \$25,000 would allow them to continue working on the items that the City sends them.

Ms. Betcher also questioned how the recruitments for additional legal staff were going. City Attorney Parks answered that they had finished the paralegal recruitment and were expecting to make a hire soon. They are about to post the Assistant City Attorney position; however, given the time frame of the steps still needing to be accomplished, that position is not expected to be filled until January.

Moved by Betcher, seconded by Nelson, to adopt RESOLUTION NO. 16-618 approving additional funding to Hopkins and Huebner for outside legal counsel services in the amount of \$25,000. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

REQUESTS FROM MAIN STREET CULTURAL DISTRICT FOR SNOW MAGIC: Council Member Betcher asked to hear an update on the new lights that will be used during the Snow Magic event.

Cindy Hicks, Director of the Main Street Cultural District, 304 Main Street, Ames, stated that the official turning on of the lights will be held on November 11. They are still working on a few electrical issues to ensure that the lights are all powered correctly, but they will be ready to go by November 11. Ms. Hicks noted that new lights were not installed on the Sheldon Munn due to construction being done on that building, but lights will be installed when that has been completed.

Moved by Betcher, seconded by Corrieri, to adopt the following requests from Main Street Cultural District for Snow Magic:

- a. Motion approving Blanket Temporary Obstruction Permit in Central Business District for November 11 through December 24
- b. Motion approving Blanket Vending Permit in Central Business District for November 11
- c. RESOLUTION NO. 16-619 approving waiver of permit fee
- d. RESOLUTION NO. 16-620 approving usage of electricity for holiday activities/lighting from November 11 through January 1, and approving waiver of electricity costs
- e. RESOLUTION NO. 16-621 approving closure of 14 parking spaces from 5 p.m. to 8 p.m. in Central Business District on November 11 and approving waiver of parking meter fees
- f. RESOLUTION NO. 16-622 approving closure of Kellogg Avenue from Main Street to 5th Street on November 11 from 5 p.m. to 8 p.m.; 8 a.m. to 1 p.m. on November 26; and 8 a.m. to 1 p.m. on December 10
- g. RESOLUTION NO. 16-623 approving suspension of parking regulations and enforcement for Central Business District on Friday, November 11, and every Saturday from November 12 through December 24, and approving waiver of fees

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

CONTRACT AND BOND FOR 2015/16 AIRPORT IMPROVEMENTS PROGRAM (AMES NEW EXECUTIVE TERMINAL BUILDING): Council Member Betcher stated that she had requested that this item be pulled from the Consent Agenda to give the two Council members who had voted against the project in the past an opportunity to do so again if they so desired.

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 16-625 approving the contract and bond for the 2015/16 Airport Improvements Program (Ames New Executive Terminal Building). Roll Call Vote: 4-2. Voting aye: Corrieri, Gartin, Nelson, Orazem. Voting nay: Beatty-Hansen, Betcher. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

PUBLIC FORUM: Mayor Campbell opened Public Forum. Martin Edelson, 2417 Duff Avenue, shared that he had just been elected as the point of contact for the newest Ames Neighborhood Association: the Inis Grove Neighborhood Association. Mr. Edelson said that he had communicated information about the Association via an email message to the Mayor and City Council members; however, he wished to reiterate one element of that message. He noted that several issues had precipitated the forming of a new neighborhood association; however, one such issue was the safety concerns about pedestrians crossing Duff Avenue (due to traffic and speeding vehicles). When canvassing the neighborhood to gauge interest in forming a neighborhood association, it was determined that those concerns were shared by many of the residents. Mr. Edelson commented that one benefit of forming the Association was having the assistance of the City's Neighborhood Liaison and Planner Julie Gould. At the Association's last meeting, Ms. Gould had shared that there had been a bicycle lane/pedestrian traffic study done for Duff, which indicated that a four-way stop sign on the corner of 24th and Duff was warranted. Mr. Edelson said he just wanted to use this opportunity to call this to the attention of the Mayor and City Council members and hoped that they would make this a priority.

No one else came forward to speak, and the Mayor closed Public Forum.

MIRACLE LEAGUE FIELD AND ALL-INCLUSIVE PLAYGROUND: Parks and Recreation Director Keith Abraham provided the background for this project. In summary, representatives of the Arc of Story County and Friendship Ark Homes, in July 2015, had contacted him to discuss the possibility of adding an All Inclusive Playground to the City's Park System. This type of Playground means that 100% of the components are accessible to everyone. Other organizations indicated an interest in pursuing the Playground, and an Exploration Committee was formed. There is no playground like

this or Miracle League Field in Story County to address the needs of children and adults with intellectual or developmental disabilities. A Miracle League Field was defined as a small baseball/softball field with outfield fences 150-175 feet from home plate. The Committee developed the scope and goals for the potential project. It was determined in January 2016 that there was enough interest within the community for pursuing the project.

Mr. Abraham summarized the results of the various locations for the Ballfield/Playground that had been investigated. He stated that all parks were reviewed. Three of the locations that were determined to best fit the needs of the project were: Lloyd Kurtz Park on Bloomington Road, Ames Middle School site off of Mortensen Road, and Inis Grove (two options) off of 24th Street. He listed the location selection criteria that were used by review potential sites and gave the pros and cons of the locations.

Mr. Abraham defined neighborhood parks, which are much smaller in area, have a smaller service area, and do not contain public restrooms. Community parks are designed to service a larger area of the City's population, are larger in geographic area, and are equipped with public restrooms.

The history of changes to Inis Grove Park since 1985 was given by Mr. Abraham. He showed what the Park would look like with the addition of both options for this project. If Inis Grove Park is the approved location, the project might include adding paths, storm water detention, parking modifications, landscaping, and lights. A new restroom would replace the one near Shagbark Shelter and the restroom located adjacent to the west parking lot would be renovated.

According to Mr. Abraham, the Parks and Recreation Commission had requested the opportunity to review the design before plans and specifications are presented to the City Council for approval. They had made this request in order to understand how the neighbors' concerns were being addressed. Mr. Abraham explained an outline of the proposed project design process. It was noted that there had already been multiple public meetings that had provided an opportunity for residents to express their opinions. There will be several more opportunities for public input as this project moves forward.

Mr. Abraham advised that current Department policy does not allow advertising on ballfield fences, and it is not anticipated that that policy would change.

Council Member Betcher pointed out that the old ballfields in Inis Grove were not lighted; the tennis courts and volleyball courts are both lighted.

Martin Edelson, 2417 Duff Avenue, Ames, speaking for the Inis Grove Neighborhood Association, shared that he had had a conversation today with a person on the Ankeny Parks and Recreation Commission, who is very familiar with its Miracle League Field and All-Inclusive Playground. That person told Mr. Edelson that that was the best experience he had ever had with his ten-year tenure with the Commission. He noted that the Ballfield/Playground really provided the first opportunity that the children had had to engage with each other, and he enjoyed watching the volunteers interact with the children and had heard how that carried over the next day in school. Mr. Edelson was told by the gentleman that the Ballfield/Playground provided a remarkable bridge between what could be two distinct worlds and make connections between people with disabilities and others. That gentlemen contrasted his experience with the DM Miracle League Field, which Mr. Edelson found out is only used ten to 15 times per year, is fenced off and locked up, and does not contain a playground. According to Mr. Edelson, Ankeny deliberately placed its field by other sports fields, which further facilitated interaction between those with disabilities and those without.

Mr. Edelson shared that the vast majority of neighborhood residents are in favor of the Playground and Miracle Field; however, the issue is whether Inis Grove is the best place for the facilities. According

to Mr. Edelson, many of the residents believe that they have not received sufficient information on the proposed project, e.g., detailed studies of traffic, etc, have not been done. For that reason, he asked that the City Council table the first resolution listed on the Agenda that specifies the location as Inis Grove Park.

At the inquiry of Council Member Gartin, Mr. Edelson advised that he had knocked on 56 doors; 55 people had signed the petition to form a neighborhood association. Since that time, two people had asked to drop out.

Larry Ebbers, 220-24th Street, Ames, said he wanted it known that he is not a complaining member; he is a concerned neighbor - and that means Inis Grove Park. He stated that he was a former Parks & Recreation Commission Director. He referenced a recent newspaper article concerning tonight's meeting that stated this issue was not a neighborhood concern, but a City concern. Mr. Ebbers presented an additional 27 signatures "to add to the nearly 600 signatures" that had already been submitted at the last Parks and Recreation Commission meeting in opposition to placing the Ballfield/Playground in Inis Grove Park. He commented that the Ballfield/Playground would fundamentally alter the Park. Mr. Ebbers alleged that the statement that had been made that it will take only 25% of the Park is inaccurate; it will take almost half of the Park. He believes that the Park is becoming a sports complex instead of a park, with the addition of tennis courts, sand volleyball courts, basketball courts, and now a ballfield.

Mr. Ebbers said that he wants the Ames Middle School to be looked at again for the location of the Playground and Field and believes that it should be the School Board and City Council who make the decision, not the Director of the programs. He specifically asked that the Council members consider the concerns that have been brought before them tonight, and in particular, to not approve lights. Mr. Ebbers alleged that the only person wanting lights in the Miracle Field is the Parks and Recreation Director. He said that there is no way to negate the effect of lights on 17 front yards of the residents living adjacent to the Park. According to Mr. Ebbers, if the consultants are not told specifically to exclude lights, they will include lights.

Mayor Campbell noted that it was not the idea of the Parks and Recreation Director to place lights in the project.

Susan Teas, 2003 Polk Drive, Ames, stated that she and her husband have been residents of Ames for 37 years. She said that their four children, who were involved in a variety of sports, were raised in Ames. The children played baseball and soccer at Inis Grove Park. Parking and traffic were challenging, but were not problems. Ms. Teas pointed out that now the baseball and soccer fields are gone, replaced by beautiful greenspace. In Ms. Teas' opinion, it is just that: greenspace; there is nothing inviting that calls people to come play at the Park. She noted that steep ravines could prove hazardous to her and others, but just because a person has a diagnosis of autism does not mean that steep ravines are a hazard. Ms. Teas commented that anyone supervising a person with disabilities would take the responsibility to ensure their safety. She pointed out that an All-Inclusive Playground is not a playground just for those with disabilities; an exclusive playground that does not exclude a person because of his or her disabilities. She encouraged the Council to include lights and a portable microphone at the new Inclusive Playground and Miracle League Park. It was pointed out by Ms. Teas that technology has advanced for lightbulbs and the type of light that they give off, so she believes it would not be a problem for the residents living adjacent to the Park.

Marianne Russell, 3314 Polaris Drive, Ames, told the Council that she has a disability and asked the Council to approve the Field and Playground in Inis Grove. She said she was present to stand up for those with disabilities. Ms. Russell pointed out that people with disabilities are a part of the Ames community too.

Mary Jane Brotherson, 1206 Michigan Avenue, Ames, said that she is the mother of Marianne Russell, who had just spoken. She said that she has been a teacher, researcher, mother, and advocate for those with disabilities for over 40 years. Ms. Brotherson explained how they have worked through the years to enhance the lives with those with disabilities. The Ballfield/Playground would provide a true opportunity for those with disabilities to feel a part of the community and not be excluded.

Tom Russell, 1206 Michigan Avenue, Ames, said that he is the father of Marianne Russell and the husband of Mary Jane Brotherson. He believes that the Middle School is not the place for the Ballfield/Playground because it would not just be for kids. Mr. Russell believes that it is time to move forward to get this Ballfield/Playground in place in Inis Grove Park. He thanked Keith Abraham and the Parks Commission, who unanimously chose Inis Grove Park as the site for this project.

Bill Haas, 2313 Broadmoor, Ames, noted that the neighborhood association of which he is a member is in favor of the Ballfield/Playground. He said his main criticism with what he has seen happen so far is that he does not see leadership from the City Council. He sees people waiting around just waiting to stamp something. He does not see the Council directing the Parks and Recreation Department with a long-range plan that is followed. Mr. Haas said he has seen the Parks and Recreation Commission consider acquiring land for this facility. He asked about the long-time vision for the facility in an existing park; and asked what the plan was for those in the community with disabilities – questioning whether it is a “one-and-done.” Mr. Haas does not want the City to just settle and asked what a consultant would advise. He thinks that a facilitator should be hired to help the City “dream.”

Lauren Wernau, 205 Dotson Drive, Ames, commented that she knows several families who travel very far to use the Ankeny All-Inclusive Playground and Miracle Field. She believes that those families would come to Ames. In her opinion, that could bring also bring economic benefits to Ames. Ms. Wernau sees Inis Grove as the best location; it would be easy to navigate to and children love to go to that Park. Her opinion is that it is important to locate the Miracle Field/All-Inclusive Playground in an existing park. She noted that there is not an existing park at the Middle School. If built there, it would have a stigma that it was built for handicapped people. In the experience of Ms. Wernau, Middle Schoolers are not the nicest people. She has coached Special Olympians and she does not understand why anyone would advocate for placing of the Playground/Miracle Field at the Middle School. Ms. Wernau believes that having a portable PA system would not create sound pollution that would be anything similar to a regular ballgame. It was noted by Ms. Wernau that there would still be a lot of greenspace in Inis Grove, even with the Miracle Field and All-Inclusive Playground. She suggested that neighborhood residents get involved with those who have disabilities so that they can understand that they just want a chance to be included in the community.

Tricia Crane identified herself as the Executive Director of the Arc of Story County, 130 South Sheldon. She said she initially thought that Ames was trying to do something special with the proposed Ballfield/Playground; however, she no longer feels that way as so many other communities have passed Ames by and are already done with their projects. Ms. Crane pointed out that Inis Grove is a 42-acre park; the Playground and Field would use fewer than two acres. She also noted that, although it was stated that placing the Ballfield/Playground in Inis Grove Park was a community concern, persons from other towns (Webster City/Fort Dodge) had signed the petition opposing it as did over 100 Iowa State students living in the dorms. She asked what they cared about locating the Ballfield/Playground at Inis Grove Park. Ms. Crane believes that each child deserves an opportunity for personal growth and placing the Ballfield/Playground in Inis Grove Park would provide that. Ms. Crane concurred with the previous speaker that all children love Inis Grove Park, and it is the best location for the Miracle League Field and All-Inclusive Playground.

Kathy Schnable, 3629 Woodland Street, Ames, expressed support for this project and its location at Inis Grove. She said that is an opportunity for Ames to show that it values all members of the community. Ms. Schnable commented that the Steering Committee had done an exhaustive search of many locations; that search found that Inis Grove was the best location. Ms. Schnable pointed out that Ames has a Park Master Plan, and it states that community parks are the appropriate locations for playgrounds and recreational facilities. Ms. Schnable asked the Council to approve Inis Grove Park as the location and send the message that Ames values all people.

Mary Christy, 2825 Clayton Drive, Ames, expressed her excitement about the opportunity for this project. She stated that she has a son with special needs and her family had to go elsewhere so that their two sons could play together. This Park would give people with disabilities to play and interact with others. Ms. Christy stated her belief that the community can work hard together to alleviate concerns. She asked the Council to vote affirmatively to approve Inis Grove as the location so they can move forward with the design and begin the fund-raising efforts.

Shelley Jaspering, 823 Duff Avenue, Ames, stated that she is very excited for the opportunity that she might get to play softball with her friends and co-workers. She added that the location of Inis Grove is close to Mary Greeley, which is important for those with health concerns. Ms. Jaspering said having the Field at the Middle School would be awkward for her; she is 39 years old and would not go to the Field if it was placed there.

Drew Kamp, 304 Main Street, Ames, noted the 102-page staff report, which he said is symbolic of the work of the Parks and Recreation Director and Steering Committee. He pointed out that the sound system would be a portable system. It would give pride to those playing on the Field when they heard their name. Mr. Kamp also believes that it is important to add the lighting in the design process. According to Mr. Kamp, MUSCO Lighting would donate 50% of the cost of the system. Addressing options outside of Inis Grove, Mr. Kamp said the issue is that several of the locations are located in the floodplain. He noted that flooding waters would do irreparable damage to the type of surface used on the Miracle Field, and he believes fund-raising for the facility to be placed at any of those locations would be an issue. According to Mr. Kamp, on the subject area of Duff, there had been an average of 1.4 accidents/year, which to him, is not such a great number that it would rule-out Inis Grove. Inis Grove has 130 spots for parking; at most, 75 would be needed for the Ballfield/Playground, so parking should not be an issue. Mr. Kamp also noted that the storm water system and storm water detention are already in place. It was stated by Mr. Kamp that of the Park's 42 total acres; 21 are undeveloped. He pointed out that public input had been heard along the way, and they are committed to continued public input throughout the design process. It was also noted by Mr. Kamp that Inis Grove is a community park and is intended to be used and for the benefit of the entire community. Those with mental and physical disabilities are a part of the community. Mr. Kamp asked the City Council to move forward with Alternative 1.

Martin Edelson provided further information relevant to comments made by a previous speaker. He said that a lot of ISU students volunteer in Ankeny and work to help those persons using the Miracle Field. Mr. Edelson thought those students might volunteer to help in Ames as well. So he felt it was appropriate that they could have signed the petition. He acknowledged that persons from Webster City and other persons outside of Ames had signed the petition. Since the Field and Playground were purposed to be a regional attraction that will bring persons from other communities to Ames, he felt that out-of-town residents could also have signed the petition. Regarding any potential economic development, the person with whom Mr. Edelson had spoken to from Ankeny said he didn't see any likelihood that it would bring any economic development in Ames. Mr. Edelson also commented that the continued development on North Grand, Walmart, Northern Lights, and Ada Hayden will bring additional traffic.

Allen Bierbaum, 1504 Curtis, Ames, stated that he is a member of the Ames Parks and Recreation Commission. Mr. Bierbaum complimented Director Abraham and staff on thoroughly seeking out locations and possibilities. He said that while it is true that there might be other locations, through a thorough process, it has been determined that Inis Grove is the best place. Mr. Bierbaum believes that lighting should not be precluded at this time. He pointed out that there might be procedures that could be put into place when the lights could be used. Mr. Bierbaum noted that this project is in keeping with several of the current goals of the City Council, i.e., promotes the sense of One Community, strengthens human services, and promotes healthy lifestyles. He believes that this is a wonderful project and a way to do it must be found. He agreed that the project is going to change the character of the Park, but that is not a bad thing; it will enhance it.

Council Member Nelson asked Director Abraham if portable PA/sound systems are precluded by park rules or policies. Mr. Abraham stated that they are currently allowed.

Council Member Betcher asked if it would be possible that people would have to ask permission to use lights. Mr. Abraham said that would definitely make things much more difficult to manage. He stated that technology has come a long way and believes that it would be possible to focus the lights in a certain way so as not to create a problem for adjacent property owners. According to Mr. Abraham, there is now software available that allows programming the lights to come on and go off at certain times; that is already being done at the sand volleyball courts and at South River Valley. Ms. Betcher also asked how much experience the City has with mitigating light pollution. Mr. Abraham answered that the City does not have experience with that; however, that is one of the reasons a consultant needs to be on board. He noted how the lights are set up at the Ankeny Miracle League Park.

Council Member Gartin noted that Mr. Edelson had questioned staff's due diligence with respect to children's safety, traffic, storm water and storm detention. He noted Mr. Abraham's expertise in park development and asked that he comment about the risks. Mr. Abraham acknowledged that there are always safety concerns and risks no matter where the facility would be located. Nothing will eliminate all risks, but the risks must be managed as much as possible. The City has learned from the construction of a similar facility in Ankeny. Conversations have occurred between Parks and Recreation Department and the Public Works Department staff. Public Works has indicated that the project is do-able at Inis Grove Park.

Mr. Gartin asked Director Abraham to address the allegations of Mr. Ebbers that the proposed project would take 50% of Inis Grove Park. Mr. Abraham showed a map of the Park and the area that would be taken up by the Playground and Field to show that they will take approximately 25% of the open greenspace.

Council Member Gartin noted the suggestion made earlier that non-park land be considered. Mr. Abraham noted that land is at a premium in Ames. He stated that the Steering Committee had considered non-City sites. There was nothing out there that was feasible due to the cost or not being sufficient in size.

Council Member Nelson asked if the actual size of the Miracle Field would be much smaller than a typical Little League field. Mr. Abraham replied in the affirmative.

Council Member Betcher referenced her experience in living next to one sports complex and one about a block away. She said she was convinced, after reading the staff report and hearing the information, that due diligence has been done by the staff and Commission. Ms. Betcher commented that she would like to see the Park in one of the River Valley Parks because that is where they already play ball.

However, if this project is going to be located next to a low-density neighborhood, she did not want to include lights or install a permanent sound system. If the facility is going to be located in Inis Grove Park, she urged her colleagues not to include lights or a permanent sound system. She also does not want a consultant to include those elements in the design concept.

Moved by Betcher, seconded by Beatty-Hansen, to approve Alternative 1 with the stipulation that lighting and a permanent sound system not be included in the design.

Council Member Orazem noted that Ames is the home of Iowa Special Olympics; it has been hosted here for 46 years. He would have liked Lloyd Kurtz Park to be the location because it is closer to Iowa State University where many of the Special Olympics events are held. However, that site has been determined to not be large enough, and that it would have been a stand-alone facility if it were to be located there. Mr. Orazem said he wanted to know if lighting could be included at Inis Grove, and he wants it included in the design concept.

Vote on Motion: 2-3-1. Voting aye: Beatty-Hansen, Betcher. Voting nay: Gartin, Nelson, Orazem. Abstaining due to conflict of interest: Corrieri. Motion failed.

Moved by Gartin, seconded by Orazem, to adopt RESOLUTION NO. 16-637 approving the placement of the Miracle League Field and All Inclusive Playground in Inis Grove Park (Alternative 1) and RESOLUTION NO. 16-638 approving an appropriation of \$50,000 from the Park Development Fund for project design.

Council Member Gartin thanked the neighbors who spoke at tonight's meeting for their civility and perspectives. He thanked the members of the community and those who want to use the facilities who offered input and the members of the Parks and Recreation Commission. Mr. Gartin noted that it is the role of the Commission to explore options to come up with the best option.

Noting a comment made earlier at this meeting on a lack of leadership on the part of the City Council, Mr. Gartin said he believed that Council Member Amber Corrieri had demonstrated tremendous leadership pertaining to this project.

Vote on Motion: 4-1-1. Voting aye: Beatty-Hansen, Gartin, Nelson, Orazem. Voting nay: Betcher. Abstaining due to conflict of interest: Corrieri. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

The meeting recessed at 8:08 p.m. and reconvened at 8:15 p.m.

SOUTH DUFF SAFETY AND ACCESS PROJECT: Traffic Engineer Damion Pregitzer explained the actions needed to be taken by the City Council at this meeting. He stated that there are still items that will need to be finalized at the November 22, 2016, meeting. Staff will work to secure the cross-access, easement agreement on Walmart's property. It was noted by Mr. Pregitzer that the cross-access easement on U-Haul's property has been secured. As part of the contract rezoning, U-Haul is required to construct a driveway within the easement area connecting from Walmart's property south to the last property north of Squaw Creek within two years of the date of approval of the contract.

At the inquiry of Council Member Orazem, Mr. Pregitzer clarified that Walmart will contribute land plus \$85,000. He noted particular paragraphs of the Development Agreement.

James Howe, 912 Clark Avenue, Ames, stated that his business is located at 811 South Duff, and he has been in business for 30 years. His biggest concern is whether he will be able to continue to conduct his

business at its current location due to the size of trucks that will be needing to go in and out of his property. According to Mr. Howe, it is going to be very, very, very tight for those trucks to make the turns. Mr. Howe said that he has been told that the timing the lights will be possible to allow for that access and egress. He doesn't see how that will be possible with the size of trucks that his business services. Mr. Howe noted that he is more than willing to work with the City, but wanted to convey his concerns.

Moved by Gartin, seconded by Nelson, to adopt RESOLUTION NO. 16-639 approving the Iowa Department of Transportation grants for Traffic Safety Improvement Program funds in the amount of \$450,000 and for Urban-State Traffic Engineering Program funds in the amount of \$400,000.

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

Moved by Gartin, seconded by Nelson, to adopt RESOLUTION NO. 16-640 approving preliminary plans and specifications for the 2016/17 U. S. 69 Improvements Program, and setting November 16, 2016, as the bid due date, and November 22, 2016, as the date of public hearing.

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

ACCESS EASEMENT AT 436 SOUTH DUFF AVENUE (PANDA EXPRESS): Council Member Nelson commended City staff on foreseeing future needs and being proactive.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 16-641 approving the Agreement to provide an Access Easement at 436 South Duff Avenue, subject to signature and recording of the Agreement.

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

STAFF UPDATE ON LANDSCAPE ORDINANCE CONCEPT PROVISIONS: Council Member Nelson advised that he had received feedback from development community that they would like more time to digest the changes.

Planning and Housing Director Kelly Diekmann said he would like a few minutes to walk through the changes that Council had requested to ensure that what was being recommended met with Council's direction given to staff on August 16, 2016. Staff had been directed to meet with the landscape workgroup to further refine the 50-point scoring system being proposed and consult with the workgroup on the flexibility of the system and clarify or simply its requirements. Mr. Diekmann reported that feedback from the stakeholder group indicated a desire for a simplified scoring system that consisted of a lower overall required point total and either simplified categories or a lesser number of categories. Specifically, the group believed that achieving the proposed 50-point total would be problematic under the current proposal with the categories and presents a large increase in costs depending on the circumstance. Additionally, there were comments to try and have an achievable total point requirement when the ordinance is adopted initially and then review its performance after a year to evaluate changes in scoring. There was also some discussion about having no categories and just a broad suite of points.

Council Member Orazem asked about awarding points for possible designs outside of the norm. He doesn't want staff to have to decide on what aesthetics are acceptable.

According to Mr. Diekmann, after the August 16th City Council workshop and from the September workgroup meeting, staff prepared two additional scoring system options. Those options were

explained to the Council. It was noted by Mr. Diekmann that a substantial amount of work related to amending the Zoning Ordinance would be needed no matter what option is selected. Director Diekmann said that, although there is no particular urgency being created, staff would like to have the ordinance in place before the next construction cycle. An ordinance will be needed to be prepared.

Moved by Nelson, seconded by Gartin, to postpone this item until the next Regular Meeting.

Council Member Corrieri noted that she had received very little feedback from developers. She encouraged interested parties to contact the Council members.

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

STAFF REPORT ON REQUEST OF CUSTOMER FOR ADJUSTMENT TO UTILITY ACCOUNT: Finance Director Duane Pitcher stated that the City had received a request from a customer at 1101 Carroll Avenue requesting an adjustment to her utility account. The customer had been out of town from June 20, 2016 to July 14, 2016. When she returned home, she found water running and several inches of water in her basement. It was discovered that a pipe had separated from the water heater and had run for several days. The water had flowed down a floor drain connected to the sanitary sewer system. Mr. Pitcher noted that the Sewer Rate ordinance allows the City Manager to approve an adjustment to a customer's bill when 2,000 cubic feet or more of water is used in such a way that the water does not reach the sanitary sewer system. However, in this instance, the customer is not eligible for an adjustment to the sewer charges since the water flowed into a floor drain that is connected to the sanitary sewer system. There is currently no provision in the Water Rate Ordinance that would allow for an adjustment to her water charges.

It was pointed out by Mr. Pitcher that the water, yard water, and irrigation rates are seasonal with higher rates during the summer billing period. The higher summer rates were intended to encourage voluntary conservation of outdoor water usage and have been successful in reducing voluntary usage. However, an unintended consequence of the seasonal rate is that customers who experience high water usage as the result of a malfunction are charged significantly more than if the malfunction would have occurred during the winter billing period. This customer's situation is an example of an unintended consequence. The customer would have been billed \$1,063.62 for water charges instead of \$2,737.55 if this incident would have occurred a month earlier.

Mr. Pitcher noted that there are two issues: (1) whether an adjustment to the customer's utility account should be made and (2) whether a policy change should be made to authority the City Manager to make the decision as to whether or not to adjust the rate when the water usage was unintentional. According to Mr. Pitcher, staff is recommending that the rate be adjusted in this case because it was an unintentional use.

Council Member Orazem asked how quickly the City can tell if a customer has usage outside the norm. Mr. Pitcher answered that there are occasions when the meter is read (once a month) that the City can tell immediately.

Moved by Gartin, seconded by Corrieri, to approve Option 3 and reduce the outstanding financial obligation for the water portion of the bill from \$2,737.55 to \$1,063.62.

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

Council Member Nelson asked for clarification of whether or not the policy change had been included in the motion. City Manager Steve Schainker said that the policy will come back to the Council for approval.

REQUEST OF MAIN STREET CULTURAL DISTRICT (MSCD) FOR FUNDING FOR NATIONAL REGISTER OF HISTORIC PLACES NOMINATION APPLICATION: Moved by Corrieri, seconded by Gartin, to adopt RESOLUTION NO. 16-642 approving an allocation of \$3,000 from the Contingency Account as a match to the Main Street Cultural District's contribution to complete the application for the National Register of Historic Places nomination. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

RESULTS OF RESIDENT SATISFACTION SURVEY: Public Relations Officer Susan Gwiasda presented the results of the City's 34th Annual Survey. She explained the distribution of the Survey and noted that 496 responses had been received [out of the 2,600 (1,350 utility bill and 1,250 emailed to ISU students) surveys]. Ms. Gwiasda noted that the very good ranking rose this year. Overall, the responses indicated a 99% good or very good ranking of City services.

Council Member Betcher suggested that Ms. Gwiasda share the Survey results with ZLR.

Council Member Beatty-Hansen noted that the response rate from students was so much higher than from the other respondents. She hoped that an electronic survey could be made available to all possible respondents in the future.

HEARING ON MAJOR SITE DEVELOPMENT PLAN FOR 2617 BOBCAT DRIVE: Director Diekmann told the Council that the Preliminary Plat needs to be approved by the City Council before the Major Site Development Plan is approved.

Preliminary Plat. City Planner Justin Moore explained that the subject site is currently Outlot A in the 4th Addition of the Ringgenberg Park Subdivision. It is currently addressed as 2617 Bobcat Drive; the request is from Friedrich Land Development Company, LLC. The Preliminary Plat would subdivide 1.45 acres into 13 buildable lots totaling 1.28 acres and two outlots totaling .27 acres. The subject site is located on the north side of Bobcat Drive west of Cedar Lane with existing apartments to the west and south, single-family homes to the southeast, Village Co-Op apartments directly to the east, and a farmstead to the north.

According to Mr. Moore, the developer of the site proposes a single-family attached residential development configured with four groups of single-family attached homes, each on its own lot. Staff has included a condition on approval that a Final Plat for Ringgenberg 5th Addition must be approved to create the required lots for the single-family attached units (otherwise, the structure would be classified as apartments and would require different site improvements for parking and landscaping).

Two key policy items need to be addressed. The proposed lots do not front on a public street. Waivers to the lot, block, and street requirements would need to be granted. The second issue is that the current outlot serves as the open space for the Ringgenberg Subdivision, 4th Addition, as required by the FS-RM Zoning District.

Council Member Nelson asked for staff to explain the sidewalk that is being required between Lots 6 and 7. Planner Moore said that a mid-block cut-through at least every 660 feet (Subdivision Code and zoning requirements) is required. The sidewalk between Lots 6 and 7 would provide pedestrian access through the parking lot to Cedar. According to Director Diekmann, staff is requesting that the Council approve a condition that prior to the Final Plat being approved, a five-foot private sidewalk from Bobcat to Suncrest Drive between Lots 6 and 7 of the 4th Addition be completed or financially secured with

written acknowledgment of the property owner to authorize its installation. It was noted that that condition was listed as Condition D under Alternative 1 in the Council Action Form.

Kurt Friedrich, 100 Sixth Street, Ames, told the Council that this development would provide much-needed reasonably priced work-force single-family attached housing. He addressed the additional sidewalk that is being required by City staff. The proposed sidewalk would run 150 feet or more through the existing parking lot. Vehicular parking would be coming through that parking lot to the covered parking area and handicapped-parking area. Mr. Friedrich stated that the developer believes that a section of sidewalk between Lots 6 and 7, as proposed by staff, would be redundant and create an unsafe condition for pedestrians. All the sidewalk connections would already be on the west side of the property to the north/south existing path that leads to Oakwood. Sidewalk connections to the east along the property owned by the Village Co-Op will be installed all the way to Cedar Lane. Mr. Friedrich also noted that the section of sidewalk between Oakwood and Suncrest that was to be installed about a year ago has not yet been installed. According to Mr. Friedrich, the developer has completed all of the segments that had been required of it, and it is crucial that the segment to be constructed by the City get done. Director Diekmann advised that the contract for the Oakwood path and Cedar segment was just awarded by the City Council at its last meeting; it should be finished late this fall or early next spring.

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 16-643 approving the Preliminary Plat for Ringgenberg Park Subdivision, 5th Addition, including a waiver of Subdivision Code standards for lot design, block length, and public street improvements for lighting, curbs and gutter, and sidewalks with the following conditions (A through C):

- A. Prior to Final Plat approval, the private sidewalk connection to Cedar Lane connection shall be completed or financially secured with written acknowledgment by the property owner (Village Co-Op) to authorize its installation.
- B. Prior to Final Plat approval, to recognize bobcat Drive as a private street, the developer shall provide a common maintenance agreement among all beneficiaries of the cross-access easement within the Ringgenberg 4th and 5th Additions. The Agreement is to be reviewed and accepted by the City of Ames and recorded prior to recording of the Final Plat.
- C. Prior to Final Plat approval, the developer shall provide evidence to the City that all lots within the Ringgenberg, 4th Addition, and the proposed 5th Addition have a legal right to use and enjoy the common spaces within the Ringgenberg PRD and participates in its maintenance and upkeep. The documents shall be reviewed and accepted by the City prior to recording of the Agreements and the Final Plat.

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

Major Site Development Plan. City Planner Justin Moore explained that the developer is requesting approval of a Major Site Development Plan amendment to the Plan previously approved on October 14, 2014, and revised on May 26, 2016. The amendment would allow for development of 13 single-family attached homes on an area previously noted as landscaped open space. The subject site is currently designated as Outlot A within the Ringgenberg Park Subdivision, 4th Addition, and is addressed as 2617 Bobcat Drive. According to Mr. Moore, Bobcat Drive is a 26-foot-wide concrete paved section similar to a local public street improvement, but does not include sidewalks, street trees, or street lights. Additionally, Bobcat Drive exceeds the 600-foot zoning standard for block length and the Subdivision Code street length of 1,320 linear feet. Bobcat Drive as measured from Cedar Lane through the site to

Oakwood Road is approximately 1,650 feet with an existing sidewalk connection from Bobcat to Oakwood Road at approximately 800 feet from Cedar Lane. The proposed improvements with the Plat include the construction of a sidewalk along Bobcat Drive for the length of the subject site connecting to a sidewalk to the west that leads to Oakwood Drive and to the east leading to Cedar Lane. Sidewalks are not proposed along the remaining length of Bobcat Drive. The proposed connections address the minimum expectations for pedestrian circulation to provide connectivity to existing sidewalks.

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

Moved by Orazem, seconded by Gartin, to approve the amendment to the Major Site Development Plan for 2617 Bobcat Drive, with the following conditions:

- A. Prior to a Building Permit being issued, a Final Plat must be approved by the City Council and recorded with Story County.
- B. Prior to issuance of a Building Permit, the developer must provide an updated landscape plan with small enhancements for a gathering area as part of Outlot B of Ringgenberg, 4th Addition, for staff approval. The improvements must be in place or secured by the developer to be completed within one year of the issuance of the first Building Permit.
- C. The developer will maintain existing significant trees along the north property line in accordance with the approved landscape plan.

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

HEARING ON ELECTRIC ADMINISTRATION AND DISTRIBUTION BUILDINGS ROOF REPLACEMENTS: The public hearing was opened by the Mayor. She closed same after no one came forward to speak.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 16-645 approving final plans and specifications and awarding a contract to Central States Roofing of Ames, Iowa, in the amount of \$235,000.00.

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

ORDINANCE REZONING, WITH REVISED MASTER PLAN, 5571 GRANT AVENUE (NOW KNOWN AS HYDE AVENUE) [ROSE PRAIRIE]: Moved by Nelson, seconded by Corrieri, to pass on second reading an ordinance rezoning, with Revised Master Plan, 5571 Grant Avenue, now known as Hyde Avenue, (Rose Prairie) from Agricultural (A) to Suburban Residential Low Density (FS-RL), Suburban Residential Medium Density (FS-RM), and Convenience General Service (CGS).

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

Moved by Orazem, seconded by Corrieri, to suspend the rules necessary for the adoption of an Ordinance.

Roll Call Vote: 4-2. Voting aye: Corrieri, Gartin, Nelson, Orazem. Voting nay: Beatty-Hansen, Betcher. Motion failed.

ORDINANCE REZONING, WITH MASTER PLAN, 3115, 3119, 3301, 3325, 3409, AND 3413 SOUTH DUFF AVENUE: Moved by , seconded by , to pass on second reading an ordinance rezoning,

with Master Plan, of 3115, 3119, 3301, 3325, 3409, and 3413 South Duff Avenue from Highway-Oriented Commercial (HOC) and Agricultural (A) to Residential High Density (RH) and Highway-Oriented Commercial (HOC).

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

ORDINANCE REGARDING PERMITTED USES AND MIXED-USE DEVELOPMENT STANDARDS IN CAMPUSTOWN SERVICE CENTER: Moved by Corrieri, seconded by Nelson, to pass on second reading an ordinance regarding permitted uses and Mixed-Use Development Standards in Campustown Service Center.

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

ORDINANCE CREATING MINOR AMENDMENT PROCESS FOR MAJOR SITE DEVELOPMENT PLANS AND SPECIAL USE PERMITS: Moved by Gartin, seconded by Orazem, to pass on second reading an ordinance creating Minor Amendment Process for Major Site Development Plans and Special Use Permits.

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

ORDINANCE REZONING 2728 LINCOLN WAY, 112 AND 114 SOUTH HYLAND AVENUE, AND 115 SOUTH SHELDON AVENUE: Moved by Corrieri, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4275 rezoning 2728 Lincoln Way, 112 and 114 South Hyland Avenue, and 115 South Sheldon Avenue from Residential High Density (RH) and University West Impact Overlay (O- UIW) to Campustown Service Center (CSC).

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 Beatty-Hansen, seconded by Corrieri, to refer to staff for placement on a future agenda the letter from MICA for dental clinic funding.

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

Moved by Gartin, seconded by Beatty-Hansen, to refer an email referencing an Airbnb to the City Attorney for review regarding issues of compliance with the existing Rental Housing Code.

Mr. Gartin noted that the property in question is not lived in by the owner and is currently being marketed as an Airbnb.

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

Moved by Corrieri, seconded by Gartin, to refer the memo from Z & Z Farms, Inc., pertaining to flooding on Kennedy Street to Public Works staff for inclusion in the list of properties damaged and for the staff report.

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

ADJOURNMENT: Moved by Gartin to adjourn the meeting at 9:47 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

MINUTES OF THE AMES CIVIL SERVICE COMMISSION

AMES, IOWA

OCTOBER 27, 2016

The Ames Civil Service Commission convened in regular session at 8:15 a.m. on October 27, 2016, 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 Kaila Kenjar attended the meeting.

APPROVAL OF MINUTES: Moved by Pike, seconded by Ricketts, to approve the minutes of the September 29, 2016, and October 13, 2016, Civil Service Commission meetings as written.

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

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

Apprentice electric Meter Repair Worker:	Jeff Martin	81
	Tyler Ver Meer	81
	Kevin Mumm	75

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

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

Power Plant Fireworker:	Justin Muschick	81
	Brian Frame	79
Power Plant Operator:	Jon Jensen	76
	Tim Love	76
	Joe Reitano	74
	Galen Gillespie	72

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

REQUEST TO ABOLISH ENTRY-LEVEL FIREFIGHTER CERTIFIED LIST: Human Resources Director Kenjar explained that when a certified list is diminished to three or fewer candidates, staff may request that the Civil Service Commission abolish the list. This is the case with the Firefighter entry-level certified list; therefore, staff is requesting that the Commission abolish the list.

Moved by Crum, seconded by Ricketts, to grant the request to abolish the entry-level certified list for Firefighter.

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

COMMENTS: The next regularly scheduled Civil Service Commission meeting was set for November 17, 2016, 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 type="checkbox"/>	1 st – 15 th
	<input checked="" type="checkbox"/>	16 th – End of Month
Month & Year:	October 2016	
For City Council Date:	November 15, 2016	

Department	General Description of Contract	Contract Change No.	Original Contract Amount	Contractor/ Vendor	Total of Prior Change Orders	Amount this Change Order	Change Approved By	Purchasing Contact (Buyer)
Public Works	Architectural & Engineering Services for Airport Terminal Site Improvement	2	\$400,000.00	Bolton & Menk Inc.	\$4,900.00	\$26,700.00	B. Kindred	MA
Public Works	2014/15 Downtown Street Pavement Improvements (5 th Street)	3	\$1,206,258.00	Con-Struct	\$8,043.40	\$-(6,524.22)	J. Joiner	MA
Finance	Phone System Upgrade	1	\$417,407.67	Black Box Network Services	\$0.00	\$9,697.66	D. Pitcher	MA
Electric Services	Aluminum Cable-Inventory	1	\$68,950.80	Wesco Distribution Inc	\$0.00	\$1,126.20	D. Kom	LM
Public Works	2015/16 Downtown Pavement Improvements (Clark Ave)	1	\$669,611.80	Con-Struct, Inc.	\$0.00	\$-(4,066.98)	J. Joiner	MA
Water & Pollution Control	Ames Water Treatment Plant - Contract 2	11	\$52,497,000.00	Knutson Construction	\$276,732.00	\$2,360.00	J. Dunn	MA

*Caring People
Quality Programs
Exceptional Service*

6a&b

TO: Mayor Ann Campbell and Ames City Council Members

FROM: Lieutenant Dan Walter – Ames Police Department

DATE: November 8th, 2016

SUBJECT: Beer Permits & Liquor License Renewal Reference City Council Agenda
November 15th, 2016

The Council agenda for September 15th, 2016, includes beer permits and liquor license renewals for:

- Class B Renewal - WBN000163 - Kitchen, Bath & Home, 201 Main St
- Class E Renewal - LE0002417 - AJ's Liquor III, 2401 "A" Chamberlain

A routine police records check found no calls for service to Kitchen, Bath & Home. The police department recommends approval of their liquor license.

A routine check of police records for the past twelve months noted 12 alcohol related calls for service to AJ's Liquor. These included 5 minor on premise charges and 6 disorderly type events that involved alcohol, intoxication or fighting. AJ's remains one of the busier bars in the campus town area and the call volume is therefore not alarming. However, the Police Department makes this note in order to continue and encourage active involvement by the bars management. The police department recommends renewal of all licenses for AJ's Liquor at this time.

Name of Applicant: <u>Target Corporation</u>		
Name of Business (DBA): <u>Target Store T-1170</u>		
Address of Premises: <u>320 S Duff Ave</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>
Business <u>(515) 663-9500</u>		
Mailing <u>33 South 6th Street, CC-1028</u>		
City <u>Minneapolis</u>	State <u>MN</u>	Zip: <u>55402</u>

Contact Person

Name <u>Carole Helmin</u>
Phone: <u>(612) 761-1015</u> Email <u>Liquor.Licensing@Target.com</u>

Classification Class E Liquor License (LE)

Term:12 months

Effective Date: 11/08/2017

Expiration Date:

Privileges:

Class E Liquor License (LE)

Status of Business

BusinessType: <u>Publicly Traded Corporation</u>
Corporate ID Number: <u>46546</u> Federal Employer ID <u>41-0215170</u>

Ownership

Janine Brown-Wiese

First Name: Janine **Last Name:** Brown-Wiese
City: Plymouth **State:** Minnesota **Zip:** 55446
Position: Asst. Treasurer
% of Ownership: 0.00% **U.S. Citizen:** Yes

Corey Haaland

First Name: Corey **Last Name:** Haaland
City: Edina **State:** Minnesota **Zip:** 55424
Position: SVP, Treasurer
% of Ownership: 0.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company: <u>Safeco Insurance Co</u>
Policy Effective Date: <u>11/08/2017</u> Policy Expiration <u>01/01/1900</u>

Bond Effective 2

Dram Cancel Date:

Outdoor Service Effective

Outdoor Service Expiration

Temp Transfer Effective

Temp Transfer Expiration Date:

Name of Applicant: <u>Chipotle Mexican Grill of Colorado,</u>		
Name of Business (DBA): <u>Chipotle Mexican Grill</u>		
Address of Premises: <u>435 S. Duff Avenue</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>
Business <u>(303) 222-2524</u>		
Mailing <u>Attn.: Licensing, 1401 Wynkoop St., Ste. 500</u>		
City <u>Denver</u>	State <u>CO</u>	Zip: <u>80202</u>

Contact Person

Name Nicholas Cooper (515) 558-0180 and Kim Oganesyany (Chipotle)	
Phone: (303) 222-2524	Email licensing@chipotle.com

Classification Class C Liquor License (LC) (Commercial)

Term:12 months

Effective Date: 02/01/2017

Expiration Date:

Privileges:

Class C Liquor License (LC) (Commercial)

Status of Business

BusinessType: <u>Limited Liability Company</u>
Corporate ID Number: <u>349085</u> Federal Employer ID <u>84-1485992</u>

Ownership

M. Steven Ells

First Name: M. Steven **Last Name:** Ells
City: New York **State:** New York **Zip:** 10011
Position: LLC Manager
% of Ownership: 0.00% **U.S. Citizen:** Yes

Montgomery Moran

First Name: Montgomery **Last Name:** Moran
City: Boulder **State:** Colorado **Zip:** 80303
Position: LLC Manager
% of Ownership: 0.00% **U.S. Citizen:** Yes

Chipotle Mexican Grill, Inc.

First Name: Chipotle Mexican **Last Name:** Grill, Inc.
City: Denver **State:** Colorado **Zip:** 80202
Position: Parent Company
% of Ownership: 100.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company:	<u>Safety National Casualty Corporation</u>		
Policy Effective Date:	<u>02/01/2015</u>	Policy Expiration	<u>02/01/2016</u>
Bond Effective		Dram Cancel Date:	
Outdoor Service Effective		Outdoor Service Expiration	
Temp Transfer Effective		Temp Transfer Expiration Date:	

Name of Applicant: <u>Casey's Marketing Company</u>		
Name of Business (DBA): <u>Casey's General Store #2298</u>		
Address of Premises: <u>428 Lincolnway</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>5001000</u>
Business <u>(515) 232-0024</u>		
Mailing <u>PO Box 3001</u>		
City <u>Ankeny</u>	State <u>IA</u>	Zip: <u>500218045</u>

Contact Person

Name JESSICA FISHER, Store Operations	
Phone: (515) 446-6404	Email JESSICA.FISHER@caseys.com

Classification Class C Beer Permit (BC)

Term:12 months

Effective Date: 01/04/2018

Expiration Date:

Privileges:

Class C Beer Permit (BC)

Status of Business

BusinessType: <u>Publicly Traded Corporation</u>
Corporate ID Number: <u>184278</u> Federal Employer ID <u>42-1435913</u>

Ownership

Michael Richardson

First Name: Michael **Last Name:** Richardson
City: Pleasant Hill **State:** Iowa **Zip:** 50327
Position: President
% of Ownership: 0.00% **U.S. Citizen:** Yes

42-0935283 Casey's General Stores, Inc

First Name: 42-0935283 **Last Name:** Casey's General Stores, Inc
City: Ankeny **State:** Iowa **Zip:** 50021-804
Position: Owner
% of Ownership: 100.00% **U.S. Citizen:** No

Julia L. Jackowski

First Name: Julia L. **Last Name:** Jackowski
City: Urbandale **State:** Iowa **Zip:** 50322
Position: Assistant Secretary
% of Ownership: 0.00% **U.S. Citizen:** Yes

James Pistillo

First Name: James **Last Name:** Pistillo
City: Urbandale **State:** Iowa **Zip:** 50323
Position: Treasurer
% of Ownership: 0.00% **U.S. Citizen:** **Yes**

JOHN SOUPENE

First Name: JOHN **Last Name:** SOUPENE
City: ANKENY **State:** Iowa **Zip:** 50023
Position: VICE-PRESIDENT
% of Ownership: 0.00% **U.S. Citizen:** **Yes**

Insurance Company Information

Insurance Company: <u>First Western Insurance</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 (BC0028132)

Name of Applicant: <u>Aldi, Inc.</u>		
Name of Business (DBA): <u>Aldi, Inc. #48</u>		
Address of Premises: <u>1301 Buckeye Ave.</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>
Business <u>(515) 233-8888</u>		
Mailing <u>4201 Bagley Avenue North</u>		
City <u>Faribault</u>	State <u>MN</u>	Zip: <u>550218556</u>

Contact Person

Name <u>Theresa Sierakowski</u>	
Phone: <u>(507) 333-9460</u>	Email <u>Theresa.Sierakowski@aldi.us</u>

Classification Class C Beer Permit (BC)
Term: 12 months
Effective Date: 12/01/2016
Expiration Date:
Privileges:
Class C Beer Permit (BC)
Status of Business

BusinessType: <u>Privately Held Corporation</u>	
Corporate ID Number: <u>45019</u>	Federal Employer ID <u>42 1051659</u>

Ownership
Charles Youngstrom

First Name: Charles **Last Name:** Youngstrom
City: **State:** Illinois **Zip:** 60564
Position: President
% of Ownership: 0.00% **U.S. Citizen:** Yes

Terry Pfortmiller

First Name: Terry **Last Name:** Pfortmiller
City: Elgin **State:** Illinois **Zip:** 60123
Position: Secretary
% of Ownership: 0.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company: <u>First Western Insurance</u>	
Policy Effective Date:	Policy Expiration

Bond Effective

Dram Cancel Date:

Outdoor Service Effective

Outdoor Service Expiration

Temp Transfer Effective

Temp Transfer Expiration Date:

COUNCIL ACTION FORM

**SUBJECT: ENCROACHMENT PERMIT FOR SIGN AT 121 MAIN STREET
(YELLOW DOG ART AND FRAME)**

BACKGROUND:

The owner of the property at 121 Main Street is seeking approval for an encroachment permit that would allow a sign to hang into the public way. The proposed sign is a projecting sign mounted to the face of the building. It will extend 36 inches over the sidewalk, but will not affect use of the sidewalk.

The sign permit application for the proposed sign has been reviewed by the Inspection Division and complies with all regulations regarding signage. The sign permit application is pending approval contingent on Council's approval of the encroachment permit.

Chapter 22.3(3) of the Ames Municipal Code requires approval of an Encroachment Permit Application by the City Council before a permit can be issued. By signing the application, the Owner has agreed to hold the City harmless against any loss or liability as a result of the encroachment, to submit proof of insurance, and to pay a fee for the encroachment. The Owner also understands that this approval may be revoked at any time by the City Council. Upon receipt of proof of insurance, a payment of \$25 and Council approval, the Inspection Division will issue a permit for the encroachment.

ALTERNATIVES:

1. Approve the application allowing the applicant to erect the sign once the permit has been issued.
2. Approve the application allowing the applicant to erect the sign, with modifications, once the permit has been issued.
3. Deny the application prohibiting the applicant from placing the proposed sign over the public way.

CITY MANAGER'S RECOMMENDED ACTION:

This sign can be erected over the City's right of way with no adverse impact on the public, and the requisite process has been fulfilled by the applicant.

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

COUNCIL ACTION FORM

SUBJECT: RESTRICTIVE COVENANT AGREEMENT WITH THE ASSAULT CARE CENTER EXTENDING SHELTER AND SUPPORT (ACCESS)

BACKGROUND:

Back in 1984 the City utilized \$80,000 of Community Development Block Grant (CDBG) funds to purchase and rehabilitate a property on Duff Avenue. That property was to be used as an emergency shelter on behalf of the Assault Care Center Extending Shelter and Support (ACCESS). The City's agreement with ACCESS included a restrictive covenant whereby the property could not be sold without approval of the City, and the \$80,000 initial investment would need to be repaid back to the City.

In March 2004 the City Council approved a request from ACCESS to sell their property on Duff Avenue and reinvest the \$80,000 in the purchase of a larger facility on Lynn Avenue that included the same restrictive covenant mentioned above.

At the February 9, 2016 City Council meeting, City Council approved a request from ACCESS to sell their property on Lynn Avenue and to reinvest the \$80,000 in the purchase of another property when a suitable property had been selected by ACCESS. Therefore, the \$80,000 was repaid to the City until ACCESS identified a property that would meet the zoning requirements for use by Social Services Providers. Once an eligible property had been identified and a purchase offer accepted, a check would be issued to ACCESS to use toward the purchase of the new property. A new restrictive use covenant agreement also would be created similar to the two previous covenants for the Duff and Lynn properties.

ACCESS has notified staff that they have entered into an agreement to purchase a property that meets their needs and also meets the City's zoning requirements. They would like to close on the property on or by November 30, 2016. Staff has worked with outside legal counsel to prepare the attached restrictive covenant agreement for City Council review and approval. After approval of the restrictive covenant agreement, staff will then process the \$80,000 check on behalf of ACCESS at the time of closing.

ALTERNATIVES:

1. The City Council can adopt a resolution approving the restrictive covenant agreement between the City of Ames and ACCESS and authorizing payment of the \$80,000 on behalf of ACCESS at the time of closing.
2. The City Council can choose not to approve the restrictive covenant agreement between the City and ACCESS and authorization of the \$80,000 payment on behalf of ACCESS at the time of closing.
3. The City Council can make modifications to the restrictive covenant between the City and ACCESS.

MANAGER'S RECOMMENDED ACTION:

It has been the practice of the City to support this type of reinvestment of grant funds to non-profit organizations that provide a valuable service for the citizens in our community.

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

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

Prepared by: Judy Parks, City of Ames Legal Department, 515 Clark Avenue, Ames, Iowa, 50010 (Phone: 515-239-5146)
Address Tax Statement To: City of Ames, Iowa, 515 Clark Avenue, Ames, Iowa 50010

**RESTRICTIVE COVENANT AND LIEN
AGREEMENT TO SECURE
REPAYMENT OF PURCHASE MONEY**

THIS AGREEMENT for contractual lien and restrictive covenant, made and entered into effective the day of _____, 20 , by and between the CITY OF AMES, IOWA (hereinafter called “City”) and ASSAULT CARE CENTER EXTENDING SHELTER AND SUPPORT, (an Iowa non-profit corporation), its successors and assigns (hereinafter called “ACCESS”),

WITNESSES THAT:

WHEREAS, pursuant to an agreement dated October 2, 1984 and recorded as Instrument No. 94-10615 in the office of the Story County Recorder, City made a grant of \$80,000.00 to the predecessor of ACCESS for acquisition and rehabilitation of real estate subject to the condition the real estate could not be sold without the consent of the City, and,

WHEREAS on January 28, 2003, the City consented to the sale of the real estate on the condition that the City receive restitution of \$80,000.00 from ACCESS, and

2. ACCESS agrees and declares that the above described property and all portions of it are and shall be held, transferred, sold, conveyed, used, and occupied subject to the covenants and lien hereinafter set forth, which covenants and lien are for the purpose of securing restitution of the said amount of \$80,000.00 at such time as the said property is sold or it ceases to be used in its entirety as the site of services that are specific to the needs of victims of sexual assault.

3. ACCESS and the City agree that it is intended that all current and future holders of any interest in the above described property, or any portion thereof, shall at all times hold their interests subject to the covenants and lien herein stated.

4. In the event that ACCESS desires to sell the above described property or otherwise transfer the legal or equitable title to that property, ACCESS shall first obtain the consent of the city by an enacted measure of the City Council. The City's consent may be subject to conditions pertaining to a public purpose. From the proceeds of any such sale, the sum of \$80,000.00 shall be disbursed to the City for appropriation by the City to any public purpose.

5. In the event that the above described property ceases to be used in its entirety as the site of services that are specific to the needs of the victims of domestic violence and sexual assault, ACCESS, or its successor in interest to the above described property, shall immediately pay the sum of \$80,000.00 to the City.

6. The provisions of paragraph 4 and 5 above constitute a contractual lien on the above described property. The City shall have the right to collect the charge stated, with interest and costs, and to enforce the said lien as in foreclosure proceedings as permitted by law and equity. ACCESS recognizes and agrees that the City has a valid interest in ensuring that the restrictive covenants and lien is properly adhered to and therefore does hereby grant to the City the right to enforce these covenants and the said lien by any proceedings at law or in equity against any

person or persons attempting to violate the said restriction, either to restrain violations, to compel affirmative action or to recover damages.

7. This agreement may be modified, amended, or rescinded only upon the express prior written approval of the City by an enacted resolution of the City Council.

8. The restrictive covenant and lien as aforesaid shall run with the land and shall be binding upon and inure to the benefit of the parties and their successors, assigns, agents, licensees, invitees, and representatives, including without limitation, all subsequent owners of the above described property or any portion thereof, and all persons claiming under them.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their duly authorized representatives as of the date above written.

CITY OF AMES, IOWA

STATE OF IOWA, COUNTY OF STORY, ss

On this day of _____, 2016, before me, a Notary Public in and for the State, 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 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 _____, 20 , 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.

By: _____
Ann H. Campbell, Mayor

Attest: _____
Diane R. Voss, City Clerk

Notary Public in and for the State of Iowa

ACCESS/Assault Care Center Extending Shelter and Support

STATE OF IOWA, COUNTY OF STORY, ss

On the day of _____, 2016, before me, a Notary Public in and for the State of Iowa, personally appeared Mike Tupper and Angie Schreck, to me personally known, who being by me duly sworn, did say that that they are the Board Chair and Executive Director, respectively, of said corporation, that the seal affixed to said instrument is the seal of said corporation, or no seal has been procured by said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and the said Mike Tupper and Angie Schreck acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.

By _____
Mike Tupper, Board Chair

By _____
Angie Schreck, Executive Director

Notary Public in and for the State of Iowa

COUNCIL ACTION FORM

**SUBJECT: ASSET MANAGEMENT AGREEMENT / PIPELINE SERVICES FOR
POWER PLANT CONTRACT RENEWAL**

BACKGROUND:

Over the past year Electric Services converted both of the Power Plant's coal fired generators to use natural gas. The Power Plant now typically burns 12,000 MMBtu of natural gas daily to generate electricity and consume refuse derived fuel.

This contract is for a firm to provide their asset management services to manage the City's natural gas purchases and gas pipeline transportation contracts. The contracted company serves as a bridge between the natural gas commodity already under contract and the delivery services already under contract.

On October 27, 2015, City Council awarded a contract to BP Canada Energy Marketing Corp., Omaha, NE, for AMA/Pipeline Services for the City of Ames in an amount not to exceed \$30,000 for the base services. In addition, an amount not to exceed \$3,000,000 was authorized for the purchase of additional natural gas plus delivery as needed to manage the day-to-day fuel needs of the Power Plant. Included in the original contract were terms for up to four additional one-year terms. **This is the first renewal out of four maximum.**

BP has provided three separate renewal agreements, each providing a different service. These are (1) an Asset Management Agreement Addendum (AMA), (2) an AMA Transaction Confirmation, and (3) a Transaction Confirmation. Each agreement is attached and is described in further detail below.

Asset Management Agreement Addendum (AMA)

The basic services are included in Attachment #1 entitled The AMA Addendum. This is an addendum to the North American Energy Standards Board (NAESB) agreement the City of Ames and BP have already signed. This agreement manages (1) the pipeline capacity the City has under contract with Northern Natural Gas Company, (2) the natural gas supply the City purchased from Macquarie, and (3) the scheduling and balancing of our natural gas. "Balancing" involves matching the amount scheduled with the amount consumed. BP will charge the City of Ames \$30,000 per year for the basic services.

AMA Transaction Confirmation

This agreement outlines the terms and conditions when the actual amount of natural gas burned in a day is less than 12,000 dekatherms. This can typically occur at times when Unit #8 is down for maintenance. For these events, BP will sell or store the excess gas on behalf of the City and credit the City the revenue. This agreement also

outlines the terms and conditions when the actual amount of natural gas burned in a day is greater than 12,000 dekatherms but less than 14,000 dekatherms. For these events, BP will purchase additional natural gas on behalf of the City and charge the City for the gas plus their fee. It should be noted that no additional pipeline transportation is needed because the City has contracted for capacity up to 14,000 dekatherms.

Transaction Confirmation

This agreement outlines the terms and conditions when the actual amount of natural gas burned in a day is greater than 14,000 dekatherms. For these events, BP will purchase both additional natural gas **and additional natural gas transport service** on behalf of the City and charge the City for the gas plus their adder. This can typically occur at peak times in the summer when Unit #8 is operated at higher generation levels or when both Unit #7 and Unit #8 are operating at the same time.

Under the AMA Transaction Confirmation and Transaction Confirmation agreements, services are charged based on the price of the natural gas at the time of purchase plus a fee. It is difficult to predict at this time how much of these services will be required each day. Therefore, staff is requesting that an amount not to exceed \$500,000 be approved so that staff, together with BP, can manage the daily gas needs over the coming year. If the net purchases of additional gas approach this limit, staff will return to City Council for additional purchasing approval at that time.

The approved FY 2016/17 operating budget currently includes \$17,000,000 for the purchase of natural gas to operate the Power Plant. It should be noted that this contract crosses two budget years. The FY17/18 Electric Services budget will include appropriate funding to cover this contract.

ALTERNATIVES:

1. Approve the renewal of the three contracts described above to BP Canada Energy Marketing Corp., Omaha, NE, for AMA/Pipeline Services for the City of Ames in an amount not to exceed \$30,000 for the base services. In addition, authorize an amount not to exceed \$500,000 for the purchase of additional natural gas plus delivery as needed to manage the day-to-day fuel needs of the power plant.
2. Do not renew the agreement and instruct staff to seek new competitive proposals.

MANAGER'S RECOMMENDED ACTION:

These three contracts provide Electric Services with a crucial service that will manage the natural gas needed to operate the power plant and burn refuse derived fuel.

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

COUNCIL ACTION FORM

SUBJECT: LIBRARY WOW WALL CONTRACT

BACKGROUND:

Over the last two years the Library Board of Trustees has been enhancing the recently renovated and expanded Library with artwork and other installations that provide visual interest. Library staff worked with Benjamin Design Collaborative to develop plans for an interactive play wall that would stimulate development of cognitive abilities and allow children to stretch their imaginations. Elements of the wall evolved as the Library's requests and suggestions were incorporated into a dynamic and durable design.

In September, Requests for Quotation were sent to 18 potential vendors. By the deadline on October 20, one bid in the amount of \$53,463.81 was received. The Library Board of Trustees reviewed it at a special meeting held on November 3rd.

A \$60,000 grant from the Roy J. Carver Charitable Trust was intended to be used for the WOW Wall. Some of those funds have already been expended for design services, leaving \$39,000 of the grant unencumbered. Grant funds from the Kinney-Lindstrom Foundation in the amount of \$8,938, as well as over \$71,000 in unspent bequest funds and private donations designated for the building project, are also available. The Board of Trustees unanimously voted to proceed with the project and adopted a resolution recommending that City Council approve the contract with Swan Creek Cabinetry, Inc., with funding from the Roy J. Carver Charitable Trust, the Kinney-Lindstrom Foundation, Inc. and unencumbered donations to the Library Renewal Project.

ALTERNATIVES:

1. Approve the contract with Swan Creek Cabinetry, Inc., of Boone, Iowa, in the amount of \$53,463.81 to build and install the Library WOW Wall, using funds from the Roy J. Carver Charitable Trust, the Kinney-Lindstrom Foundation, Inc. and unencumbered donations designated for the Library Renovation and Expansion Project.
2. Do not approve the contract.

CITY MANAGER'S RECOMMENDED ACTION:

Consistent with its purpose of enriching the community, the Library Board desires to add captivating features that stretch the imagination as finishing touches are put on the expanded, renovated Library building. Funds are available through grants from two private organizations and donations made for the building project.

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



CITY OF
Ames™

Caring People ♦ Quality Programs ♦ Exceptional Service

MEMO

To: Mayor and Members of the City Council

From: City Clerk's Office

Date: November 10, 2016

Subject: Contract and Bond Approval

There is no Council Action Form for Item No. 16. Council approval of the contract and bond for this project is simply fulfilling a *State Code* requirement.

/jr

COUNCIL ACTION FORM

**SUBJECT: POWER PLANT FUEL CONVERSION – ELECTRICAL INSTALLATION
GENERAL WORK CONTRACT CHANGE ORDER NO. 4**

BACKGROUND:

In November of 2013 the City Council decided to convert the City's Power Plant from coal to natural gas. In May of 2014 the City Council selected Sargent & Lundy of Chicago, Illinois, to provide engineering and construction oversight services for the conversion project.

On September 22, 2015, City Council awarded a contract to FPD Power Development, LLC, Minneapolis, MN for the Power Plant Fuel Conversion – Electrical Installation General Work Contract in the amount of \$3,145,149. This specific phase of the conversion project was to hire a contractor to perform the electrical installation work.

The action now being requested is to approve Change Order No. 4 to the Electrical Installation Contract. This \$64,743.87 change order provides for the extra labor, equipment, and other relevant and associated costs necessary to extend the electrical installation work by 13 weeks due to circumstances beyond the control of FPD Power Development, LLC.

CHANGE ORDER HISTORY:

Three change orders have previously been issued for this contract.

Change Order No. 1 for \$12,044.24 was for FPD to purchase and provide twenty Type K pneumatic positioners for the Unit 7 wind box dampers.

Change Order No. 2 for \$41,265.65 was for FPD to: 1) locate and install prefabricated equipment pedestals in the DCS equipment room for the mounting of DCS network cabinets, plus install an underfloor cable tray system for the routing of cables to the cabinets; 2) provide and install the necessary grounding of the natural gas piping system, starting at our meter/regulation station just outside the Power Plant and continuing along the piping system's route as it traverses through the Power Plant; and 3) source and supply three relay coils and one lock-out relay as spares for Unit 8.

Change Order No. 3 for \$123,893.91 was for FPD to accomplish the following three tasks:

- Convert soot blowing systems from the one-of-a-kind in-house designed PLC system to the new integrated DCS system. Originally, due to an error in the specification and drawings, cables for this system were routed to and terminated in the wrong electrical cabinet. New cables had to be pulled and terminated into the correct electrical cabinet.
- Perform the electrical installation of the excitation systems provided by General Electric (GE). This scope of work was not included in the specification and drawings for the electrical installation contract work. The decision to install new generator excitation systems was made too late to be included in the electrical installation contract.
- Reimburse FPD Power Development, LLC, for sales taxes paid on materials they purchased to fulfill the obligations of their contract with the City. It was the intention that FPD include sales taxes in their bid, but they did not due to unclear instructions regarding sales taxes in the City's Invitation to Bid.

The total cost of all three previous change orders was \$177,203.80.

PROJECT COST HISTORY:

With this change order, the total costs for the Electrical Installation General Work Contract within the project will be increased to \$3,387,096.67.

Overall, the total project dollar amount committed to date (inclusive of this Change Order No. 4) is \$17,959,259.01. The approved FY 2015/16 Capital Improvements Plan included \$26,000,000 for the fuel conversion project. This was subsequently adjusted to \$18,112,011. The complete project budget to date is shown on page 3.

ALTERNATIVES:

1. Approve contract Change Order No. 4 with FPD Power Development, LLC, Minneapolis, MN, for the Power Plant Fuel Conversion - Electrical Installation General Work Contract in the amount of \$64,743.87.
2. Reject contract Change Order No. 4.

MANAGER'S RECOMMENDED ACTION:

Due to problems encountered during the conversion project, especially with Unit 8, the electrical installation portion of the conversion took considerably more time than originally estimated. Contributing factors include the initial failure to gain bids for the new control room, incomplete historical drawings, and COA equipment issues at the Resource Recovery bin. After careful review of additional work FPD needed to perform to overcome these obstacles, staff has confirmed that this additional change order should be paid.

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

PROJECT BUDGET

The overall project budget and commitments to date are summarized below. To date, the project budget has the following items encumbered:

\$17,475,000	FY 2015/16 CIP amount budgeted for project \$26,000,000 less reduced bonds issuance by \$8,525,000 based on a new project estimate
\$637,011	Unspent Funds from the Power Plant Cooling Tower CIP
\$18,112,011	
	<u>Sargent & Lundy, LLC</u>
\$1,995,000	Encumbered not-to-exceed amount for Engineering Services
\$2,395,000	Engineering Services Contract Change Order No. 1
\$174,000	Engineering Services Contract Change Order No. 2
\$154,000	Engineering Services Contract Change Order No. 3
	<u>GE Power Inc.</u>
\$3,355,300	Contract cost for Natural Gas Conversion Equipment
\$29,869	Equipment Contract Change Order No. 1
(-\$321,600)	Equipment Contract Change Order No. 2
(-\$51,000)	Equipment Contract Change Order No. 3
\$1,620	Equipment Contract Change Order No. 4
\$0	Equipment Contract Change Order No. 5
\$32,679	Equipment Contract Change Order No. 6
\$62,310	Equipment Contract Change Order No. 7
\$121,360	Equipment Contract Change Order No. 8
	<u>Emerson Process Management Power & Water Solutions, Inc.</u>
\$1,595,000	Contract cost for DCS equipment
\$39,377	DCS Contract Change Order No. 1
\$12,611	DCS Contract Change Order No. 2
\$0	DCS Contract Change Order No. 3
	<u>GE Energy Control Solutions, Inc.</u>
\$814,920	Contract cost for TCS equipment Bid 1
\$244,731	TCS Bid 1 Contract Change Order No. 1
\$34,000	TCS Bid 1 Contract Change Order No. 2
\$0	TCS Bid 1 Contract Change Order No. 3
\$16,854	TCS Bid 1 Contract Change Order No. 4
\$41,760	TCS Bid 1 Contract Change Order No. 5

General Electric International, Inc.

\$186,320	Contract Cost for Turbine Steam Seal System - TCS Bid 2
\$24,536	TCS Bid 2 Contract Change Order No. 1
\$150,000	TCS Bid 2 Contract Change Order No. 2
\$0	TCS Bid 2 Contract Change Order No. 3
\$9,208.42	TCS Bid 2 Contract Change Order No. 4

Henkel Construction Co.

\$898,800	Contract cost for Control Room Installation General Work Contract
\$66,782	Control Room Contract Change Order No. 1
\$17,683.54	Control Room Contract Change Order No. 2

TEI Construction Services, Inc.

\$1,572,019	Contract cost for Mechanical Installation General Work Contract
\$8,750	Mechanical Contract Change Order No. 1
\$156,131	Mechanical Contract Change Order No. 2
\$187,984	Mechanical Contract Change Order No. 3
\$9,785.37	Mechanical Contract Change Order No. 4
\$3,032.17	Mechanical Contract Change Order No. 5
\$7,725.98	Mechanical Contract Change Order No. 6
\$3,032.16	Mechanical Contract Change Order No. 7
\$21,673.58	Mechanical Contract Change Order No. 8
\$175,496.89	Mechanical Contract Change Order No. 9
\$48,486.22	Mechanical Contract Change Order No. 10
\$12,539.88	Mechanical Contract Change Order No. 11

FPD Power Development, LLC

\$3,145,149	Contract cost for Electrical Installation General Work Contract
\$12,044.24	Electrical Contract Change Order No. 1
\$41,265.65	Electrical Contract Change Order No. 2
\$123,893.90	Electrical Contract Change Order No. 3
\$64,743.87	Electrical Contract Change Order No. 4

Graybar Electric

\$98,560	Contract cost for UPS System
(-\$1,010)	UPS System Contract Change Order No. 1

Hertz Equipment Rental Corporation

<u>\$166,835.50</u>	Contract cost for Portable Electric Space Heaters
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\$17,959,259.01

Costs committed to date for conversion

\$152,751.99

Remaining Project Balance to cover miscellaneous equipment and modifications to the power plant needed for the fuel conversion



Public Works Department
515 Clark Avenue, Ames, Iowa 50010
Phone 515-239-5160 • Fax 515-239-5404

November 2, 2016

Honorable Mayor and Council Members
City of Ames
Ames, Iowa 50010

Ladies and Gentlemen:

I hereby certify that the water main, storm sewer, sanitary sewer, concrete paving and base asphalt paving required as a condition for approval of the final plat of **Village Park Subdivision** have been completed in an acceptable manner by **Ames Trenching, Con-Struct and Manatts**. The above-mentioned improvements have been inspected by the Engineering Division of the Public Works Department of the City of Ames, Iowa and found to meet City specifications and standards.

As a result of this certification, it is recommended that the financial security for public improvements on file with the City for this subdivision be reduced to **\$207,717**. The remaining work covered by this financial security includes installation of the asphalt surfacing, utility adjustments, public sidewalks/shared use path/pedestrian ramps and COSESCO.

Sincerely,

John C. Joiner, P.E.
Director

JJ/jc

cc: Finance, Contractor, Construction Supervisor, PW Senior Clerk, Planning & Housing,
Subdivision file

Village Park Subdivision
November 2, 2016

Description	Unit	Quantity
Temporary Traffic Control	LS	1
Excavation and Embankment	CY	66,971
Subgrade Preparation	SY	9,396
Sanitary Sewer Gravity Main, Trenched, 8"	LF	2,281
Sanitary Sewer Service Stub, 4"	EA	11
Sanitary Sewer Service Stub, 8"	EA	3
Storm Sewer, Trenched, RCP, Class III, 12"	LF	61
Storm Sewer, Trenched, RCP, Class III, 15"	LF	978
Storm Sewer, Trenched, RCP, Class III, 18"	LF	252
Storm Sewer, Trenched, RCP, Class III, 24"	LF	36
Storm Sewer, Trenched, RCP, Class III, 36"	LF	72
Storm Sewer, Trenched, RCP, Class III, 48"	LF	152
Pipe Apron, RCP, 12"	EA	2
Pipe Apron, RCP, 15"	EA	2
Pipe Apron, RCP, 24"	EA	1
Pipe Apron, RCP, 36"	EA	1
Pipe Apron, RCP, 48"	EA	6
Water Main, Trenched, 8"	LF	2,207
Water Main, Trenchless, 8"	LF	120
Fitting, MJ Bend 8"	EA	6
Fitting, MJ Tee 8"	EA	2
Fitting, MJ Sleeve 8"	EA	2
Water Service Stub, 4" Fire and 2" Domestic	EA	11
Water Service Stub, 4"	EA	3
Water Service Stub, 6"	EA	3
Valve, MJ Tapping, 12"x8"	EA	1
Valve, MH Gate, 8"	EA	7
Fire Hydrant Assembly	EA	7
Temporary Blow Off Hydrant	EA	3
Sanitary Manhole, SW-301, 48"	EA	9
Storm Sewer Manhole, SE-401, 48"	EA	3
Single Grate Intake, SW-501	EA	7
Single Grate Intake, with Manhole SW-503	EA	5
Double Grate Intake, SW-505	EA	1
Double Grate Intake, with Manhole SW-506	EA	1
Detention Area Outlet Structure	EA	2
PCC Curb and Gutter, 30"	LF	4,048
Trail and Sidewalk Pavement, PCC 6"	SY	448
Pavement, HMA Base, 6"	SY	2,977
Pavement, HMA Base, 7.5"	SY	3,837
Pavement, HMA Surface, 2"	SY	6,814
Pavement, PCC, 8"	SY	1,097
Pedestrian Ramps, PCC, 6"	SY	71
Detectable Warning Panels	SF	116
Manhole Adjustment	EA	3
Seeding Type 4 and Mulching	AC	18
Inlet Protection	EA	21
Silt Fence	LF	3,000
Rip Rap, Class D	TON	170
Stabilized Construction Entrance	EA	1

Village Park Subdivision
November 2, 2016



Public Works Department
515 Clark Avenue, Ames, Iowa 50010
Phone 515-239-5160 • Fax 515-239-5404

November 2, 2016

Honorable Mayor and Council Members
City of Ames
Ames, Iowa 50010

RE: Quarry Estates LOC Reduction #2

Ladies and Gentlemen:

I hereby certify that the curb and gutter and base pavement, required as a condition for approval of the final plat of **Quarry Estates, 1st Addition** have been completed in an acceptable manner by **H&W Contracting of Sioux Falls, South Dakota , and Manatts, Inc of Ames, IA**. The above-mentioned improvements have been inspected by the Engineering Division of the Public Works Department of the City of Ames, Iowa and found to meet City specifications and standards.

As a result of this certification, it is recommended that the financial security for public improvements on file with the City for this subdivision be reduced to \$288,401.60. The remaining work covered by this financial security includes installation of the water main, final asphalt surfacing, pedestrian ramps and walks, final adjustment of utility features, erosion control, and street lighting.

Sincerely,

John C. Joiner, P.E.
Director

JJ/ec

Quarry Estates, First Addition
November 2, 2016

cc: Finance, Contractor, Construction Supervisor, PW Senior Clerk, Planning & Housing,
Subdivision file

Quarry Estates, First Addition
November 2, 2016

Description	Unit	Quantity
Temporary Traffic Control	LS	1
Excavation and Embankment	CY	30,075
Subgrade Preparation	SY	10,800
Sanitary Sewer Gravity Main, Trenched, 8"	LF	4,752
Sanitary Sewer Service Stub, 4"	EA	53
Footing Drain Collector, Case D, Type 2, 8"	LF	1,404
Footing Drain Cleanout, 8"	EA	5
Sump Service Stub, 1.5"	EA	53
Storm Sewer, Trenched, RCP Class III, 15"	LF	804
Storm Sewer, Trenched, RCP Class III, 18"	LF	623
Storm Sewer, Trenched, RCP Class III, 24"	LF	402
Pipe Apron, RCP, 18"	EA	5
Pipe Apron, RCP, 24"	EA	2
Water Main, Trenched, 8"	LF	4,677
Fitting, M.J. Bend, 8"	EA	6
Fitting, M.J. Tee, 8"	EA	4
Fitting, M.J. Cross, 8"	EA	1
Water Service Stub, 1"	EA	53
Valve, M.J. Tapping, 12"x8"	EA	1
Valve, M.J. Gate, 8"	EA	14
Fire Hydrant Assembly (includes 8"x8"x6" M.J. Tee, 6" M.J. Gate Valve, 6" Pipe, and Hydrant)	EA	12
Temporary Blowoff Hydrant Assembly (includes 8"x6" M.J. Reducer, 6" Pipe, and Hydrant)	EA	5
Water Service Stub, 2"	EA	1
Sanitary Manhole, SW-301, 48"	EA	17
Storm Sewer Manhole, SW-401, 48"	EA	2
Single Grate Intake, SW-501	EA	9
Single Grate Intake, with Manhole SW-503	EA	7
Open-Sided Area Intake, SW-513, 48"x48"	EA	1
Sanitary Manhole Drop Connection	EA	2
PCC Curb and Gutter, 30"	LF	5,554
Trail Pavement, HMA, 6"	SY	600
Pavement, HMA Base, 6"	SY	2,402
Pavement, HMA Base, 7.5"	SY	5,540
Pavement, HMA Surface, 2"	SY	7,942
Pedestrian Ramps, PCC, 6"	SY	93
Detectable Warning Panels	SF	120
Class 'A' Rock Surfacing	TON	100
Manhole Adjustments	EA	11
Watervalue Adjustments	EA	2

Quarry Estates, First Addition
November 2, 2016

Sidewalk and Shared-Use Path, PCC, 4"	SY	3,915
Seeding (Type 1), Fertilizing and Mulching	AC	25
Inlet Protection	EA	16
Silt Fence	LF	2,500
Stabilized Construction Entrance	EA	2
Conservation Seeding, Planting, and Landscaping	LS	1

COUNCIL ACTION FORM

SUBJECT: 2015/16 AIRPORT IMPROVEMENTS (TERMINAL SITE WORK)

BACKGROUND:

The Airport Improvements Program in the City's 2015/16 Capital Improvements Plan includes a project to construct a new terminal building, an itinerant hangar, and related site improvements at the airport. In accordance with an agreement between the City and Iowa State University, the itinerant hangar has been constructed using private donations. Once the hangar has passed a final inspection by staff, the City will assume ownership of the hangar.

On August 25, 2015, the City Council awarded the site work contract to Absolute Concrete Construction of Slater, Iowa, in the amount of \$772,499.10. **Construction was completed in the amount of \$737,638.50.** The project had five changes orders as follows:

Change Orders	Description	Amount
No. 1	Sewer and Subdrain Modifications	\$7,755.00
No. 2	Water Valve Resize	\$3,300.00
No. 3	Water Service Resize	\$1,210.00
No. 4	Sidewalk and Fence Modifications	(\$40,184.00)
No. 5 (Balancing)	Finalize Quantities	(\$6,941.60)
Net Change		(\$34,860.60)

Change orders 1, 2, and 3 were administratively approved by staff and change order 4 was approved by City Council on February 23, 2016. Change order 5 is the balancing change order reflecting final project quantities.

The following table summarizes the 2015/16 Airport Improvements program funding sources and expense breakdown for this project:

Revenues		Expenses	
G.O. Bonds	\$867,000	Site Design	\$160,000
Bonds (Abated)	\$943,000	Site Construction (final amount)	\$737,639
Federal	\$600,000	Terminal Design	\$266,700
State	\$150,000	Terminal Fixtures/Furnishings (est.)	\$133,600
ISU	\$250,000	Terminal Construction (est.)	\$1,973,900
Hotel/Motel Tax	\$250,000		\$3,271,839
AEDC	\$250,000		
	\$3,310,000	Available for Terminal Contingency	\$38,161

ALTERNATIVES:

1. Accept the 2015/16 Airport Improvements (Terminal Site Work) as completed by Absolute Concrete Construction of Slater, Iowa, in the amount of \$737,638.50.
2. Direct staff to pursue modifications to the project.

MANAGER'S RECOMMENDED ACTION:

This project was completed in accordance with the approved plans and specifications and is within the approved budget. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.

With the Change Order #5 saving an additional \$6,941, the amount available for a contingency for the Terminal construction is increased to \$38,161.

COUNCIL ACTION FORM

REQUEST: XENIA RURAL WATER TERRITORY TRANSFER AGREEMENT FOR THE AMES GOLF & COUNTRY CLUB AND THE IRONS SUBDIVISION

BACKGROUND:

The City Council is asked to approve an agreement between the City and Xenia Rural Water District regarding the buy-out and transfer of rural water service territory for The Irons subdivision and the Ames Golf and Country Club (AGCC). The Irons Subdivision and AGCC are adjacent to the City and within the North Allowable Growth Area, but within the Rural Transitional Area of the Urban Fringe Plan. The City Council approved the preliminary plat on June 14, 2016, subsequently amended on September 13, to divide the AGCC property and allow for development of the Irons Subdivision. A location map is attached.

In May, 2014, the City Council accepted the three covenants from the Ames Golf and Country Club that bind them and subsequent owners to 1) seek annexation at the time that the City chooses, 2) waive objections to assessments that may be imposed for future extensions of City services, and 3) pay any fees associated with the buy-out of Xenia water service territory. The developer seeks to complete the first step of Item #3 to allow for future water service by the City of Ames with the proposed agreement between the City and Xenia.

The golf course is currently served by Xenia Rural Water District and the entire golf course property is within the Xenia service territory. **An agreement between the City and Xenia has been prepared that allows the new development to be bought out of the Xenia service territory, allows any new homes to be served by Xenia until the area is annexed AND City water is brought to the site, and ensures the future transition of those customers to City of Ames water.**

The developer has a separate agreement with Xenia that contains the buy-out terms for The Irons. Upon final plat approval by the City, the developer shall pay \$2700 per residential unit to Xenia to buy-out the water territory for those platted lots but will continue to receive water service until such time as the City can provide service. At the time of disconnection from Xenia, the developer or homeowner shall pay the costs of disconnecting from Xenia. The agreement states that the existing customer (Ames Golf and Country Club) will remain within Xenia's service territory and remain a Xenia customer.

An additional agreement between the City and The Irons will be needed at the time of final plat approval. This agreement will spell out the responsibility of the developer and subsequent owners for paying the costs of connecting to City

water service when City water is brought to the site. It will also address the costs of disconnection from the Advantek septic systems and connections to the City sanitary sewer system.

ALTERNATIVES

1. The City Council can approve the Agreement between City of Ames and Xenia Rural Water District for the transfer of water service territory and to allow for continued water service to until such time as the properties are annexed and City service are available to serve the properties.
2. The City Council can defer action on this request and refer it back to City staff and/or the applicant for additional information.

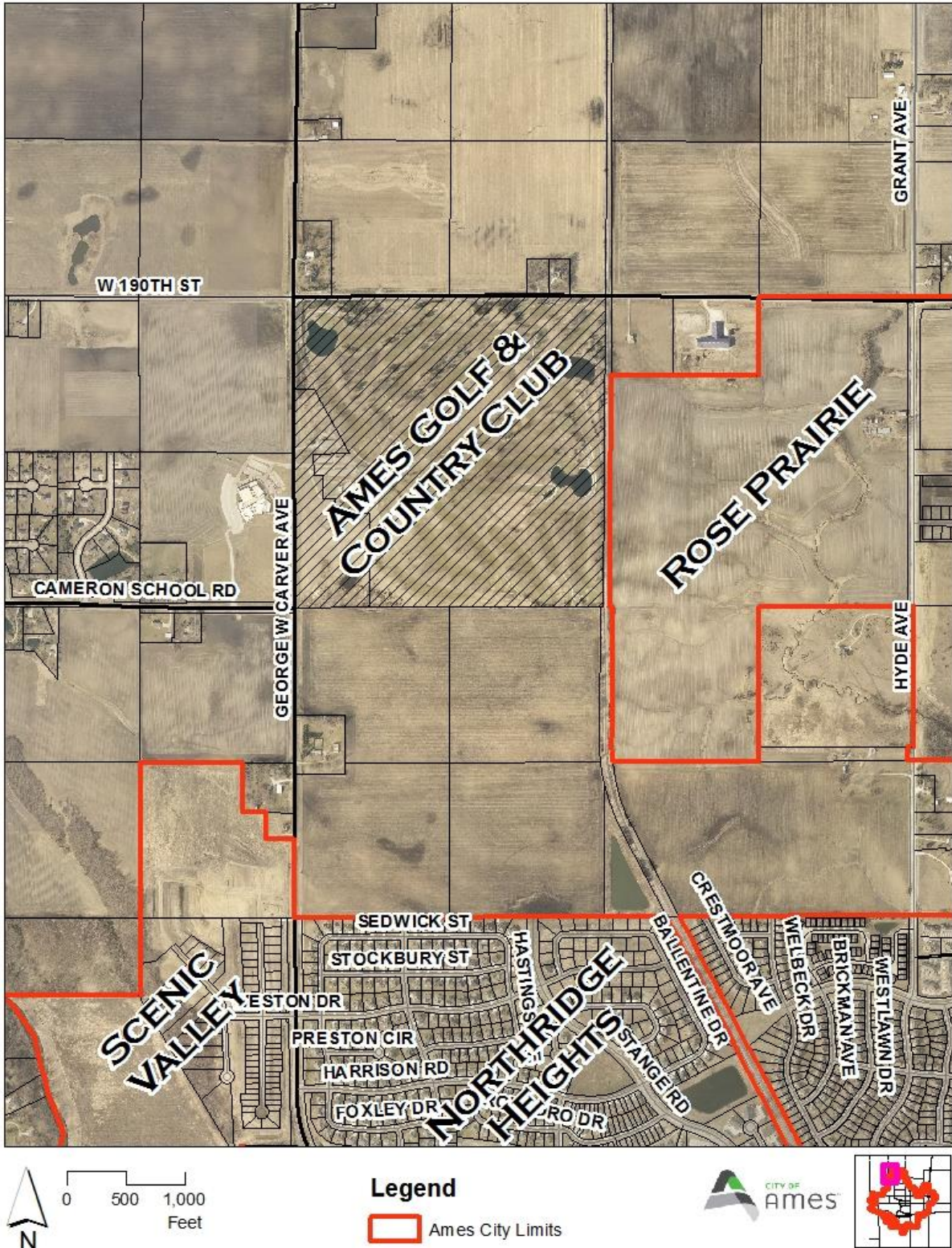
CITY MANAGER'S RECOMMENDED ACTION:

In order to allow the development of The Irons, the City Council accepted the three covenants typically required of fringe development and granted certain waivers to the subdivision improvements requirements. City water is required of subdivisions and, in this instance, the City Council deferred installation until such time as the City is able to annex and provide water to the development. In the interim, water will be provided by Xenia in pipes installed by the developer to City specifications. At the time of final plat approval, the developer will buy-out the Xenia service territory for all new homes although Xenia will still provide water service. The existing country club will remain within the Xenia territory and as a Xenia customer.

At the time of the final plat approval of The Irons, the City and developer will enter into an agreement regarding the responsibility of the developer and subsequent home owners regarding the costs of connecting to City water and sanitary sewer service when it is available. Throughout all of this, there will be no costs to City taxpayers or existing water customers for the buyout, for the installation of water lines that will initially be used by Xenia, or for the transition to City of Ames service when it is brought to the site.

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

LOCATION MAP



**AGREEMENT BETWEEN CITY OF AMES AND XENIA
CONCERNING CONTINUED WATER SERVICE TO CERTAIN
PARCELS ADJACENT TO THE AMES GOLF & COUNTRY CLUB**

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

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

WHEREAS, the City of Ames is a municipal water system with its own set of exclusive rights and responsibilities to provide water services, and

WHEREAS, The Irons, LLC ("The Irons") wishes to develop residential homes on portions of the "Property" (as described in Exhibit A) that is owned by the Ames Golf & Country Club ("AGCC") and The Irons and that is located in Xenia's protected water service territory; and

WHEREAS, the Property may be annexed into Ames at some date in the future; and

WHEREAS, Xenia currently provides water services to AGCC; and

WHEREAS, Xenia currently maintains and owns infrastructure on two sides of the Property and a water service line to AGCC within the Property; and

WHEREAS, The City of Ames approved a preliminary subdivision plat (as shown in Exhibit B) to allow for 34 residential lots and two outlots; and

WHEREAS, Xenia is willing to enter into an agreement with AGCC and The Irons through which Xenia will release its rights to provide water services to Lots 1 through 34 (inclusive) and Outlots X and Y as shown on Exhibit B and as graphically depicted on Exhibit C, with Lot 35 to remain within the Xenia territory and to continue as a Xenia customer; and

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

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

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

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

2. Identification of the Affected Area. This Agreement affects the land described in Exhibit A hereto. The approved subdivision preliminary plat for the proposed development by The Irons is shown in Exhibit B hereto.

3. Agreement Concerning Continuation of Water Services. It is agreed that Xenia shall continue to provide water services to the parcels developed by The Irons, if requested by the property owners, until such time as Ames is able to provide water services to the properties. The Parties further agree that there will be no interruption in providing water services to the Property due to the Release of Service Territory Rights Agreement between AGCC, The Irons, and Xenia. When Ames is able to provide water services to the Property, Xenia shall cease providing water service to Lots 1 through 34 (inclusive) and Outlots X and Y once the proper connection to the City of Ames system has been made. At the time of disconnection from the Xenia system and connection to the City of Ames system, the City of Ames shall take ownership at no cost to the City of all water distribution infrastructure installed as part

of The Irons development. Lot 35 shall remain within the Xenia Service Territory and shall remain a Xenia customer.

4. Consideration. The Parties agree that the joint assistance of AGCC's development of its Property is full and adequate consideration for this Agreement.

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

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

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

8. Intended Beneficiaries. This Agreement is made solely for the benefit of AGCC and The Irons and the Parties, and nothing herein shall be construed as creating any benefits, rights, remedies or claims in favor of any other entity or person.

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

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

Xenia Rural Water District

By _____

Dan Lovett, Chair, Board of Directors

Attest _____

Amy Kahler, Secretary, Board of Directors

Executed _____, 2016

STATE OF IOWA, COUNTY OF STORY, ss:

This instrument was acknowledged before me on _____, 2016, by Dan Lovett and Amy Kahler, as Chair, Board of Directors, and Secretary, Board of Directors, respectively, of Xenia Rural Water District.

Notary Public in and for the State of Iowa

City of Ames, Iowa

By _____

Ann H. Campbell, Mayor

Attest _____

Diane R. Voss, City Clerk

Executed _____, 2016

STATE OF IOWA, COUNTY OF STORY, ss:

On this ____ day of _____, 2016, 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 _____, 2016, 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

CONSENTS AND APPROVALS

This Agreement is consented to by the United States Department of Agriculture (USDA), Rural Development, as of the ____ day of _____, 2016. USDA is not a party to this Agreement.

USDA RURAL DEVELOPMENT

By _____

Kate, Sand, Community Programs

Director

DRAFT

Exhibit A—Legal Description of the Property

Parcels M and N in the NW ¼ of Section 21, Township 84 North, Range 24 West of the 5th P.M., Story County, Iowa as recorded in the Office of the Story County Recorder on August 22, 2016 as Instrument Number 2016-00008076.

DRAFT

Exhibit B—Subdivision Preliminary Plat

PRELIMINARY PLAT FOR: THE IRONS STORY COUNTY, IOWA

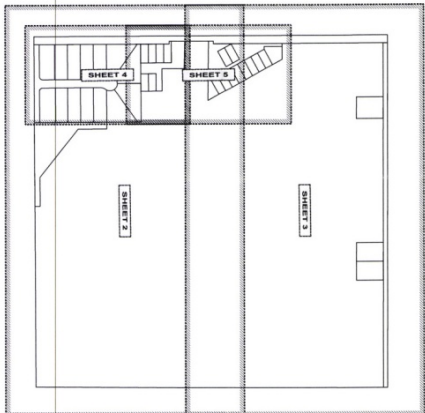
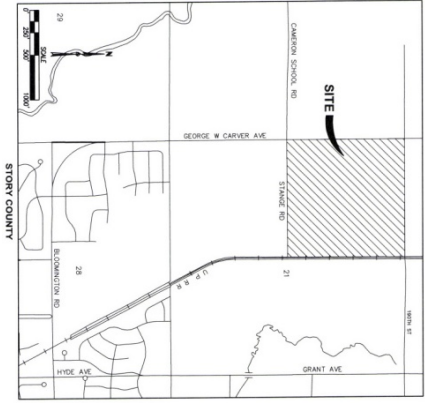
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AUG 5 2016

APPROVED
CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

By: *City Council*
Date: *6/17/16 Res # 16-361*
Forward Res # 16-592
on 9/13/16

INDEX OF SHEETS

NO.	DESCRIPTION
1	TITLE SHEET
2	GENERAL LEGEND
3	NORTH MAP
4	SINGLE FAMILY AREA ENLARGEMENT
5	TOWNHOME AREA ENLARGEMENT
6	SANITARY SEWER PLAN
7	FUTURE SANITARY SEWER PLAN
8	LANDSCAPE PLAN
9	LANDSCAPE PLAN



OWNER: IRONS, CONNOR CLUB
1000 S. GARDEN AVENUE
DES MOINES, IOWA 50315
PHONE: 515-281-2224
FAX: 515-281-2224
WWW.IRONSCLUB.COM

DEVELOPER: CIVIL DESIGN ADVANTAGE
1000 S. GARDEN AVENUE
DES MOINES, IOWA 50315
PHONE: 515-281-2224
FAX: 515-281-2224
WWW.CIVILDESIGNADVANTAGE.COM

ENGINEER / SURVEYOR: CIVIL DESIGN ADVANTAGE, LLC
1000 S. GARDEN AVENUE
DES MOINES, IOWA 50315
PHONE: 515-281-2224
FAX: 515-281-2224
WWW.CIVILDESIGNADVANTAGE.COM

BENCHMARKS:
BENCH MARK: IRONS CONNOR CLUB
ELEVATION: 1178.76
BENCH MARK: IRONS CONNOR CLUB
ELEVATION: 1178.76

NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
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8. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
9. ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE NOTED.
10. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.



I HEREBY CERTIFY THAT THIS SUBDIVISION PRELIMINARY PLAT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF IOWA.
DATE: 6/17/16
DAVID A. HARTZEL
PROFESSIONAL ENGINEER

I HEREBY CERTIFY THAT THE ENGINEERING ACCOUNTANT HAS REVIEWED THIS PLAT AND THAT THE ACCOUNTANT IS A LICENSED PROFESSIONAL ACCOUNTANT UNDER THE LAWS OF THE STATE OF IOWA.
DATE: 6/17/16
CARRIE HARTZEL
PROFESSIONAL ACCOUNTANT

I HEREBY CERTIFY THAT THE ENGINEERING ACCOUNTANT HAS REVIEWED THIS PLAT AND THAT THE ACCOUNTANT IS A LICENSED PROFESSIONAL ACCOUNTANT UNDER THE LAWS OF THE STATE OF IOWA.
DATE: 6/17/16
CARRIE HARTZEL
PROFESSIONAL ACCOUNTANT

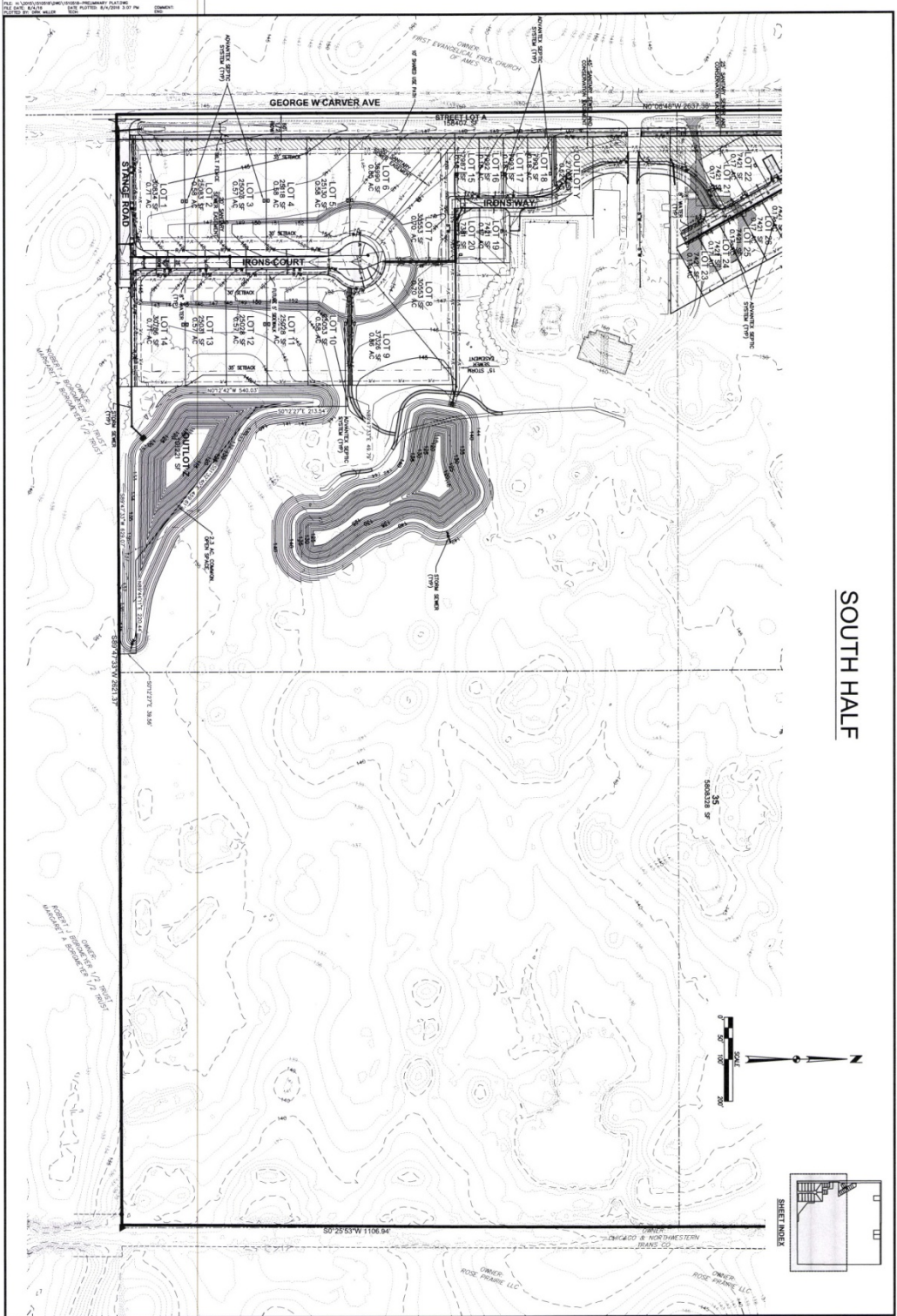
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THE IRONS
PRELIMINARY PLAT
STORY COUNTY, IOWA

CIVIL DESIGN ADVANTAGE
ENGINEER: ENH
TECH: MDM

3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PHONE: (515) 369-4400 FAX: (515) 369-4410

REVISIONS	DATE
FINAL SUBMITTAL	08/05/16
FOURTH SUBMITTAL	07/22/16
THIRD SUBMITTAL	06/24/16
SECOND SUBMITTAL	06/10/16
FIRST SUBMITTAL	05/11/16



SOUTH HALF

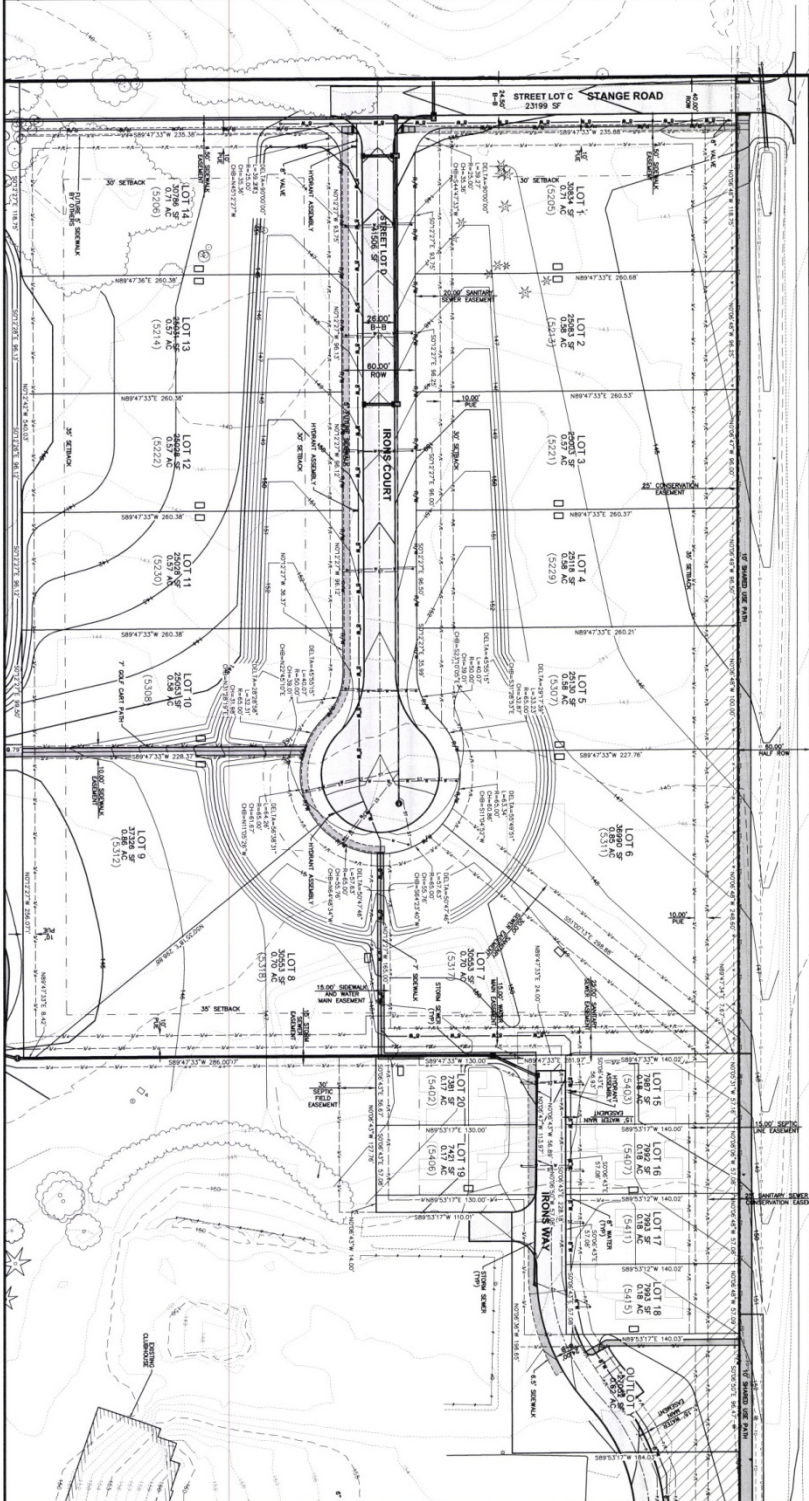
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THE IRONS
PRELIMINARY PLAT
STORY COUNTY, IOWA



3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PHONE: (515) 369-4400 FAX: (515) 369-4410
ENGINEER: ENH TECH: MDM

REVISIONS	DATE
FINAL SUBMITTAL	08/04/10
EIGHTH SUBMITTAL	07/29/10
SEVENTH SUBMITTAL	06/24/10
SIXTH SUBMITTAL	05/17/10
FIFTH SUBMITTAL	05/11/10
FOURTH SUBMITTAL	04/21/10



SINGLE FAMILY AREA ENLARGEMENT

SHEET INDEX

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 4
 9

THE IRONS
 PRELIMINARY PLAT

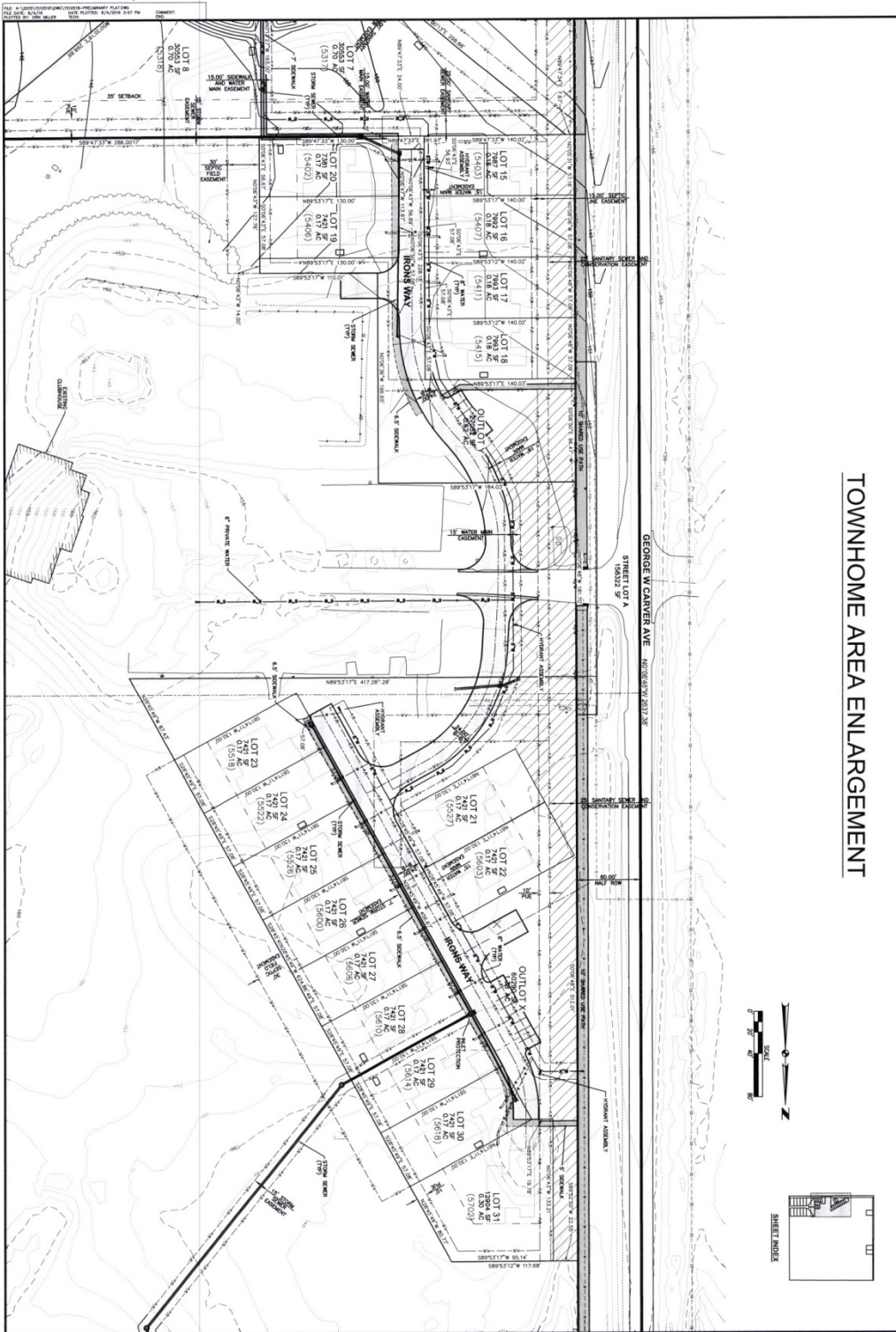
FOURTH SUBMITTAL



3405 S.E. CROSSROADS DRIVE, SUITE G
 GRIMES IOWA 50111
 PHONE: (515) 369-4400 FAX: (515) 369-4410
 ENGINEER: ENH
 TECH: MDM

REVISIONS	DATE
FINAL SUBMITTAL	08/04/15
EIGHTH SUBMITTAL	07/28/15
SEVENTH SUBMITTAL	06/24/15
SIXTH SUBMITTAL	05/21/15
FIFTH SUBMITTAL	05/11/15
FOURTH SUBMITTAL	04/21/15

TOWNHOME AREA ENLARGEMENT



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OF
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THE IRONS
PRELIMINARY PLAT

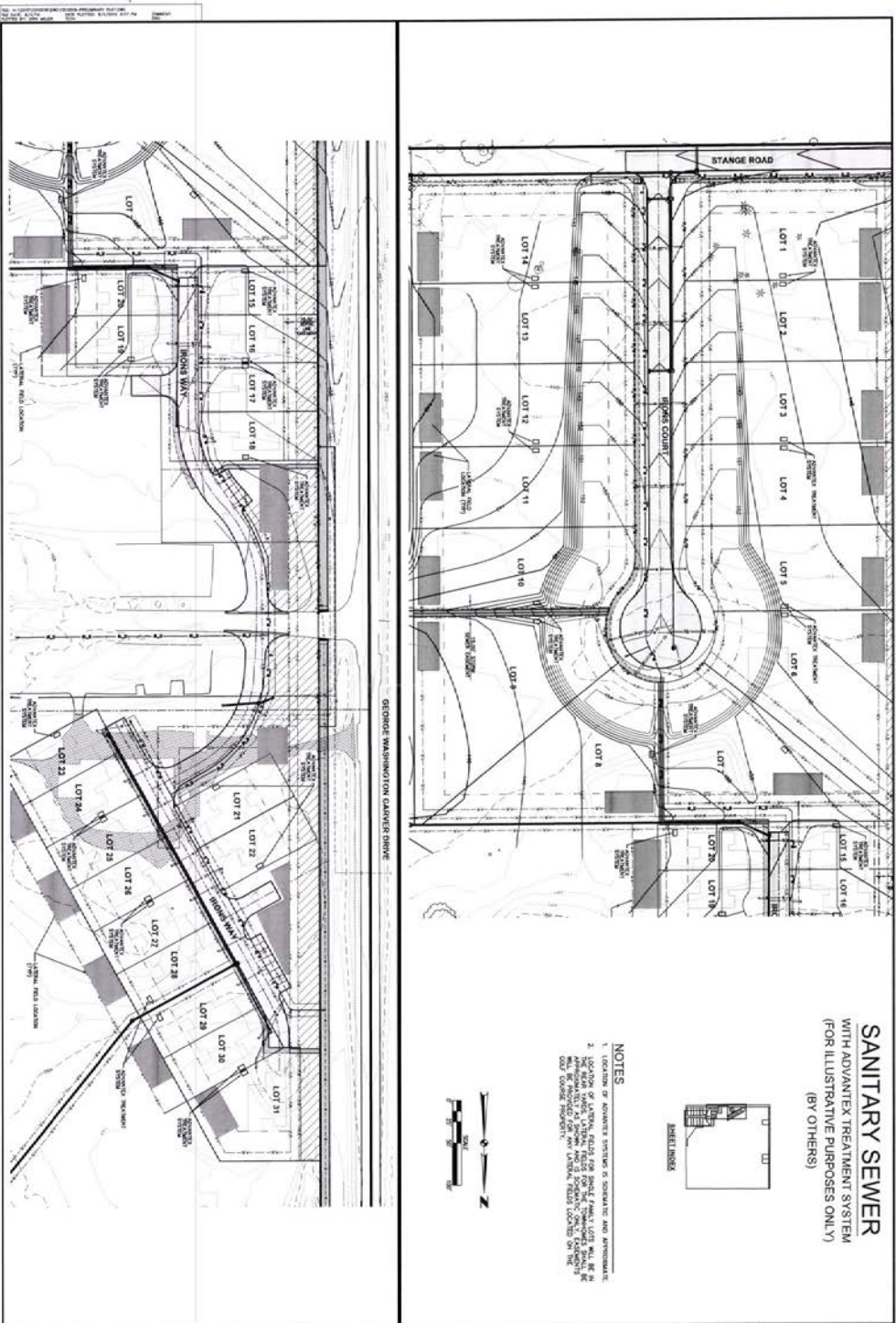
STORY COUNTY, IOWA



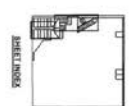
3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PHONE: (515) 369-4400 FAX: (515) 369-4410

ENGINEER: ENH TECH: MDM

REVISION	DATE
FINAL SUBMITTAL	05/04/11
EIGHTH SUBMITTAL	07/28/11
SEVENTH SUBMITTAL	06/24/11
SIXTH SUBMITTAL	05/11/11
FIFTH SUBMITTAL	04/11/11
FOURTH SUBMITTAL	03/11/11



SANITARY SEWER
WITH ADVANTEK TREATMENT SYSTEM
 (FOR ILLUSTRATIVE PURPOSES ONLY)
 (BY OTHERS)

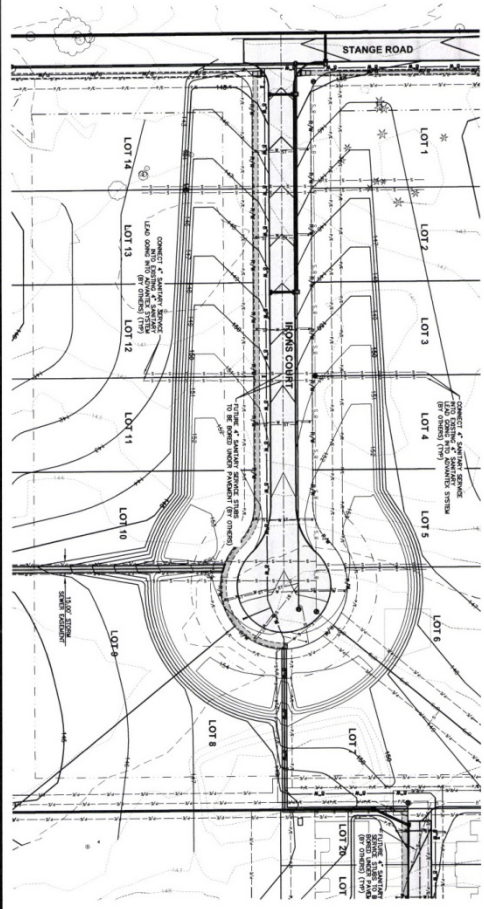
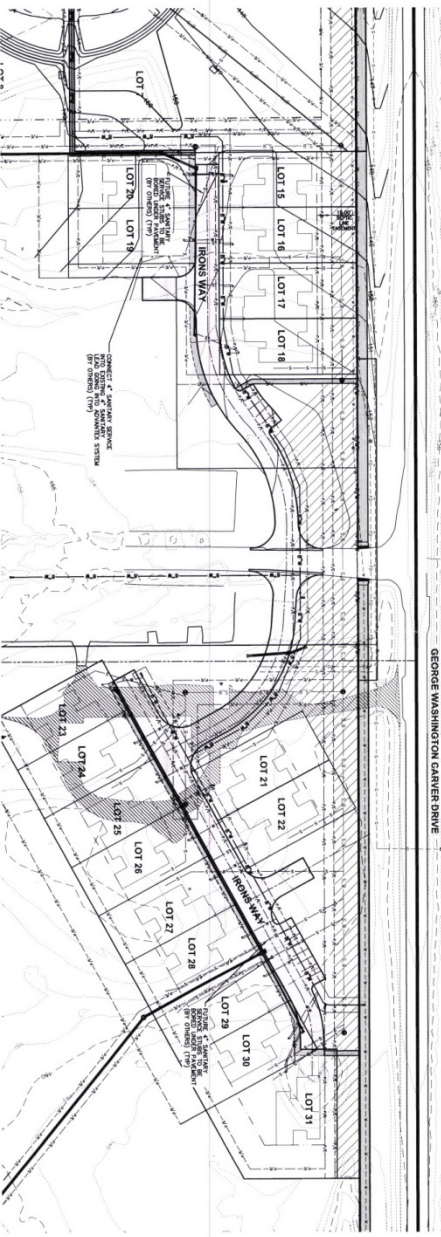


- NOTES**
1. LOCATION OF ADVANTEK SYSTEM IS SCHEMATIC AND APPROXIMATE.
 2. LOCATION OF LATRINE FIELDS FOR SINGLE FAMILY LOTS WILL BE IN THE REAR YARD OF EACH LOT. LATRINE FIELDS FOR MULTIFAMILY LOTS WILL BE IN THE REAR YARD OF EACH UNIT. LATRINE FIELDS FOR COMMERCIAL LOTS WILL BE IN THE REAR YARD OF EACH UNIT. LATRINE FIELDS FOR INDUSTRIAL LOTS WILL BE IN THE REAR YARD OF EACH UNIT.



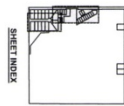
	THE IRONS PRELIMINARY PLAT		3405 S.E. CROSSROADS DRIVE, SUITE G GRIMES, IOWA 50111 PHONE: (515) 369-4400 FAX: (515) 369-4410	ENGINEER: ENH TECH: MDM	<table border="1"> <thead> <tr> <th>REVISION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1. FIRST SUBMITTAL</td> <td>07/23/09</td> </tr> <tr> <td>2. SECOND SUBMITTAL</td> <td>07/23/09</td> </tr> <tr> <td>3. THIRD SUBMITTAL</td> <td>07/23/09</td> </tr> <tr> <td>4. FOURTH SUBMITTAL</td> <td>07/23/09</td> </tr> <tr> <td>5. FIFTH SUBMITTAL</td> <td>07/23/09</td> </tr> <tr> <td>6. SIXTH SUBMITTAL</td> <td>07/23/09</td> </tr> <tr> <td>7. SEVENTH SUBMITTAL</td> <td>07/23/09</td> </tr> <tr> <td>8. EIGHTH SUBMITTAL</td> <td>07/23/09</td> </tr> <tr> <td>9. NINTH SUBMITTAL</td> <td>07/23/09</td> </tr> <tr> <td>10. TENTH SUBMITTAL</td> <td>07/23/09</td> </tr> </tbody> </table>	REVISION	DATE	1. FIRST SUBMITTAL	07/23/09	2. SECOND SUBMITTAL	07/23/09	3. THIRD SUBMITTAL	07/23/09	4. FOURTH SUBMITTAL	07/23/09	5. FIFTH SUBMITTAL	07/23/09	6. SIXTH SUBMITTAL	07/23/09	7. SEVENTH SUBMITTAL	07/23/09	8. EIGHTH SUBMITTAL	07/23/09	9. NINTH SUBMITTAL	07/23/09	10. TENTH SUBMITTAL	07/23/09
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STORY COUNTY, IOWA	CIVIL DESIGN ADVANTAGE	ENGINEER: ENH TECH: MDM	ENGINEER: ENH TECH: MDM	ENGINEER: ENH TECH: MDM																							

PLAT NO. 151910-5118 PRELIMINARY PLATING
 DATE: 05/15/2018 10:51:18 AM
 THE IRONS PRELIMINARY PLAT
 151910-5118



FUTURE SANITARY SEWER
 (BY OTHERS)

NOTES
 ADVANTER SYSTEM AND LATERAL FIELDS WILL BE ABANDONED UPON CONNECTION TO PUBLIC SEWER SYSTEM



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 151910-5118

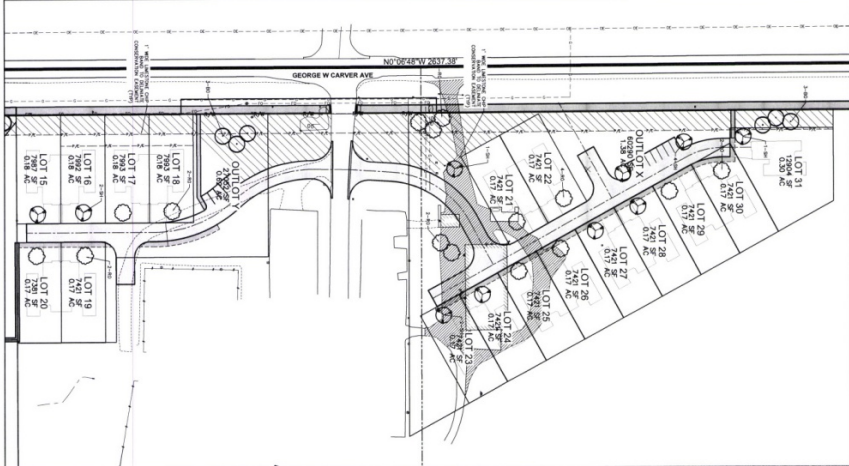
THE IRONS
 PRELIMINARY PLAT
 STORY COUNTY, IOWA

CA
 CIVIL DESIGN ADVANTAGE

3405 S. E. CROSSROADS DRIVE, SUITE G
 GRIMES, IOWA 50111
 PHONE: (515) 369-4400 FAX: (515) 369-4410
 ENGINEER: ENH TECH: MDM

REVISIONS	DATE
FINAL SUBMITTAL	05/15/18
EIGHTH SUBMITTAL	07/28/18
SEVENTH SUBMITTAL	06/26/18
SIXTH SUBMITTAL	05/31/18
FIFTH SUBMITTAL	05/11/18
FOURTH SUBMITTAL	04/23/18

THIS IS A PRELIMINARY PLANNING AND DESIGN DRAWING. IT IS NOT TO BE USED FOR CONSTRUCTION OR AS A BASIS FOR ANY OTHER DESIGN OR CONTRACT. ANY CHANGES TO THIS DRAWING MUST BE APPROVED BY THE DESIGNER.

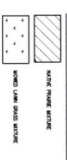


LANDSCAPE PLAN

PLANT SCHEDULE

NO.	PLANT	QUANTITY	PLANT	QUANTITY
1
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SEEDING



CONSERVATION EASEMENT SOIL PREP

- ONE WEEK PRIOR TO GRADING OPERATIONS APPLY MOUND UP TO 2" OF TOPSOIL.
- REMOVE ANY DEBRIS TOP 6" OF TOPSOIL.
- APPLY 2" OF TOPSOIL TO EXISTING GRASS AND TO EXPOSED SOIL.
- APPLY 2" OF TOPSOIL TO EXPOSED SOIL.
- AND BELL TO 1/2" DEPTH OF EXISTING RESERVOIR, TIL TO A DEPTH OF 6" RAKE SMOOTH.

EXISTING TREES

TO THE GREATEST EXTENT POSSIBLE, ANY EXISTING TREES OF THE 4" DBH OR GREATER WILL BE SAVED AND PLACED ELSEWHERE ON THE LOT IF COORDINATED.

REVISIONS	DATE
FINAL SUBMITTAL	08/04/16
EIGHTH SUBMITTAL	07/26/16
SEVENTH SUBMITTAL	06/24/16
SIXTH SUBMITTAL	05/21/16
FIFTH SUBMITTAL	05/11/16
FOURTH SUBMITTAL	04/21/16

Exhibit B—The Irons lot configuration



1:10,000
9

THE IRONS
PRELIMINARY PLAT

STORY COUNTY, IOWA



CIVIL DESIGN ADVANTAGE

3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PHONE: (515) 369-4400 FAX: (515) 369-4410

ENGINEER: ENH TECH: MDM

REVISIONS	DATE
SIXTH SUBMITTAL	05/01/16
FIFTH SUBMITTAL	05/11/16
FOURTH SUBMITTAL	04/21/16
THIRD SUBMITTAL	04/14/16
SECOND SUBMITTAL	04/01/16
FIRST SUBMITTAL	02/25/16

COUNCIL ACTION FORM

**SUBJECT: MAJOR FINAL PLAT FOR HAYDEN'S CROSSING SUBDIVISION,
SECOND ADDITION**

BACKGROUND:

Hunziker Development Company, LLC, represented by Chuck Winkleblack, has submitted a Final Plat for Hayden's Crossing Subdivision, Second Addition. The proposed addition to Hayden's Crossing Subdivision completes the platting of Hayden's Crossing Subdivision, as a subdivision of lots for single-family detached dwellings in the FS-RL (Suburban Residential Low Density) zone. Hayden's Crossing Subdivision, including the First and Second Additions, abuts the northwest corner of Ada Hayden Heritage Park. The subdivision is located south of Quarry Estates Subdivision, and is across Hyde Avenue from the future location of Rose Prairie Subdivision (See *Attachment A – Location & Zoning Map*).

Hayden's Crossing Second Addition includes Outlot "XX"(1.70 acres) and Outlot "YY"(0.81 acres) from Hayden's Crossing First Addition, as well as Parcel "B"(4.84, acres), at 5440 Grant Avenue, and Parcel "C"(2.83 acres), at 5442 Grant Avenue, to be replatted as lots for single-family homes, and outlots for conservation easements. On the Final Plat for Hayden's Crossing Second Addition, Outlots "A", "B" and "C", are to be designated as conservation easements, and include a vegetated buffer, 25 feet in width, along the north and west perimeters of the subdivision, in accordance with requirements for Conservation Subdivisions, in Chapter 23 of the *Municipal Code*. A storm sewer easement also covers Outlots "A" and "B". A 12-foot wide pedestrian easement is centered on the lot line between Lots 38 and 39, to serve as the location for a shared-use path that extends from the cul-de-sac for Leopold Drive between Lots 38 and 39, and through Outlot "A" to connect with a trail from Quarry Estates that leads to the upland trail in Ada Hayden Heritage Park (See *Attachment B – Hayden's Crossing Subdivision Second Addition*).

Twenty-four lots for single-family detached homes are proposed on the Final Plat for the Second Addition. The First Addition included nineteen lots. Leopold Drive will provide access to the lots from Hyde Avenue, and will terminate in a cul-de-sac at the northeast corner of the subdivision. Audubon Drive, in the First Addition, intersects with Leopold Drive, in the Second Addition, to form a looped street between the two accesses to Hayden's Crossing Subdivision from Hyde Avenue. Sidewalks, 5 feet wide, and street trees, are planned for both sides of Leopold Drive.

Public improvements, including streets, turn lane on Grant (Hyde) Avenue, sidewalks, shared use path, water, storm sewer, street lights, seeding and inspections for storm water detention basins are required as part of this major subdivision. Sanitary sewer mains have been installed and inspected. Financial security, in the amount of \$557,640.50 has been provided to cover the cost of completing the remaining public

improvements. All public improvements, including sidewalks 5 feet wide, must be installed within three years of final plat approval. Street trees can still be deferred until occupancy of each home.

The financial security allows the City to complete the improvements, including the sidewalks, after three years if necessary. The City Council is being asked to accept the signed Improvement Agreement with financial security for those improvements. Financial security can be reduced by the City Council as the required infrastructure is installed, inspected, and accepted by the City.

The City's subdivision regulations require financial security for the maintenance and operation costs of conservation areas for a two-year period at the time of approval of the Final Plat. However, following adoption of that section of the subdivision code, the City Council adopted Chapter 5B, Post Construction Stormwater Management regulations, which require the submittal of a maintenance performance security or bond for a minimum of four years. Since the language in Chapter 5B is more stringent, staff is applying it to the stormwater improvements instead of the requirement for two years of financial security for approval of the Final Plat. The four years of financial security will be submitted to the City upon completion of the stormwater improvements, not at the time of approval of the Final Plat.

The Conservation Management Plan prepared by Bolton & Menk, and approved by the City Engineer, addresses existing conditions, the natural resource inventory, structure and cultural resource inventories, proposed landscape discussion, restoration measures and mitigation techniques. In addition, the Plan provides operation and management requirements for maintenance of the filtration basin, pretreatment basin, trees and shrubs, native plantings and lawns. An operations and management schedule is included, as well as a section on subdivision outreach and education.

Approval of the Revised Preliminary Plat, on June 14, 2016, included a condition *"That ADA-compliant ramps be included for the crossings at the public streets and trails."*

After reviewing the proposed Final Plat, staff finds that it complies with the approved Master Plan, Preliminary Plat, and all other relevant design and improvement standards required by the Municipal Code.

ALTERNATIVES:

1. The City Council can approve the Final Plat of Hayden's Crossing Subdivision, Second Addition, based upon the staff's findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, and plans with an Improvement Agreement and financial security.
2. The City Council can deny the Final Plat for Hayden's Crossing Subdivision, Second Addition, if it finds that the development creates a burden on existing public improvements or creates a need for new public improvements that have not yet been installed.

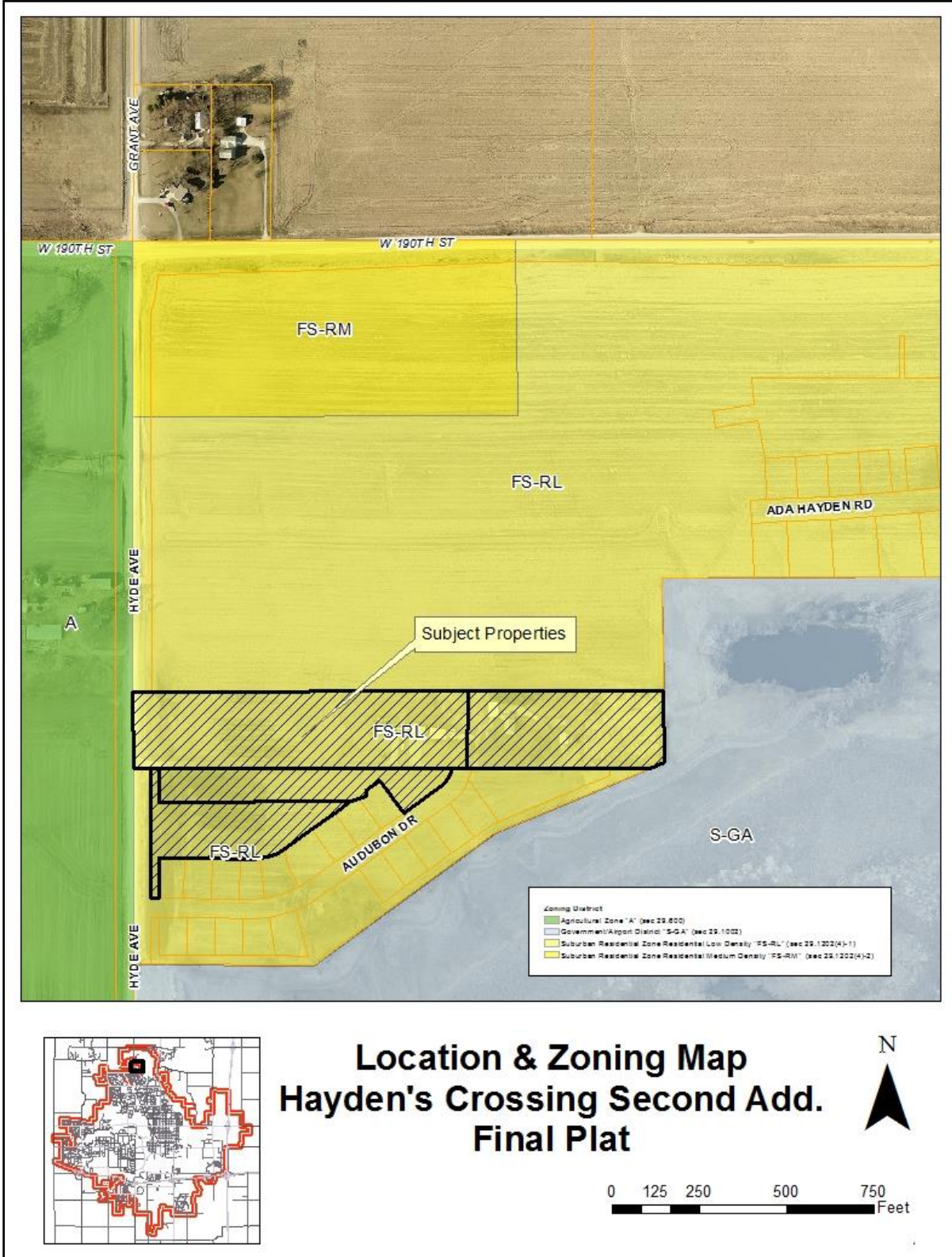
3. The City Council can refer this request back to staff or the applicant for additional information. (The *Municipal Code* requires that a final decision regarding final plat approval be rendered by the City Council within 60 days of the complete application for Final Plat approval of a Minor Subdivision. City Council must approve, approve subject to conditions, or disapprove this Final Plat application no later than December 16, 2016 to meet the 60-day deadline.)

CITY MANAGER’S RECOMMENDED ACTION:

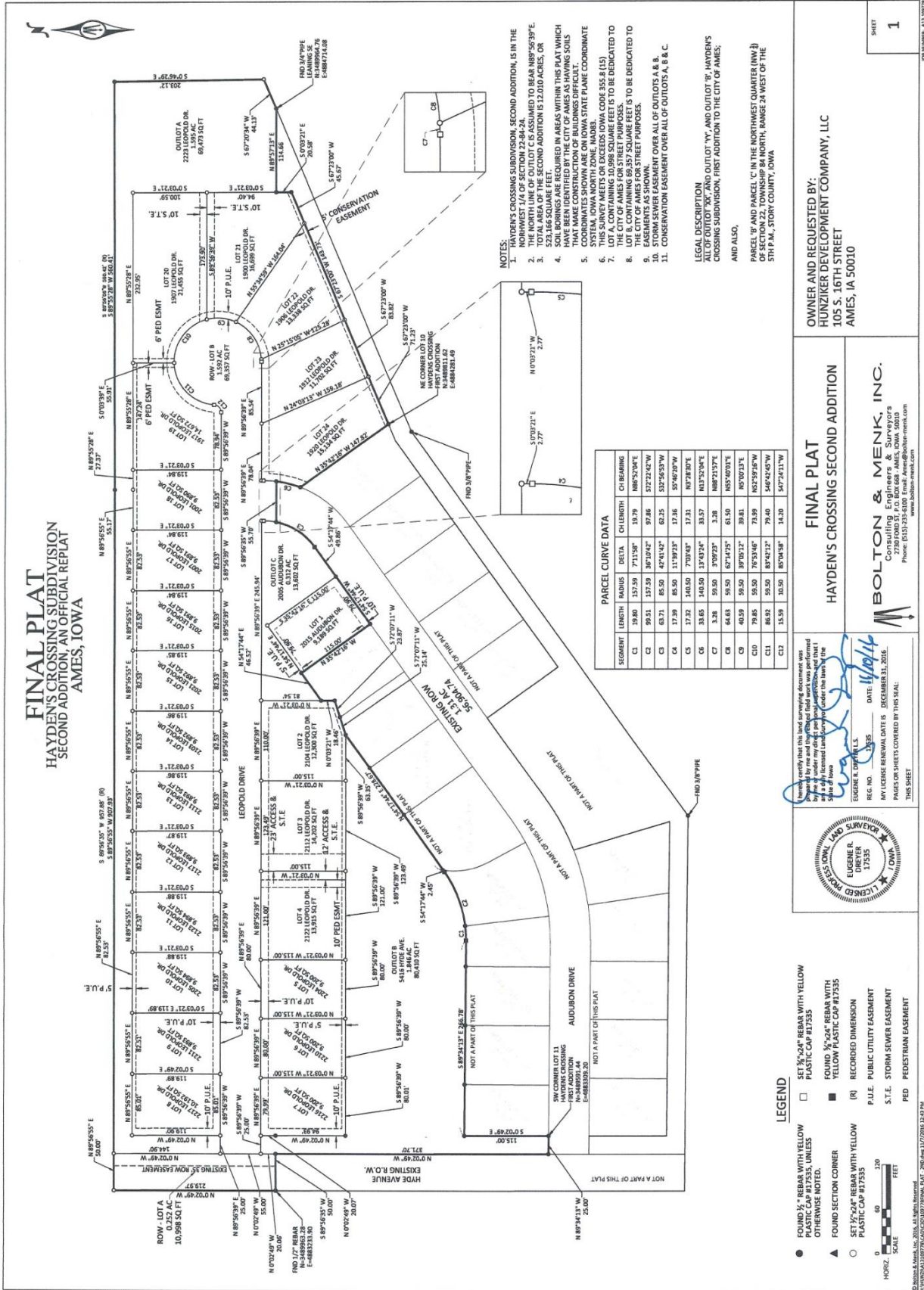
City staff has evaluated the proposed final subdivision plat and determined that the proposal is consistent with the master plan, and preliminary plat, and that the plat conforms to the adopted ordinances and policies of the City as required by Code.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the Final Plat for Hayden’s Crossing Subdivision, Second Addition.

ATTACHMENT A: LOCATION & ZONING MAP



ATTACHMENT B: HAYDEN'S CROSSING SUBDIVISION SECOND ADDITION



FINAL PLAT
HAYDEN'S CROSSING SUBDIVISION
SECOND ADDITION, AN OFFICIAL REPLAT
AMES, IOWA

- NOTES:**
- HAYDEN'S CROSSING SUBDIVISION, SECOND ADDITION, IS IN THE NORTHWEST 1/4 OF SECTION 22-84-24.
 - THE NORTH LINE OF OUTLOT C IS ASSUMED TO BEAR N89°58'39"E.
 - THE NORTH LINE OF OUTLOT D IS ASSUMED TO BEAR N89°58'39"E.
 - SOIL BORINGS ARE REQUIRED IN AREAS WITHIN THIS PLAT WHICH INDICATE THE PRESENCE OF UNDESIRABLE SOILS THAT MAKE CONSTRUCTION OF BUILDINGS DIFFICULT.
 - COORDINATES SHOWN ARE ON IOWA STATE PLANE COORDINATE SYSTEM, IOWA NORTH ZONE, NAD83.
 - LOT A, CONTAINING 10.888 SQUARE FEET IS TO BE DEDICATED TO THE CITY OF AMES FOR STREET PURPOSES.
 - LOT B, CONTAINING 69.357 SQUARE FEET IS TO BE DEDICATED TO THE CITY OF AMES FOR STREET PURPOSES.
 - STORM SEWER EASEMENT OVER ALL OF OUTLOTS A, B & C.
 - CONSERVATION EASEMENT OVER ALL OF OUTLOTS A, B & C.

LEGAL DESCRIPTION
 ALL OF OUTLOT "A", AND OUTLOT "B", HAYDEN'S CROSSING SUBDIVISION, FIRST ADDITION TO THE CITY OF AMES, IOWA, AND ALSO,
 PARCEL "B" AND PARCEL "C" IN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 22, TOWNSHIP 84 NORTH, RANGE 24 WEST OF THE 5TH P.M., STORV COUNTY, IOWA.

PARCEL CURVE DATA

SEGMENT	LENGTH	RADIUS	DELTA	CH LENGTH	CH BEARING
C1	20.80	157.59	71°15'38"	19.79	N89°52'04"E
C2	69.51	157.59	367°10'42"	97.86	S27°24'42"W
C3	62.71	85.50	42°41'40"	62.35	S37°56'52"W
C4	27.29	85.50	117°39'35"	27.26	S5°46'29"W
C5	17.82	140.50	17°04'07"	17.31	N7°38'02"E
C6	38.05	140.50	137°43'24"	33.57	N13°22'04"E
C7	3.28	59.50	7°07'23"	3.28	N89°21'57"E
C8	64.68	59.50	67°14'25"	61.50	N55°40'01"E
C9	40.59	59.50	39°07'12"	39.81	N5°07'13"E
C10	79.85	59.50	76°53'46"	73.89	N52°59'16"W
C11	86.92	59.50	87°42'12"	79.40	S46°42'45"W
C12	15.59	10.50	86°04'58"	14.20	S47°46'11"W

OWNER AND REQUESTED BY:
 HUNZIKER DEVELOPMENT COMPANY, LLC
 105 S. 16TH STREET
 AMES, IA 50010

FINAL PLAT
 HAYDEN'S CROSSING SECOND ADDITION

BOLTON & MENK, INC.
 Consulting Engineers & Surveyors
 7230 FORD ST. P.O. BOX 688 - AMES, IOWA 50009
 Phone: (515) 233-2323
 www.bolton-menk.com

I hereby certify that this land surveying document was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Iowa.

EUGENE R. DREYER, L.S.
 REG. NO. 1855 DATE: 11/01/14
 MY LICENSE EXPIRES ON: DECEMBER 31, 2016.
 PAGES OR SHEETS COVERED BY THIS SEAL: THIS SHEET



- LEGEND**
- FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP #17535 UNLESS OTHERWISE NOTED.
 - ▲ FOUND SECTION CORNER
 - FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP #17535
 - (R) RECORDED DIMENSION
 - P.U.E. PUBLIC UTILITY EASEMENT
 - S.T.E. STORM SEWER EASEMENT
 - PEP PEDESTRIAN EASEMENT
- SCALE
 0 60 120 FEET
 HORIZ.

SHEET
1

Applicable Laws and Policies Pertaining to Final Plat Approval

Adopted laws and policies applicable to this case file include, but are not limited to, the following:

Ames *Municipal Code* Section 23.302

(10) City Council Action on Final Plat for Major Subdivision:

(a) All proposed subdivision plats shall be submitted to the City Council for review and approval. Upon receipt of any Final Plat forwarded to it for review and approval, the City Council shall examine the Application Form, the Final Plat, any comments, recommendations or reports examined or made by the Department of Planning and Housing, and such other information as it deems necessary or reasonable to consider.

(b) Based upon such examination, the City Council shall ascertain whether the Final Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan and to the City's other duly adopted plans.

(c) The City Council may:

(i) deny any subdivision where the reasonably anticipated impact of such subdivision will create such a burden on existing public improvements or such a need for new public improvements that the area of the City affected by such impact will be unable to conform to level of service standards set forth in the Land Use Policy Plan or other capital project or growth management plan of the City until such time that the City upgrades such public improvements in accordance with schedules set forth in such plans; or,

(ii) approve any subdivision subject to the condition that the Applicant contribute to so much of such upgrade of public improvements as the need for such upgrade is directly and proportionately attributable to such impact as determined at the sole discretion of the City. The terms, conditions and amortization schedule for such contribution may be incorporated within an Improvement Agreement as set forth in Section 23.304 of the Regulations.

(d) Prior to granting approval of a major subdivision Final Plat, the City Council may permit the plat to be divided into two or more sections and may impose such conditions upon approval of each section as it deems necessary to assure orderly development of the subdivision.

(e) Following such examination, and within 60 days of the Applicant's filing of the complete Application for Final Plat Approval of a Major Subdivision with the Department of Planning and Housing, the City Council shall approve, approve subject to conditions, or disapprove the Application for Final Plat Approval of a Major Subdivision. The City Council shall set forth its reasons for disapproving any Application or for conditioning its approval of any Application in its official records and shall provide a written copy of such reasons to the developer. The City Council shall pass a resolution accepting the Final Plat for any Application that it approves.

(Ord. No. 3524, 5-25-99)

COUNCIL ACTION FORM

SUBJECT: CHANGES TO THE AMES MUNICIPAL CODE – NET METERING

BACKGROUND:

Appendix H of the Municipal Code includes rules and regulations pertaining to receiving electric service. With the introduction of customer-owned generation, Section 2.7 *Availability of Net Metering* was added to the Code.

Net metering applies to a customer-owned generating system that primarily offsets part or all of the customer's electric service energy requirements provided by City of Ames Electric Services. Net Metering is available to any retail customer receiving electric service under a City of Ames Electric Services rate schedule who owns and operates an approved on-site generating system powered by a renewable resource capable of producing not more than 500 kW of power, and who interconnects with Electric Services' electric distribution system.

The last time this section of the Code was updated was in the fall of 2015 when the maximum allowable size of facilities was increased from 10 kW to 500 kW.

Over the past year, the number of new installations has grown significantly. In reviewing the new projects installed, staff has noted an emerging pattern where developers are oversizing the installations so that the total amount of energy produced by the solar system exceeds the total amount of energy consumed by the customer at certain times of the day.

The current design of the City's Net Metering language actually encourages this process of oversizing which creates three significant problems.

First, when a solar array is oversized, the utility becomes a "storage medium" to which the customer can overproduce as much as it wants and then draw on that overproduction at a later time. This process creates a situation where the solar customers are using the City's electric grid without paying for the fixed costs associated with maintaining it, and these costs are transferred to the non-solar customers. Second, the utility does not store excess solar energy, so any overproduced energy is used by other customers at the time it is produced. Later, the utility must purchase the replacement energy and the result is an increased cost to non-solar producing customers for the betterment of the solar producing customers. Third, by using the excess energy when produced, the "cost" of the energy is at fully bundled retail rates. The City purchased less of the lower cost wholesale energy, which increases rates to all customers.

The City's Electric Utility Operations, Review and Advisory Board (EUORAB) held five public meetings on September 12th, October 6th, October 18th (two meetings), and November 1st to review the current process, listen to customers and vendors, and discuss alternative solutions. The options discussed included the following:

1. Purchase excess energy at Avoided Cost
2. Purchase excess energy at Fixed Cost
3. Require Storage to accompany a solar installation
4. Require future new solar installations to be westerly facing
5. Move the fixed costs to the Customer Charge
6. Develop a Demand Charge for Residential Solar customers
7. "Right Size" the solar panel

Attached is a more detailed overview of these various options as presented to EUORAB.

At the November 1, 2016 EUORAB meeting, the Board voted to support Option 2 and forward that to the City Council for its consideration.

ALTERNATIVES:

1. Accept the recommendation by EUORAB to purchase excess energy from customer generation using a "Fixed Cost" approach, and direct staff to draft the necessary changes to the Municipal Code for future City Council approval.
2. Accept one of the other options considered by EUORAB.
3. Reject the Code changes and continue to use the existing language.

MANAGER'S RECOMMENDED ACTION:

The current net metering language allows customers to produce energy at one period in time only to be able to use it at another time. The utility is used as a storage system with the potential to economically disadvantage one group of customers in order to benefit another group.

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

It should be emphasized that future technology improvements related to storage capacity and/or solar panel realignment might yield benefits to the utility by helping reduce electric demand during our summer peak. Therefore, the staff is committed to working with interested parties to further study these possibilities which might lead to other future revisions to the net metering policy.

NET METERING

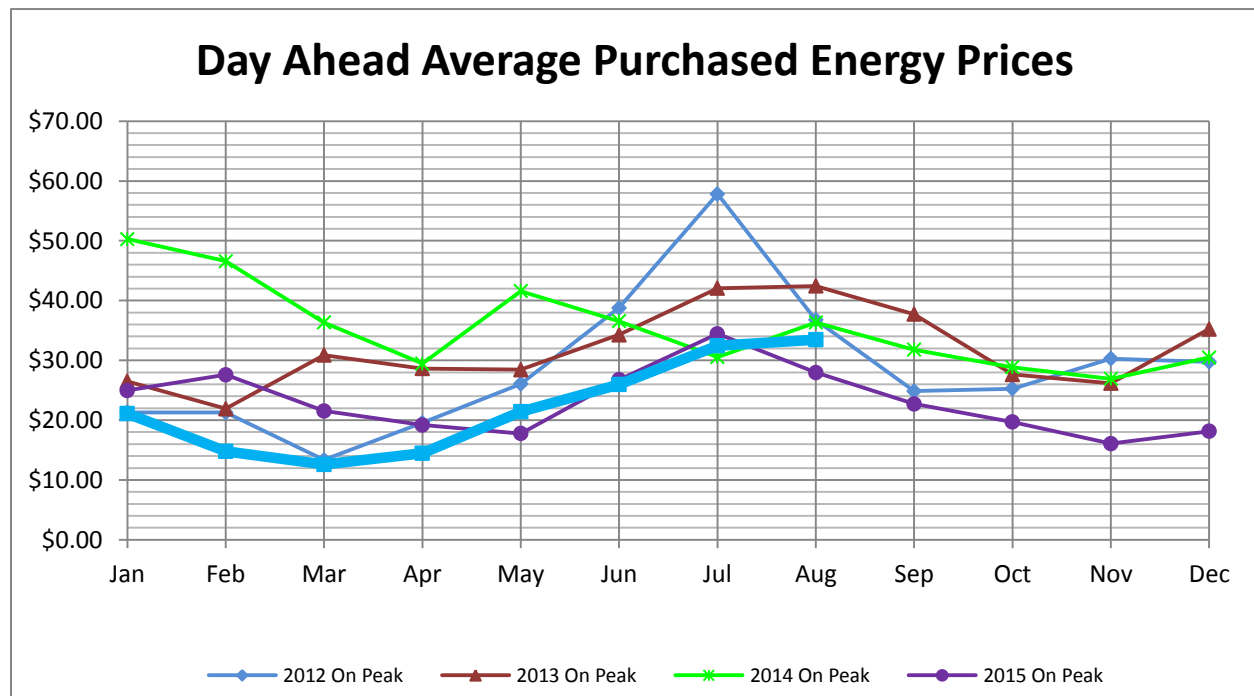
Net Metering is the most widely used billing method for customers with installed generation. Under the current Ames Municipal Code, excess energy produced by a solar customer is delivered to the utility at the time it's produced and later replaced "at cost" back to the customer. The rate structure encourages over production (oversizing) during the sunny part of the day for reuse by the customer in the evenings, at night, and when the sun isn't shining. Unintended consequences include:

- Use of the utility infrastructure as a storage device.
- Reduction/elimination of a solar customer's contribution to the fixed costs of the utility infrastructure when it's the infrastructure that allows the solar customer to bank the energy.
- Lost opportunity to purchase wholesale energy
- Cost shifting from solar customers to non-solar customers

Modifications are needed to the current Net Metering language.

OPTION 1 – PURCHASE EXCESS ENERGY AT AVOIDED COST

The installed meter is able to measure the excess energy being delivered from the customer's solar array to the utility. This option uses the cost of energy being displaced by the excess output of the solar arrays. The "Avoided Cost" is the average monthly wholesale price paid by the utility for energy. The graph below shows the historical monthly price paid.



Plus/Delta

- + Best approximates the Avoided Cost of purchased energy
- + Fixed costs are recovered
- + Encourages alternatives to over sizing; battery storage, right-sizing

ΔPrice fluctuates

△Captures only current value of solar

△Difficult to consider value of “banked’ energy when determining payback

OPTION 2 – PURCHASE EXCESS ENERGY AT FIXED COST

In 2011, the City performed a Cost of Service study on its electric rates. The study examined the “unbundling” of electric rates into three components – Demand, Energy, and Customer Charge for each customer class. Dividing the "Energy" components by the "Total Cost" provides an approximation of the energy component of each rate.

	Residential	General Power	Large Power	Industrial
Energy Cost	\$6,074,919	\$1,984,596	\$8,759,027	\$5,437,433
Total Cost	\$15,563,782	\$4,848,958	\$17,822,475	\$8,662,840
Percentage of Energy to Total Cost	39%	41%	50%	63%
Summer/Winter Rate	11.66/9.66 cents per kWh	11.48/9.48 cents per kWh	6.19 cents per kWh	6.19 cents per kWh
Rate to Pay Customer for Excess Energy	4.55 / 3.77 cents per kWh	4.71 / 3.89 cents per kWh	3.10 cents per kWh	3.90 cents per kWh

*Apply these rates for the next 3-5 years before moving to the "MISO Average On-peak Day Ahead Local Marginal Price". This will give vendors/customers price certainty for the near future and shouldn't "freeze" new installations.

*There is basis for this design. These payments for excess energy approximately represent the energy part of the rate. Applying these rates to the excess energy would cause solar customers to continue to pay something towards the fixed costs.

*We would continue to apply the Energy Rate Adjustment to these numbers just as we do today.

Plus/Delta

- + Most Fixed costs would be recovered
- + Will adjust with changing rates
- + Billing is consistent and straightforward; no need to hand bill anyone.

△ Is this a temporary or permanent alternative

OPTION 3 – REQUIRE STORAGE TO ACCOMPANY A SOLAR INSTALLATION

This concept is suggested by the Ames Progressive Alliance –

Most oversized array investments produce large amounts of electricity at noon, due to the southern orientation, while the peak usage for the Ames community takes place later in the day. In addition, these arrays do not store electricity. If the City of Ames were to require oversized arrays to have battery storage, the benefit to the community could be greater, as array owners would not be selling electricity back at an over market rate, but be storing it for use during the community peak.

Plus/Delta

- + Can incorporate a “sharing” of the stored energy between customers and the utility. Similar to the Prime Time Power switch program, the utility can draw on the stored energy at times of system peak or when prices are excessively high
- + Little/no use of the utility system for storage
- + Little/no cost shifting between customers because excess energy is not off-setting low cost wholesale energy purchases
- △ Presently cost prohibitive
- △ Still need to determine how to handle customers that do not install battery storage

OPTION 4 – REQUIRE FUTURE NEW SOLAR INSTALLATIONS TO BE WESTERLY FACING

This concept is suggested by the Ames Progressive Alliance –

We ask investors in on site solar, to have their panels face west. This would reduce the overall output, decreasing the financial impact on the city, but it would also shift the maximum peak of the panel closer to our community peak of 3-5 PM. In this case you would not be storing as much electricity and you would be getting more when the community needs it. Here is a link on the concept from the New York Times. In this scenario, maybe oversizing would be a good thing?

<http://www.nytimes.com/2014/12/02/upshot/why-more-solar-panels-should-be-pointing-west-not-south.html>

Plus/Delta

- + Output of the solar panel would better align with utility’s peak
- + Fixed costs for the use of the utility system would be offset by benefits to reducing utility peak.
- △Solar output of systems would be reduced.
- △Still need to determine how to handle customers that do not properly angle solar panels.

OPTION 5 – MOVE THE FIXED COSTS TO THE CUSTOMER CHARGE

Every customer’s bill includes two components, energy and a customer charge. Today the charge covers the metering and bill processing. This option would entail increasing the Customer Charge component to include more of the fixed charges associated with service for customers.

Plus/Delta

- + Fixed costs would be recovered
- △ Will likely require a Cost of Service Study
- △ Could cause unintended issues for non-solar customers if applied to all members of a customer class
- △ Moving fixed costs from the energy component to the Customer Charge would cause the energy component cost to decrease
- △ This approach is a “one size fits all” method. Does not consider the size difference between customers

OPTION 6 – DEVELOP A DEMAND CHARGE FOR RESIDENTIAL SOLAR CUSTOMERS

Every customer’s bill includes two components, energy and a customer charge. The larger customers also include a Demand Charge to recover some of the fixed costs. With solar customers that use the utility system to “bank”

excess energy, it is possible to measure the peak “use” of the utility system – either maximum flow to the utility or maximum flow to the customer. With this information, a usage rate could be applied to the kilowatt value and a Demand Charge could be applied to the solar customers bill.

Plus/Delta

- + Unlike Option 5 above, this approach considers the size difference between customers
- + Fixed costs would be recovered
- △ Will likely require a Cost of Service and Rate Study
- △ Moving fixed costs from the energy component to a new Demand Charge would cause the energy component cost to decrease
- △ A new Rate would be created and billing would be more complex
- △ New metering would be required

OPTION 7 – “RIGHT SIZE” THE SOLAR PANEL

Presently, the planning and design of a solar array are done without any input from the utility. It is possible to engage the utility earlier in the process with some pre-defined standards or limits. This could include concepts such as: *the total kWh output cannot be greater than the previous year’s lowest kWh consumption in a given month, or X% of the excess energy can be “banked” and the remaining energy is purchased by the utility, or excess energy may be used in the day it was produced* to name a few.

Plus/Delta

- + Would give the potential solar customer some defined parameters by which to size their system
- △ Appear restrictive
- △ does little/nothing to capture fixed costs.
- △ Appears restrictive
- △ Difficult to administer/bill
- △ Needs additional detail/definition



Caring People • Quality Programs • Exceptional Service

MEMO

To: Mayor and City Council
From: Brian Phillips, Assistant City Manager
Date: September 30, 2016
Subject: MICA Dental Clinic

At the September 13, 2016, City Council meeting, the City Council referred a letter from MICA requesting additional funding in the amount of \$50,000 for the Story County Dental Clinic. The Dental Clinic provides dental services to low-income residents in the community. MICA reports 1,635 patient appointments for the six months ending in March 2016, of which approximately 50% are Ames residents.

The City's contract with MICA for FY 2016/17 provides \$37,905 for 183 units of service (1 clinic hour each) at a rate of \$206.52 per unit. During the FY 2016/17 budgeting process, MICA made requests for substantial increases from the City, Story County, and United Way for this service (84% total increase requested). The volunteers recommended increases for the service that, on a percentage basis, were larger than typical for this budget cycle (33.5% total increase). However, these increases fell short of MICA's requests:

Funder	FY 2015/16 Contract Amounts	MICA FY 2016/17 Request		FY 2016/17 Volunteer Recommendation		% of Request Funded
		\$	% Increase Over FY 15/16 Adopted	\$	% Increase Over FY 15/16 Adopted	
City of Ames	\$ 27,750	\$ 52,608	89.6%	\$37,905	36.6%	72.1%
Story County	8,950	18,312	104.6%	12,370	38.2%	67.6%
United Way	14,250	25,940	82.0%	19,120	34.2%	73.7%
ISU Stu. Gov.	3,388	3,140	-7.3%	3,140	-7.3%	100.0%
TOTAL	\$ 54,338	\$100,000	84.0%	\$72,535	33.5%	72.5%

MICA has indicated a need for additional funding for the Dental Clinic, primarily due to the fact that the Medicaid reimbursement rate does not completely cover the costs for the services. MICA receives very little Medicaid reimbursement for basic services, such as checkups and cleanings. Medicaid reimburses at a higher rate for more advanced services, such as those that resolve dental pain issues. The Dental Clinic has been successful in that a dentist has been retained on staff for the past three years. High turnover in the on-staff dentist position in the past led to fewer clients coming in for basic services. As consistency in the dentist position has generated more patient visits for basic services, MICA's funding shortfall has grown.

MICA has instituted electronic billing to improve its efficiency. In addition, MICA has been supporting the Dental Clinic on a temporary basis with its Community Service Block Grant funds, which it normally uses to fund an array of services provided by the agency. An endowment fund has been established to provide ongoing funding for dental services through donations. MICA is also appealing to area dentists to provide operational support through donations to the endowment.

MICA has appealed to other local organizations for operational funding. It requested \$50,000 each from United Way of Story County and from the Story County Board of Supervisors.

Earlier this year, UWSC and Story County each awarded \$35,000 to MICA on a one-time basis. Mary Greeley Medical Center has provided \$15,000 in support.

MICA's request for \$50,000 from the City of Ames matches the requests made to Story County and United Way of Story County. It is unusual for the City to receive requests for operational support outside the ASSET budgeting process. Typically, requests made outside the ASSET budgeting process are to shift funds within an agency's budget in response to changes in service demand. On occasion, the City has provided one-time funds for a new agency to start up operations (e.g., Eyerly Ball in the early 2010s). **City staff would be hesitant to recommend operational funding for an agency outside the ASSET budgeting process unless the circumstances were very grave.**

It is City staff's expectation that MICA will again request a substantial increase in ASSET funding for the Dental Clinic in the FY 2017/18 ASSET budgeting process. Since the expectation is that the Dental Clinic will require more funding on an ongoing basis, the City Council should consider how comfortable it is with providing funds for this service at a higher level going forward. MICA may struggle to continue keeping the Dental Clinic operational without a consistent source of additional funding.

At the end of FY 2015/16, MICA had drawn down all but \$12.48 of the City's overall ASSET allocation to it. A total of \$62,166.71 in City funds went undrawn by ASSET agencies in FY 2015/16, although \$28,272.42 was carried over for potential drawdown by the Emergency Residence Project. Therefore, \$33,894.29 in ASSET allocations was returned to the Local Option Sales Tax fund balance at the end of the 2015/16 fiscal year. As the City Council may recall, the City's adopted FY 2016/17 budget includes approximately \$1,633,215 in unreserved fund balance in the Local Option Sales Tax fund. If the City Council provided additional funds to MICA, City staff would suggest looking to the Local Option Sales Tax fund to provide it.

If the City Council wishes to proceed with MICA's request, it would be appropriate to request that this item be placed on a future agenda for discussion. Alternatively, City staff would be happy to research this issue further if the Council has additional questions.



Mid-Iowa Community Action, Inc.

Story County Dental Clinic

Mayor Ann Campbell
and City Council Members
Ames City Council
515 Clark Ave,
Ames, IA 50010

Dear Mayor Campbell and City Council Members,

This is somewhat of a lengthy letter, however I wanted to provide a clear picture of the current situation of the Story County Dental Clinic.

As you know the Story County Dental Clinic (SCDC) has been serving the Central Iowa Community for over ten years. Serving only low-income families, the SCDC has attempted to close the gap between revenue from Medicaid, Dental Wellness Plan and those who self-pay the Medicaid rate, with community support and individual donations. At the present time Mid-Iowa Community Action, Inc. (MICA) is supporting the clinic with Community Service Block Grant (CSGB) dollars at an unsustainable rate.

In an effort to reduce the CSGB dollars used to support the clinic, new strategies to increase funds are being put in place. The MICA Story County Dental and Oral Health Endowment was established through the Story County Community Foundation. It was opened with a \$7,632.98 donation and since has received additional contributions.

In progress is an appeal to dentists in Central Iowa to both support the current operational cost and contribute to the foundation for long term support. In addition, MICA will be contacting communities that have high SCDC usage both for awareness as well as requesting support and increase donor base. MICA is redefining role of the SCDC Advisory Committee to increase the focusing on resource development and community awareness.

The SCDC has a strong compelling story to tell, serving those with limited to no access to dental care and the impact that has on preventing work loss and school absences, not to mention the positive impact on over all wellbeing and quality of life.

The Dental Wellness Program (DWP) has had an impact on the level of revenue due to the tiered model of service and low reimbursement rate for required assessments. However, there has been a higher rate of patient return preventative visits so that restorative procedures can begin for those patients that are reaching tier two and three of DWP services. Electronic billing has been instituted in the last month which should reduce denials as well as address issues around pre-authorization and improve efficiency.

At this time the SCDC is needing additional support for the operational budget to allow the plans in place to improve the difference between cost and revenue have time to produce results.

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We are requesting an additional \$50,000 from the City of Ames to help bridge this gap. Current budget projections as well as a three year plan is enclosed. I have also included a history of funding provided by the Story County United Way. I have asked United Way for \$50,000 and they have contributed \$35,000. I have approached Mary Greeley Medical Center to help the Story County Dental Clinic as well. MGMC has contributed \$15,000. MICA requested \$50,000 from Story County and received \$35,000. I will continue to seek funds in other ways to reduce the gap as much as possible. Operating cost funds are hard to find. Most often grants and foundation funding is available for equipment purchases or special one-time projects. They will not fund operating cost. As with many other community programs, the greatest SCDC need and the greatest challenge is to fund operating costs.

MICA administrative and executive team is monitoring the situation very closely. MICA is instituting every possible cost saving and revenue generating strategy. We firmly believe that in the long run these strategies will lead to success. However the immediate need is real. The resources MICA has to support the clinic are limited and currently exceed operating the clinic as it is currently. All options would need to be considered if funding support was not available. As with any business the Story County Dental Clinic has to have funds to operate. It is difficult for me to consider the final option but all options are on the table. With the contributions afore mentioned, the situation has moved in the right direction. However, MICA has put at stake agency resources at two and a half times the expected rate and leaves the agency with less available resources to support other agency programs that are impacted by the current and on-going changes that make funding and revenue uncertain.

MICA is making in long term planning for the SCDC. These are designed to increase revenue and support to the SCDC. Additional activities are designed to decrease cost. In addition to the efforts identified above, MICA will be contacting communities outside Story County that have SCDC patient usage both for awareness as well as requesting support and increase donor base.

The budget projections are based on \$2100 in fees and Title XIX revenue each clinic day. An average of 16 days a month, each increase of a hundred dollars a day is an additional \$19,200 dollars a year. The SCDC is streamlining office procedures, staffing and scheduling so that continued increase revenue is possible. This year the SCDC had under gone staffing changes which until positions were filled limited the procedures that were possible. Now that key positions are being filled with highly capable staff, it will become possible to achieve the level of service required to generate the revenue required to support the SCDC.

The clinic staff is working hard to move patients from urgent care to preventative care. Patients do consider the Story County Dental Clinic their Dental Home. In addition MICA is working with hospitals to help provide an alternative to visits to emergency rooms for acute dental pain. Alternatives for dental care continue to be limited for uninsured, and those served by Medicaid or Dental Wellness Plan. Many of the phone calls to the SCDC begin or end with "there are no other dentists that will take me".

Below please find the appointment numbers for October through March.

- Appointments at the Story County Dental Clinic: 1653
New patients - 288 Return appointments – 1365
- Appointments with patients over 65 years of age: 139

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New patients – 18 Return appointments – 121
Percentage of total appointments - 8%

- Appointments with patients between 30 and 64 years of age – 929
New patients – 126 Return appointments – 803
Percentage of total appointments - 56%
- Appointments with patients between 18 and 29 years of age – 215
New patients – 63 Return appointments – 152
Percentage of total appointments - 13%
- Appointments with patients under 18 years of age – 370
New patients- 107 Return appointments – 263
Percentage of total appointments - 22%
- Appointments with Ames residents are approximately 50% of total appointments

Thank you for your consideration.

Gloria Symons
Health Services Director

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COUNCIL ACTION FORM

SUBJECT: PUBLIC HEARING FOR URBAN REVITALIZATION AREA AT 2700, 2702, 2718 & 2728 LINCOLN WAY, 112 & 114 S. HYLAND AVENUE, AND 115 S. SHELDON AVENUE

BACKGROUND:

River Caddis, Inc, contract purchaser and developer of this project, is requesting the designation of an Urban Revitalization Area for the properties located at 2700, 2702, 2718 & 2728 Lincoln Way, 112 & 114 S. Hyland Avenue, and 115 S. Sheldon Avenue. The subject site consists of seven properties with a total area of 1.8 acres that were recently rezoned to the Campustown Service Center (CSC) zone. A location map is included as an exhibit to the URA Plan in Attachment 1.

The history of the site includes a prior use as small commercial retail uses, a gas station, and multi-family housing. The current contract purchaser/developer will remove the existing buildings and consolidate the lots with the intent of developing a single mixed residential and commercial project on the subject area. On June 14th, City Council directed staff to proceed with creation of an Urban Revitalization Area for the project. In lieu of listing specific design criteria, City Council directed that a site and architectural plan exhibit be the principal design criteria for the revitalization area.

The site is eligible for an Urban Revitalization Area under the statutory criteria of promoting economic development. The Council directed that the Concept Plan be established as the criteria for the revitalization area with the additional criteria requiring participation in the Crime Free Housing Programs with the Police Department, approval of a unified sign program, and the installation of commercial restaurant exhaust equipment to allow for at least one tenant space to be used as a full restaurant use.

City Council also reviewed the developer's updated concept on August 9th and gave direction to address architectural details, use, colors, the amenity deck, and security measures similar to the Campustown URA. City Council reviewed the draft URA Plan on September 27th with an updated concept plan and a list of the specific criteria for property tax abatement eligibility and set a public hearing on approval of the URA for November 15th. Since September 27th, the developer has received approval from the Zoning Board of Adjustment for stacked parking with a valet to serve the hotel use and for a parking dimension exception to allow for greater sidewalk widths along Lincoln Way. The developer has continued to work with staff on completing the Minor Site Development Plan application for conformance to the City's zoning and development standards.

The attached plans for the URA Plan represent the site plan for access, parking, and floor plans. Additionally, the architectural elevations are also included. A building materials board example is also included for reference. The developer will continue to work on completion of their Minor Site Development Plan and Plat of Survey to substantially conform to the concept exhibit of this Plan.

A separate plan for the amenity deck is included as well. The amenity deck now includes 4-foot parapet walls with additional plexi-glass or similar transparent barriers along the east and south sides. The design incorporates tensile fabric coverings along the east side and layering of vegetation to protect the edge of the space, acoustic mats, and video surveillance.

Staff has updated the final URA Plan since September to reflect the changes in the project, including adjustments to the window glazing and brick and revising the sidewalk width requirement along Lincoln Way to a minimum of 13 feet whereas before it had been 10 feet. The developer currently has one tenant space of 1,200 square feet on the site plan that meets the maximum size requirement of the plan of 1,200 square feet. Staff notes that the 1,200 square foot space on Sheldon is labeled for use as a bike shop/valet, but that specific use is not mandatory in the Plan. The space is actually designed as general commercial space that could be configured for any commercial need. The space is required to be commercial to meet the zoning requirements and cannot be residential accessory space for just bike parking.

Although the Minor Site Development Plan has not been approved by staff, it is believed to be substantially compliant with the criteria in the URA Plan and the developer will be able to achieve the requirements of the URA Plan. The developer also is seeking City Council approval of vacation and sale of a part of the Sheldon Avenue right-of-way to meet their stormwater requirements and a Plat of Survey to complete their plans. A separate agenda item deals with the request from the developer to enter into a development agreement to ensure that the URA Plan, once adopted, is not modified prior to completion of their project.

URBAN REVITALIZATION PLAN:

The Urban Revitalization Plan (Attachment 2) meets State requirements and also includes qualifying criteria. These criteria are found in Attachment 3 of the Urban Revitalization Plan and require substantial conformance to the Concept Plans as depicted in Attachment 4 of the Urban Revitalization Plan and the attached specific criteria for use and design. The plan also identifies that it will expire on December 31, 2021, noting that any eligible property will continue to receive previously approved tax abatement.

ALTERNATIVES:

1. If the City Council accepts the draft Urban Revitalization Plan for 2700, 2702, 2718 & 2728 Lincoln Way, 112 & 114 S. Hyland Avenue, and 115 S. Sheldon Avenue, it can

approve the ordinance establishing the Urban Revitalization Area for the 2700 Block of Lincoln Way and approve the Urban Revitalization Plan by resolution.

2. The City Council can modify or change the Urban Revitalization Plan for 2700, 2702, 2718 & 2728 Lincoln Way, 112 & 114 S. Hyland Avenue, and 115 S. Sheldon Avenue and then approve the ordinance and resolution.
3. The City Council can decline to adopt the proposed Urban Revitalization Area and Plan.

CITY MANAGER'S RECOMMENDED ACTION:

Assuming the City Council is satisfied with the refinements that were made to the design of the project based on the direction that was given in August for drafting an Urban Revitalization Plan for 2700, 2702, 2718 & 2728 Lincoln Way, 112 & 114 S. Hyland Avenue, and 115 S. Sheldon Avenue, **it is the recommendation of the City Manager that the City Council adopt Alternative #1 as described above.**



Urban Revitalization Plan

Approved by the Ames City Council on _____, 2016
In accordance with Chapter 404, Code of Iowa

Legal Descriptions (See Attachment 1: Location Map)

PARCEL 1: 2718 Lincoln Way

LOT ONE (1) IN LEE'S SUBDIVISION OF THE NORTH 213 FEET (EXCEPT THE NORTH 33 FEET) OF THE W3/5 OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF THE NW1/4 OF SEC. 9-T83N-R24W OF THE 5TH P.M. IN THE CITY OF AMES, STORY COUNTY, IOWA.

PARCEL 2: 2702 Lincoln Way

BEGINNING AT A POINT ON THE WEST LINE OF THE EAST 2/5 OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION NINE (9). TOWNSHIP EIGHTY-THREE (83) NORTH. RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA, AND AT THE INTERSECTION OF THE SOUTH LINE OF LINCOLN WAY IN THE CITY OF AMES, IOWA RUNNING THENCE SOUTH 128 FEET, THENCE NORTH 128 FEET, THENCE WEST TO THE PLACE OF BEGINNING.

PARCEL 3: 2700 Lincoln Way

BEGINNING AT A POINT 28 FEET EAST OF THE WEST LINE OF THE EAST 2/5 OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION NINE (9). TOWNSHIP EIGHTY-THREE (83) NORTH. RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA, AND AT THE INTERSECTION OF THE SOUTH LINE OF LINCOLN WAY IN THE CITY OF AMES, IOWA RUNNING THENCE SOUTH 128 FEET, THENCE EAST 75 FEET, THENCE NORTH 128 FEET, THENCE WEST 75 FEET TO THE PLACE OF BEGINNING.

PARCEL 4: 2728 Lincoln Way

LOTS TWO (2) AND THREE (3) AND THE NORTH 13 FEET OF LOT FOUR (4) OF LEE'S SUBDIVISION OF THE NORTH 213 FEET (EXCEPT THE NORTH 33 FEET THEREOF) OF THE W3/5 OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF THE NW1/4 OF SECTION 9, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M. IN THE CITY OF AMES, STORY COUNTY, IOWA.

PARCEL 5: 112 S. Hyland Avenue

THE SOUTH 47 FEET OF LOT FOUR (4) OF LEE'S SUBDIVISION OF THE NORTH 213 FEET, EXCEPT THE NORTH 33 FEET THEREOF, OF THE W3/5 OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF THE NW1/4 OF SEC. 9-T83N-R24W OF THE 5TH P.M., AMES, STORY COUNTY, IOWA.

PARCEL 6: 115 S. Sheldon Avenue

OFFICE AND CONDOMINIUM UNITS 101, 102 AND 103 IN TPM CONDOMINIUMS, A CONDOMINIUM IN THE CITY OF AMES, STORY COUNTY, IOWA, TOGETHER WITH ALL APPURTENANCES THERETO INCLUDING AN UNDIVIDED FRACTIONAL INTEREST IN THE COMMON ELEMENTS, AREAS AND FACILITIES AS DETERMINED FOR SAID UNIT BY THE PROVISIONS OF, AND IN ACCORDANCE WITH, THE DECLARATION OF SUBMISSION TO HORIZONTAL PROPERTY REGIME FOR TPM CONDOMINIUMS FILED IN THE OFFICE OF THE RECORDER OF STORY COUNTY, IOWA, ON DECEMBER 30, 2005 AS INST. NO. 05-16146 (AND ANY SUPPLEMENTS AND AMENDMENTS THERETO). TPM CONDOMINIUMS, AS PRESENTLY CONSTITUTED, IS LOCATED ON A PART OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF THE NW1/4 OF SEC. 9-T83N-R24W OF THE 5TH P.M., IN THE CITY OF AMES, STORY COUNTY, IOWA; DESCRIBED AS FOLLOWS; COMMENCING AT A POINT ON THE EAST LINE OF HYLAND AVENUE, IN THE CITY OF AMES, WHICH IS 257.5 FEET SOUTH OF THE SE CORNER OF THE INTERSECTION OF LINCOLN WAY AND HYLAND AVENUE; THENCE S89°31'30"E, 199.3 FEET ALONG THE NORTH LINE OF THE SOUTH 370 FEET OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF SEC. 9-T83N-R24W OF THE 5TH P.M. IN THE CITY OF AMES, STORY COUNTY, IOWA, THENCE NORTH 129.6 FEET ALONG THE WEST LINE OF THE E2/5 OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF SAID SEC 9, THENCE S89°29'40"E, 87 FEET ALONG A LINE WHICH IS 128 FEET SOUTH OF A PARALLEL TO THE SOUTH LINE OF LINCOLN WAY, THENCE SOUTH, 136.6 FEET, THENCE N89°29'40"W, 87 FEET, THENCE NORTH, 7 FEET ALONG THE WEST LINE OF THE E2/5 OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF THE NW1/4 OF SE. 9 TO THE POINT OF BEGINNING. PARCEL CONTAINS 11,878 SQUARE FEET, OR 0.273 ACRE.

PARCEL 7: 114 S. Hyland Avenue

SOUTH 77.5 FEET OF NORTH 290.5 FEET OF WEST 3/5THS PF EAST HALF (E1/2) NORTHEAST QUARTER (NE1/4) NORTHWEST QUARTER (NW1/4) NORTHWEST QUARTER (NW1/4) OF SECTION 9, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., AMES, STORY COUNTY, IOWA

Owners and Addresses

Property	Owner Name	Owner Address
Parcel 1	TOMCO, LLC	414 S. Duff Avenue Ames, IA 50010
Parcel 2	TOMCO, LLC	414 S. Duff Avenue Ames, IA 50010
Parcel 3	TOMCO, LLC	414 S. Duff Avenue

		Ames, IA 50010
Parcel 4	Quam Limited Partnership	390 Oakwood Trail Fairview, TX, 75069
Parcel 5	Quam Limited Partnership	390 Oakwood Trail Fairview, TX, 75069
Parcel 6	TPM Properties, Inc	115 S. Sheldon Avenue, Suite 100 Ames, IA 50014
Parcel 7	Bird Dog One Cooperative Housing	2115 Ashmore Circle Ames, IA 50014

Assessed Valuations

Property	Land Value	Building Value	Total Value
Parcel 1	245,100	54,900	300,000
Parcel 2	62,900	102,000	164,900
Parcel 3	199,300	117,900	317,200
Parcel 4	184,200	55,700	239,900
Parcel 5	41,900	83,100	125,000
Parcel 6	127,600	246,300	373,900
Parcel 7	159,600	399,000	558,600

Zoning and Land Uses (See Attachment 2: Zoning of Proposed URA)

Property	Existing		Proposed	
	Zoning	Land Use	Zoning	Land Use
Parcel 1	CSC	Commercial: Retail	CSC	Commercial\Residential Mixed Use
Parcel 2	CSC	Commercial: Retail	CSC	Commercial\Residential Mixed Use
Parcel 3	CSC	Commercial: Retail and Gas Station	CSC	Commercial\Residential Mixed Use
Parcel 4	RH/O-UIW	Multi-family Residential	CSC	Commercial\Residential Mixed Use
Parcel 5	RH/O-UIW	Multi-family Residential	CSC	Commercial\Residential Mixed Use
Parcel 6	RH/O-UIW	Multi-family Residential	CSC	Commercial\Residential Mixed Use
Parcel 7	RH/O-UIW	Multi-family Residential	CSC	Commercial\Residential Mixed Use

HOC= Highway Oriented Commercial
RH=High Density Residential
O-UIW=West University Impacted Overlay

Proposed Expansion of Services

The proposed urban revitalization area will continue to receive all services from the City of Ames. There is no proposed extension or increase in the level of service.

Applicability

Revitalization is applicable only to new construction and only in conformance with the approved site development plan and that the principal buildings have received building certificates of occupancy. Revitalization is available to all allowed uses on the site that meet the qualifying criteria found in Attachment 3 of this Plan.

Relocation Plan

There are four properties within the boundaries of the URA that include residential units. No relocations are anticipated, in the event relocation is necessary it is at the sole expense of the property owner.

Tax Exemption Schedule

The property owner may choose one of the following options:

The exemption period for ten (10) years. The amount of the partial exemption is equal to a percent of the Actual Value added by the improvements, determined as follows:

For the first year	80%
second	70%
third	60%
fourth	50%
fifth	40%
sixth	40%
seventh	30%
eighth	30%
ninth	20%
tenth	20%

The exemption period for five (5) years.

For the first year	100%
second	80%
third	60%
fourth	40%
fifth	20%

The exemption period for three (3) years. All qualified real estate is eligible to receive a 100% exemption on the Actual Value added by the improvements for each of the three years.

Required Increase in Valuation

The project shall require an increased in assessed valuation of at least fifteen percent.

Federal, State or Private Funding

No federal, state, or private funding (other than the developer’s financing) is anticipated for this project.

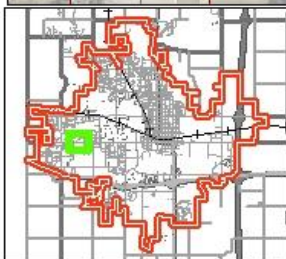
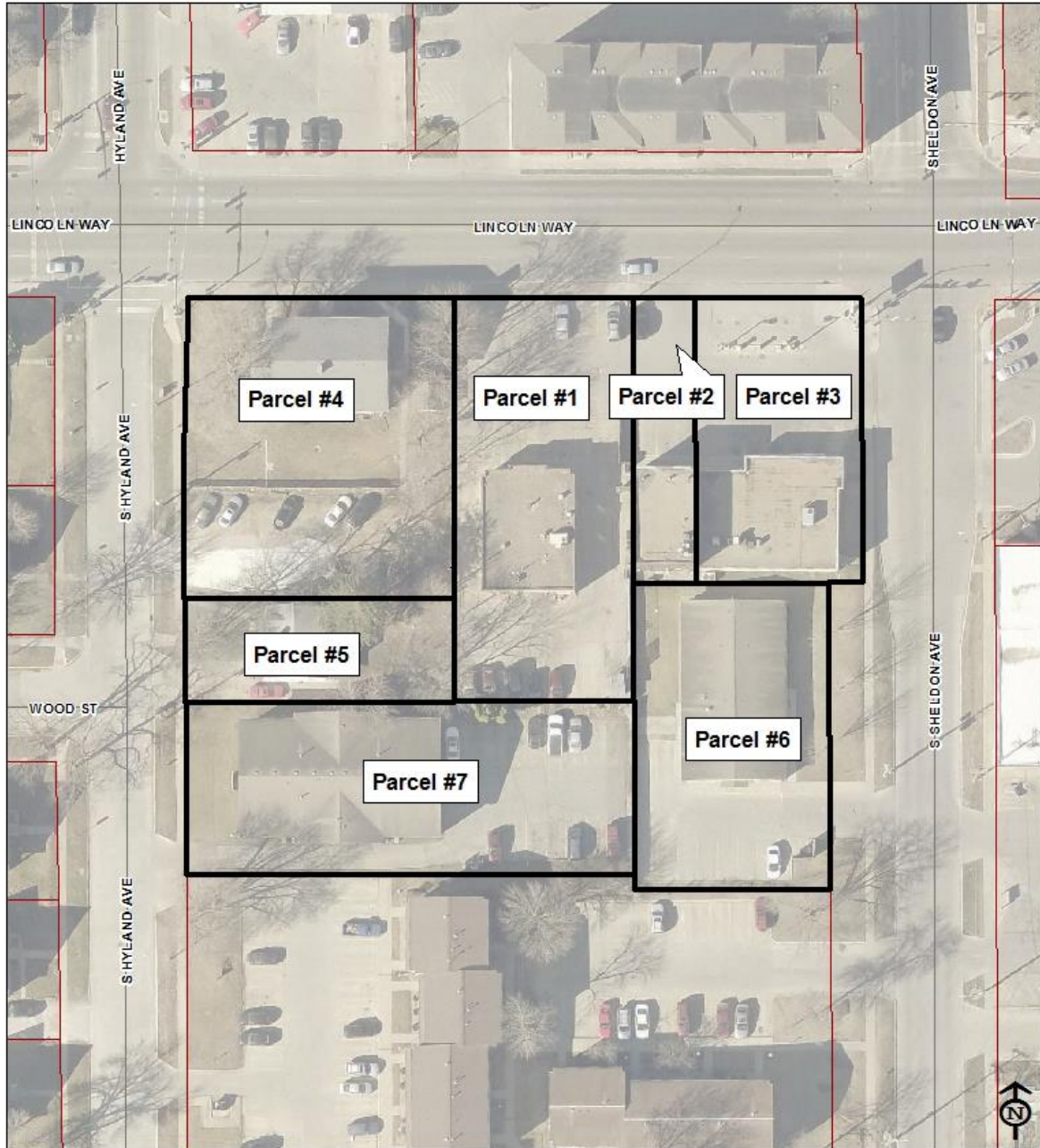
Duration

The Urban Revitalization Area shall expire on December 31, 2021. All projects seeking tax abatement must have been completed prior to expiration. Projects already determined to be eligible for tax abatement shall continue to receive tax abatement consistent with the chosen schedule for abatement and in accordance with state law.

Additional Criteria

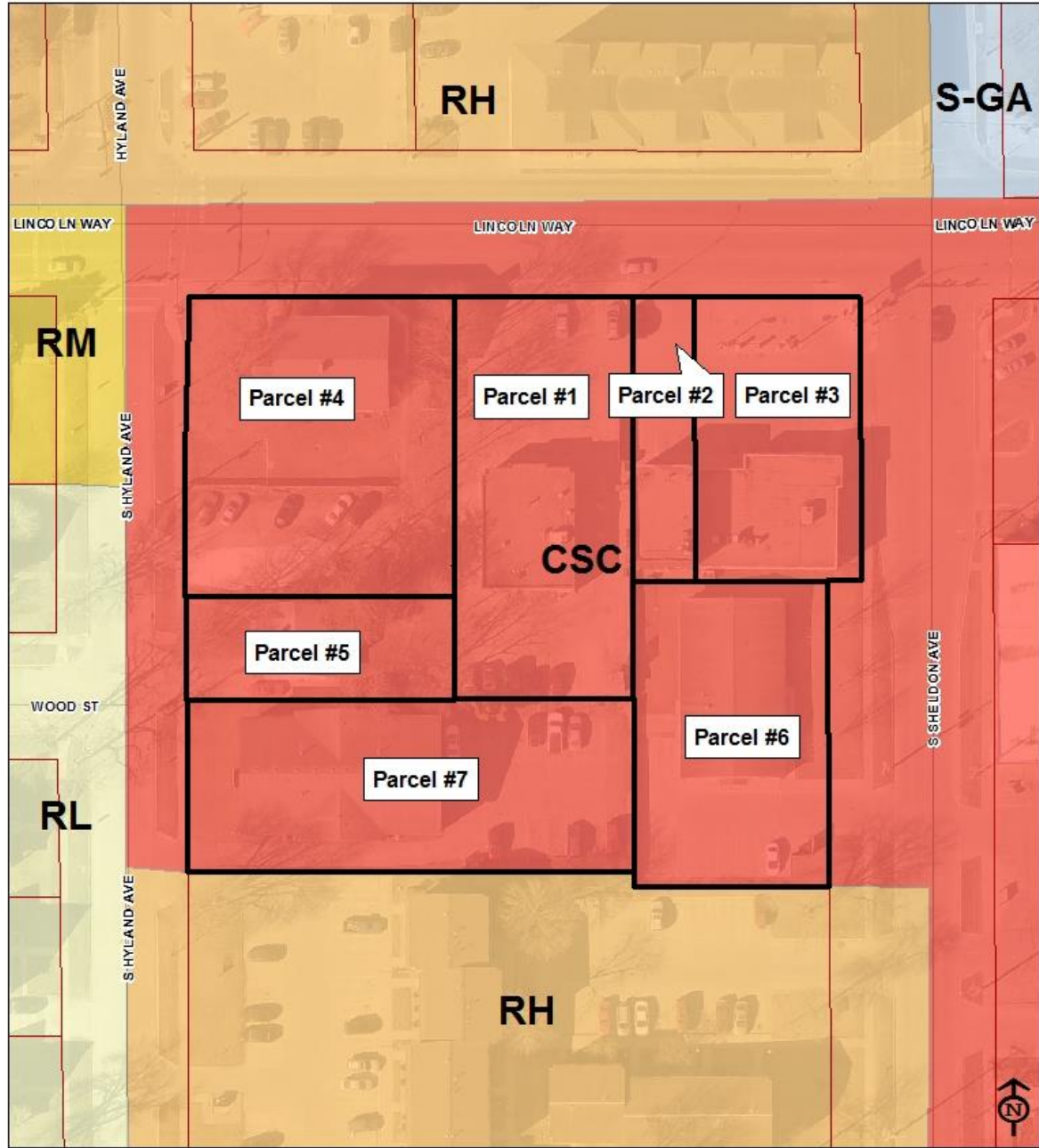
In order to be eligible for tax abatement, a project must be consistent with City ordinances and also meet the criteria in Attachment 3.

ATTACHMENT 1: LOCATION OF PROPOSED URBAN REVITALIZATION AREA



Location Map
2700, 2702, 2718 & 2728 Lincoln Way,
112 & 114 S. Hyland Avenue, and
115 S. Sheldon Avenue

ATTACHMENT 2: ZONING OF PROPOSED URBAN REVITALIZATION AREA

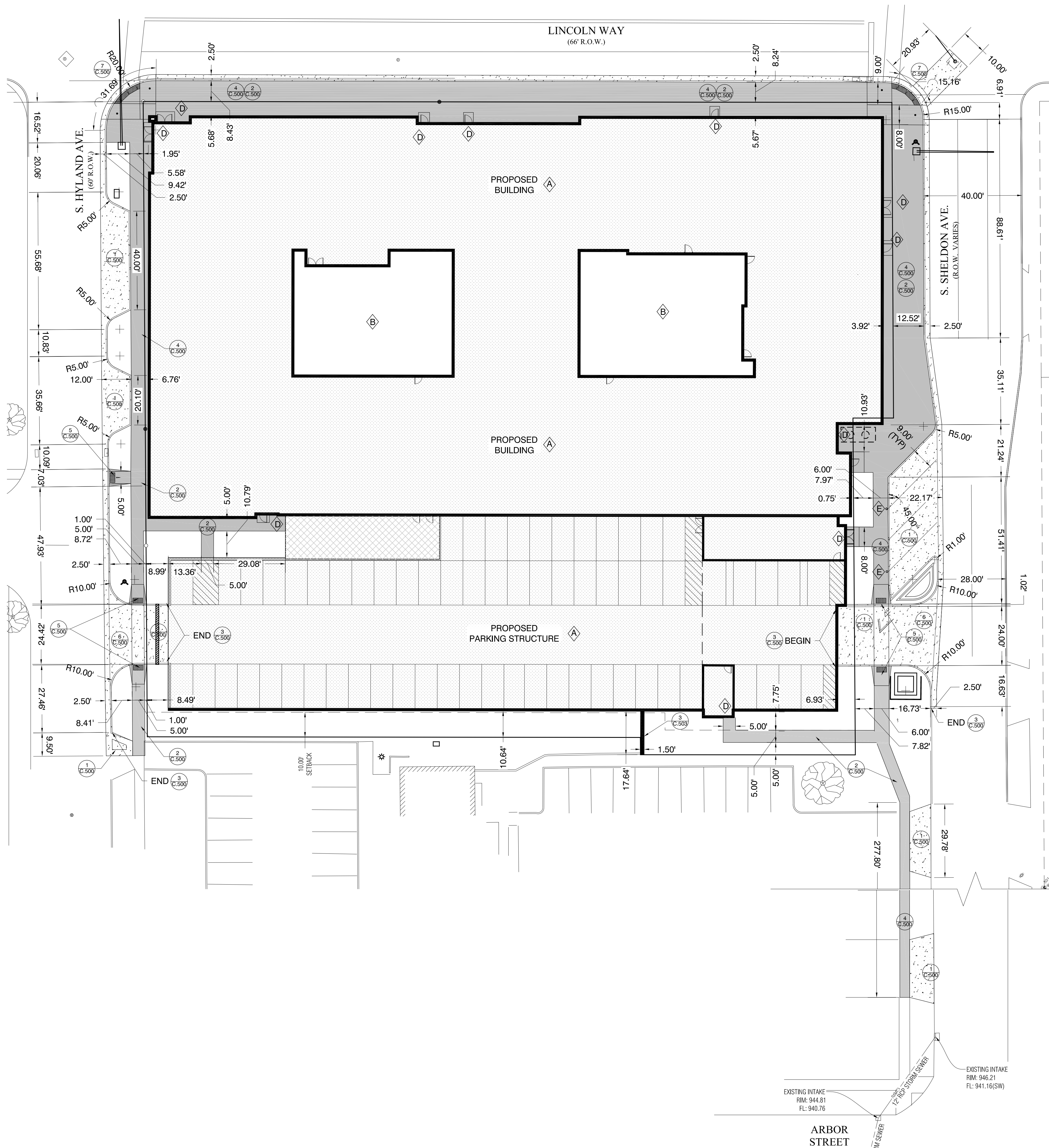


**Proposed Zoning Map
2700, 2702, 2718 & 2728 Llincoln Way,
112 & 114 S. Hyland Avenue, and
115 S. Sheldon Avenue**

ATTACHMENT 3: ADDITIONAL QUALIFYING CRITERIA

- A. The project shall be built in substantial compliance with the approved Concept Plan for site layout and architectural appearance and amenity deck as depicted in Attachment 4: Concept Plan.
- B. The project must be constructed and maintain enhanced public safety features as follows:
 - 1. Limit commercial space in the same building to the ground floor.
 - 2. Provide separate entrances for commercial and residential uses.
 - 3. Residential entrances are visible from the street and provide secure access.
 - 4. Prevent access from the exterior to the interior through doors that serve only as fire exits.
 - 5. Prohibit public access to structured parking, using overhead door and secure access control.
 - 6. Provide interior transparent glass windows into all stairwells.
 - 7. Provide camera monitoring of all pedestrian and vehicle entrances and areas.
 - 8. Minimum widths of all exit routes: 48” for halls, 42” for doors, 60” between rails for stairs.
 - 9. No balconies are permitted.
 - 10. Provide for natural daylight requirements of applicable codes with exterior windows with an allowance for internal bedrooms to have a transom or approved equivalent to meet this requirement.
 - 11. On facades facing any street use only fixed windows, note modified tamper resistant windows do not comply. Facades above the amenity deck must also be fixed windows.
 - 12. All other windows must be designed to prevent passing of sphere larger than 4” diameter. The window must be manufactured to restrict opening of the window permanently; modified windows with restrictors or tamper proof screws do not comply.
 - 13. Prevent by physical means access to all roofs.
 - 14. Where access is not required, provide security fencing controlling access to all areas between new or existing buildings.
 - 15. Provide exterior lighting along the commercial facades and residential entrances.
- C. The project must include the installation of necessary mechanical vent/exhaust equipment for at least one full kitchen restaurant use.
- D. The commercial area of the floor plan must have one tenant space that does not exceed 1,000 square feet and is available for general lease by a permitted commercial or retail use. Accessory functions or related businesses to the apartments or hotel do not qualify as meeting this requirement of available for general lease.

- E. Provide a minimum of 13-feet of sidewalk clearance along Lincoln Way.
- F. The project shall utilize a Sign Program for commercial tenants that provide a cohesive design and lighting style to the site. Sign Program will allow for wall signage per the Sign Code, with no commercial signage along the Hyland or rear façade of the building. The Sign Program must be approved by the Planning Director.



GENERAL LAYOUT NOTES:

1. ALL DIMENSIONS ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
2. ALL WORK SHALL BE IN ACCORDANCE WITH OSHA CODES & STANDARDS. NOTHING INDICATED ON THESE DRAWINGS SHALL RELIEVE THE CONTRACTOR FROM COMPLYING WITH APPROPRIATE SAFETY REGULATIONS.
3. ALL DISTURBED AREAS SHALL BE SEEDED, FERTILIZED & MULCHED UNLESS OTHERWISE NOTED IN PLANS. REFER TO LANDSCAPING PLAN.
4. ANY DAMAGE TO THE PAVEMENT NOT SHOWN FOR REMOVAL ON THE PLANS DUE TO CONSTRUCTION ACTIVITIES SHALL BE REPAIRED AT THE CONTRACTORS EXPENSE. ALL EFFORTS SHALL BE MADE TO NOT DISTURB EXISTING PAVEMENT.
5. COORDINATE GAS, ELECTRIC, TELEPHONE, & FIBER OPTIC WITH RESPECTIVE UTILITY COMPANIES.
6. TRASH ROOM LOCATED INSIDE BUILDING. REFER TO ARCHITECTURAL PLANS.

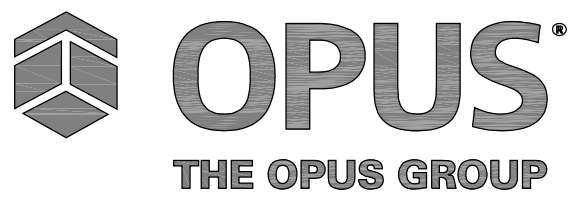
CONSTRUCTION NOTES

- Ⓐ REFER TO THE ARCHITECTURAL AND STRUCTURAL PLANS FOR PARKING STRUCTURE SUBGRADE, SUBBASE, FOUNDATION, AND SLAB DETAILS. REFER TO MECHANICAL PLANS FOR PARKING GARAGE SPINKLER SYSTEM (PER 2009 INTERNATIONAL FIRE CODE STANDARDS)
- Ⓑ LEVEL 1 COURTYARD. REFER TO ARCHITECTURAL PLANS.
- Ⓒ RELOCATE TRAFFIC SIGNAL POLE (BY CITY). SETBACK REQUIREMENTS LINCOLN WAY (ARTERIAL 30MPH) = 7 FT (MIN) FROM EDGE OF TRAVELED WAY

S. SHELDON AVE. & S. HYLAND AVE. (25MPH COLLECTOR) = 5.5 FT (MIN) FROM EDGE OF TRAVELED WAY
- Ⓓ INSTALL STOOPS. REFER TO ARCHITECTURAL PLANS
- Ⓔ INSTALL PARKING METERS. SLEEVE PARKING METERS THRU CONCRETE. SUBMIT LAYOUT WITH THE CITY OF AMES PUBLIC WORKS DEPARTMENT.

CONSTRUCTION DETAILS

- 1. INSTALL 7" PCC PAVEMENT
- 2. INSTALL 5" PCC SIDEWALK
- 3. INSTALL STANDARD 6" CURB & GUTTER UNIT
- 4. INSTALL CLASS A SIDEWALK
- 5. INSTALL ACCESSIBLE SIDEWALK RAMP
- 6. INSTALL CONCRETE DRIVEWAY TYPE "B" WITH RADII
- 7. INSTALL CURB RAMPS FOR CLASS A SIDEWALK
- 8. BLOCK RETAINING WALL



Opus AE Group, L.L.C.
10350 Eden Road West
Minnetonka, MN 55343-0110
952-696-4444

Opus Design Build, L.L.C.
1820 NW 118th St. Suite 150
Clive, IA 50325
515-440-1482

CONSULTANT
CLAPSADDLE-GARBER
ASSOCIATES, INC.
1523 S. BELL AVE., SUITE 101
AMES, IOWA 50010

PROJECT
**River Caddis
Mixed-Use
Development**
PROJECT ADDRESS
2700 LINCOLN WAY
AMES, IOWA

PROJECT NUMBER
30984

ISSUE RECORD

09/06/2016 Minor Site Dev Plan
10/11/2016 MSDP Resubmittal #1

NOT FOR
CONSTRUCTION

DATE
10/11/16
PROJECT MANAGER
30984
DRAWN BY
LAW / RWA
CHECKED BY
MMB

REGISTRATION

SHEET TITLE
**LAYOUT
PLAN**

SHEET NUMBER

C.200

PLANT SCHEDULE

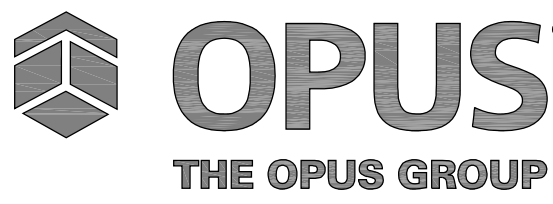
KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE
Deciduous Overstory Trees				
OV	Ostrya virginiana	American Hophorubeam	6	1.5" BB
Ornamental Trees				
SR	Syringa reticula 'Ivory Silk'	Ivory Silk Japanese Tree Lilac	5	1.5" BB
AG	Amelanchier x Gandiflora	Autumn Brilliance Serviceberry	2	1.5" BB
Evergreen				
JV	Juniperus virginiana 'Blue Arrow'	Blue Arrow Juniper	4	6" BB
Shrubs				
TO	Thuja Occidentalis	American Arborvitae	39	#5 Container
SB	Spiraea x bumalda 'Gold Flame'	Gold Flame Spirea	10	#3 Container (12" tall)
JC	Juniperus chinensis 'Gold Lace'	Gold Lace Juniper	10	#3 Container (18" tall)

LANDSCAPE REQUIREMENT

ALONG LINCOLN WAY:	NONE
ALONG S. HYLAND AVENUE:	L2; LOW SCREEN LOW SHRUBS 4' O.C. FOR A CONTINUOUS SCREEN 3' HIGH. 1 TREE PER 50 LF
ALONG S. SHELDON AVENUE:	NONE
REAR LOT LINE (ABUTTING RESIDENTIAL):	L3; HIGH SCREEN HIGH SHRUBS 6' O.C. FOR A 6' HIGH SCREEN. 1 TREE PER 50 LF

LANDSCAPE NOTES:

1. PLANT QUANTITIES ARE FOR INFORMATION ONLY; DRAWING SHALL PREVAIL IF CONFLICT OCCURS. CONTRACTOR IS RESPONSIBLE FOR CALCULATING OWN QUANTITIES AND BASING BID ACCORDINGLY.
2. CONTRACTOR SHALL PLACE SHREDDED HARDWOOD BARK MULCH AROUND ALL TREES & SHRUBS TO A DEPTH OF 3". WALNUT PRODUCTS ARE PROHIBITED.
3. KIND, SIZE AND QUALITY OF PLANT MATERIAL SHALL CONFORM TO AMERICAN STANDARD FOR NURSERY STOCK, ANSI 260-2004, OR MOST RECENT EDITION.
4. THE CONTRACTOR SHALL REPORT SUBSURFACE SOIL OR DRAINAGE PROBLEMS TO THE ENGINEER.
5. ALL PLANT MATERIAL SHALL BE NURSERY GROWN, SOUND, HEALTHY, VIGOROUS AND FREE FROM INSECTS, DISEASE AND INJURIES, WITH HABIT OF GROWTH THAT IS NORMAL FOR THE SPECIES. SIZES SHALL BE EQUAL TO OR EXCEEDING SIZES INDICATED ON THE PLANT SCHEDULE. THE CONTRACTOR SHALL SUPPLY PLANTS IN QUANTITY AS SHOWN ON DRAWINGS.
6. ALL DISTURBED AREAS NOT OTHERWISE COVERED BY BUILDING, PAVEMENT, AND LANDSCAPE BEDS SHALL BE SODDED WITH KENTUCKY BLUE TURF GRASS.
7. ANY LANDSCAPE ROCK SHALL BE LESS THAN 3".



Opus AE Group, L.L.C.
10350 Eden Road West
Minnetonka, MN 55343-0110
952-696-4444

Opus Design Build, L.L.C.
1820 NW 118th St. Suite 150
Olive, IA 50225
515-440-1482

CONSULTANT
CLAPSADDLE-GARBER
ASSOCIATES, INC.
1523 S. BELL AVE., SUITE 101
AMES, IOWA 50010

**River Caddis
Mixed-Use
Development**

PROJECT ADDRESS
2700 LINCOLN WAY
AMES, IOWA

PROJECT NUMBER
30984

ISSUE RECORD

09/06/2016 Minor Site Dev Plan
10/11/2016 MSDP Resubmittal #1

**NOT FOR
CONSTRUCTION**

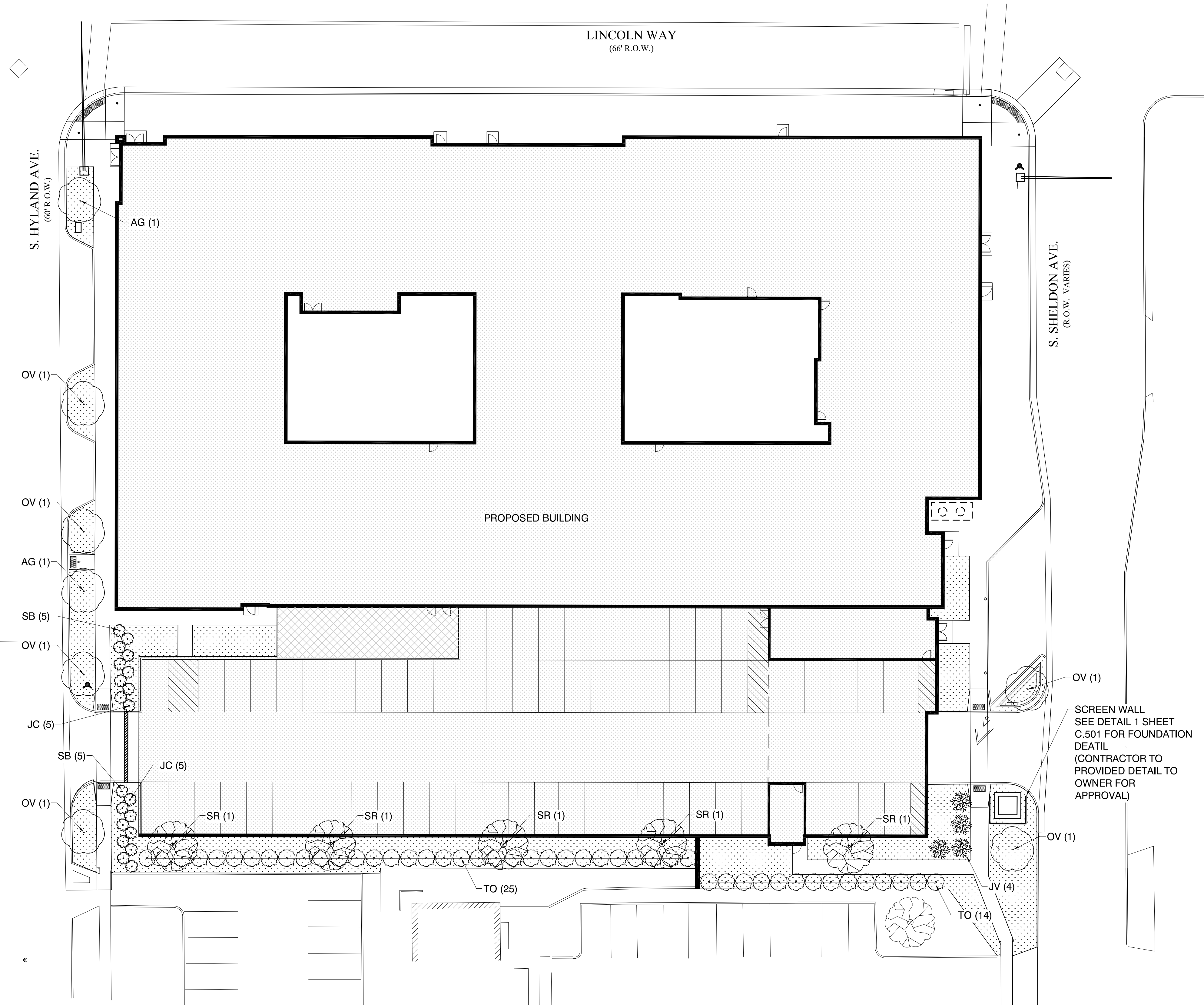
DATE
10/11/16
PROJECT MANAGER
30984
DRAWN BY
LAW / RWA
CHECKED BY
MMB

REGISTRATION

**LANDSCAPE
PLAN**

SHEET NUMBER

C.400



PLOT DATE: 9/1/2016 12:08:16 PM

CONSULTANT

PROJECT

**River Caddis
Mixed-Use
Development**

PROJECT ADDRESS
2700 LINCOLN WAY
AMES, IOWA

PROJECT NUMBER
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10/11/2016 MSDP Resubmittal #1

**NOT FOR
CONSTRUCTION**

DATE
10/11/16
PROJECT MANAGER
30984
DRAWN BY
M. Hart
CHECKED BY
J. Fourniea

REGISTRATION

SHEET TITLE
**P-1 PARKING
LEVEL PLAN**

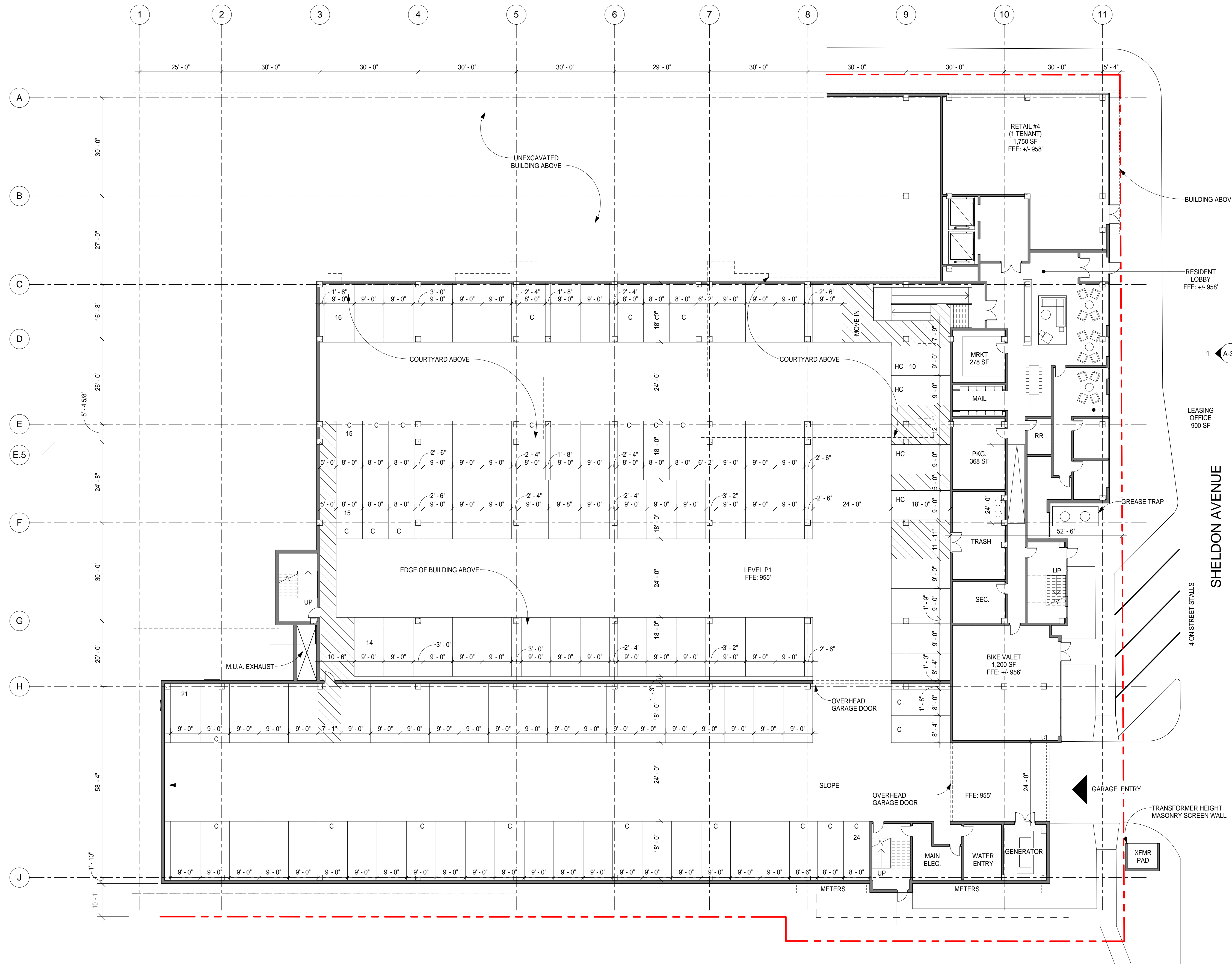
SHEET NUMBER

A-2.1

HYLAND AVENUE (ABOVE)

SHELDON AVENUE

LINCOLN WAY



1 LEVEL P1
1/16" = 1'-0"

CONSULTANT

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**River Caddis
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CONSTRUCTION**

DATE
10/11/16
PROJECT MANAGER
30984
DRAWN BY
M. Hart
CHECKED BY
J. Fourniea

REGISTRATION

SHEET TITLE
LEVEL 1 PLAN

SHEET NUMBER

A-2.2



1 LEVEL 1
1/16" = 1'-0"

PLOT DATE: 10/11/2016 1:36:26 PM

CONSULTANT

PROJECT

**River Caddis
Mixed-Use
Development**

PROJECT ADDRESS
2700 LINCOLN WAY
AMES, IOWA

PROJECT NUMBER
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CONSTRUCTION**

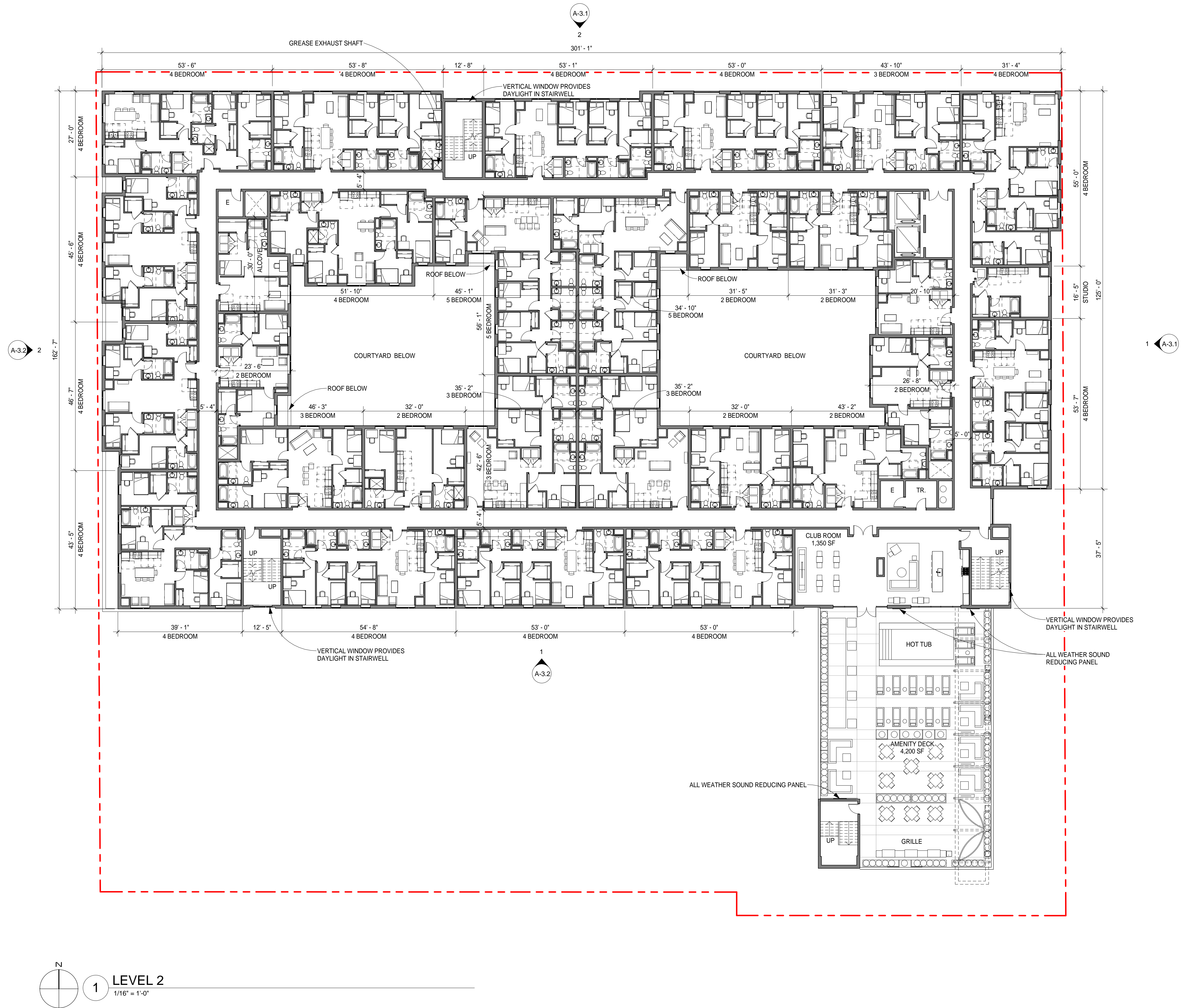
DATE
10/11/16
PROJECT MANAGER
30984
DRAWN BY
M. Hart
CHECKED BY
J. Fourniea

REGISTRATION

SHEET TITLE
LEVEL 2 PLAN

SHEET NUMBER

A-2.3



CONSULTANT

PROJECT

**River Caddis
Mixed-Use
Development**

PROJECT ADDRESS
2700 LINCOLN WAY
AMES, IOWA

PROJECT NUMBER
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CONSTRUCTION**

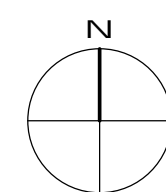
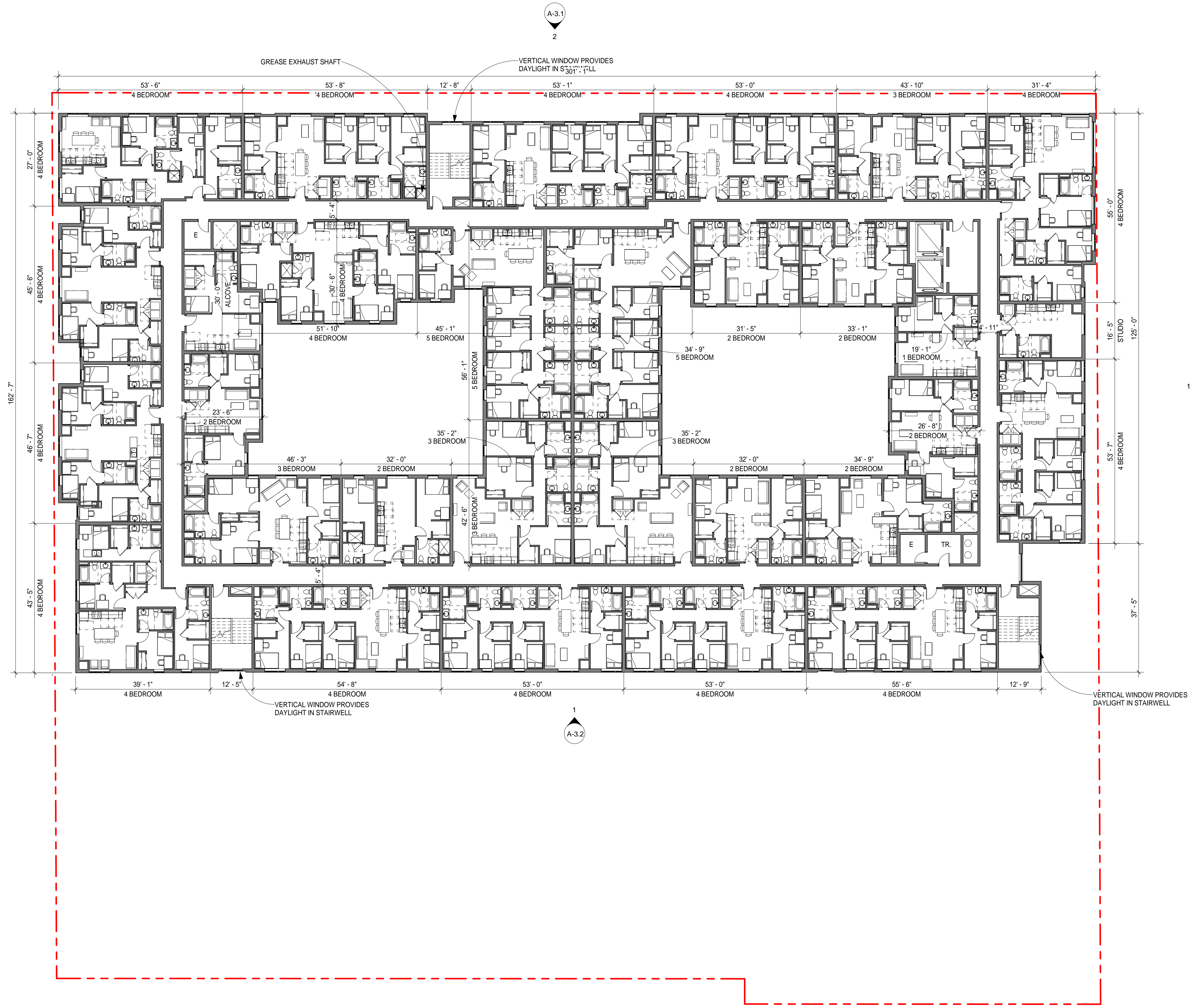
DATE
10/11/16
PROJECT MANAGER
30984
DRAWN BY
M. Hart
CHECKED BY
J. Fourniea

REGISTRATION

SHEET TITLE
LEVELS 3 - 6 PLAN

SHEET NUMBER

A-2.4



1 LEVELS 3 - 6
1/16" = 1'-0"

CONSULTANT

PROJECT

**River Caddis
Mixed-Use
Development**

PROJECT ADDRESS
2700 LINCOLN WAY
AMES, IOWA

PROJECT NUMBER
30984

ISSUE RECORD

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10/11/2016 MSDP Resubmittal #1

**NOT FOR
CONSTRUCTION**

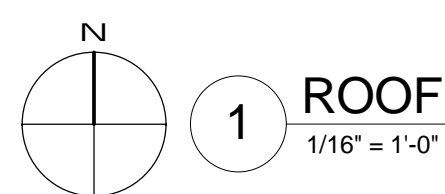
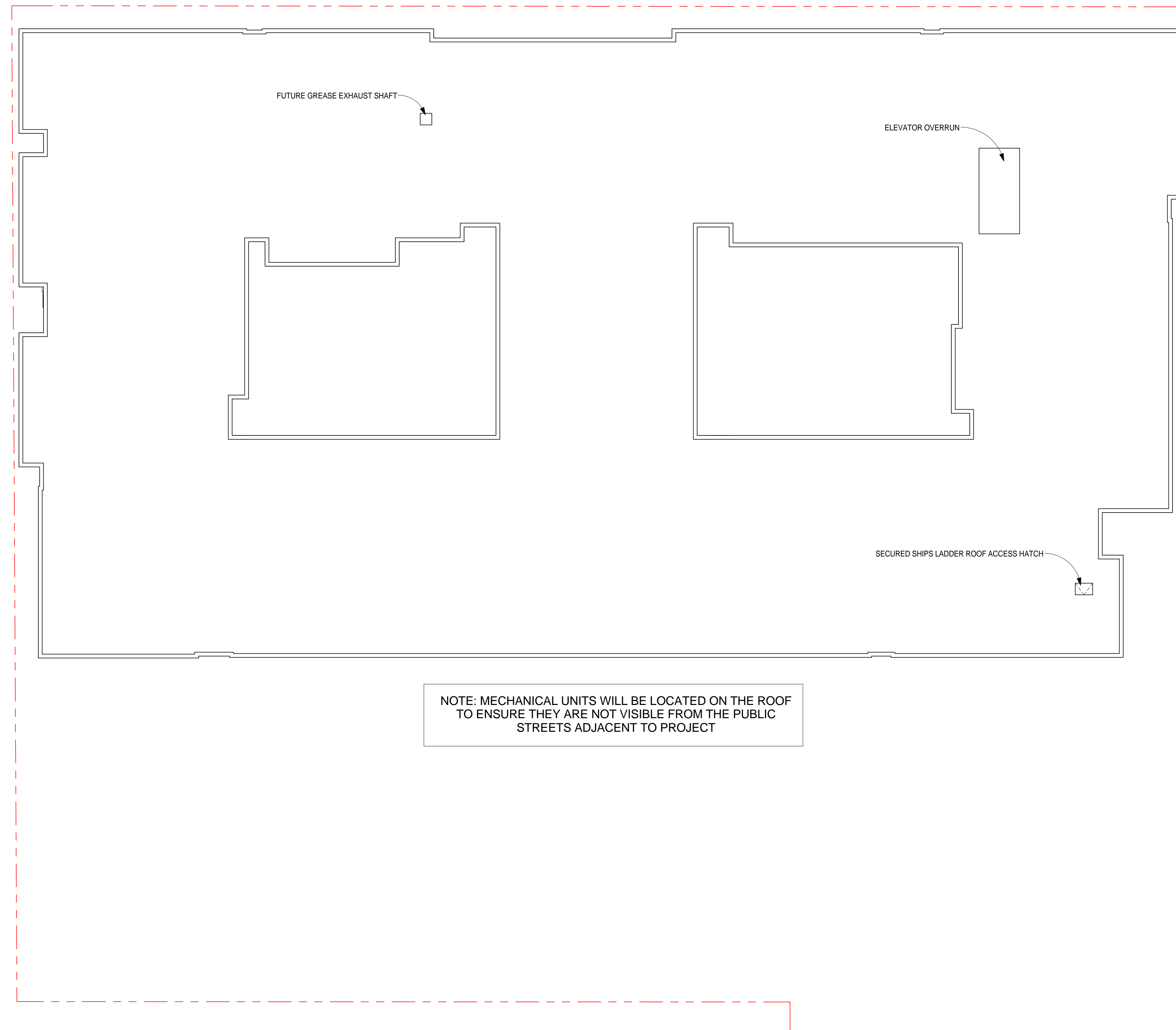
DATE
10/11/16
PROJECT MANAGER
30984
DRAWN BY
M. Hart
CHECKED BY
J. Fourniea

REGISTRATION

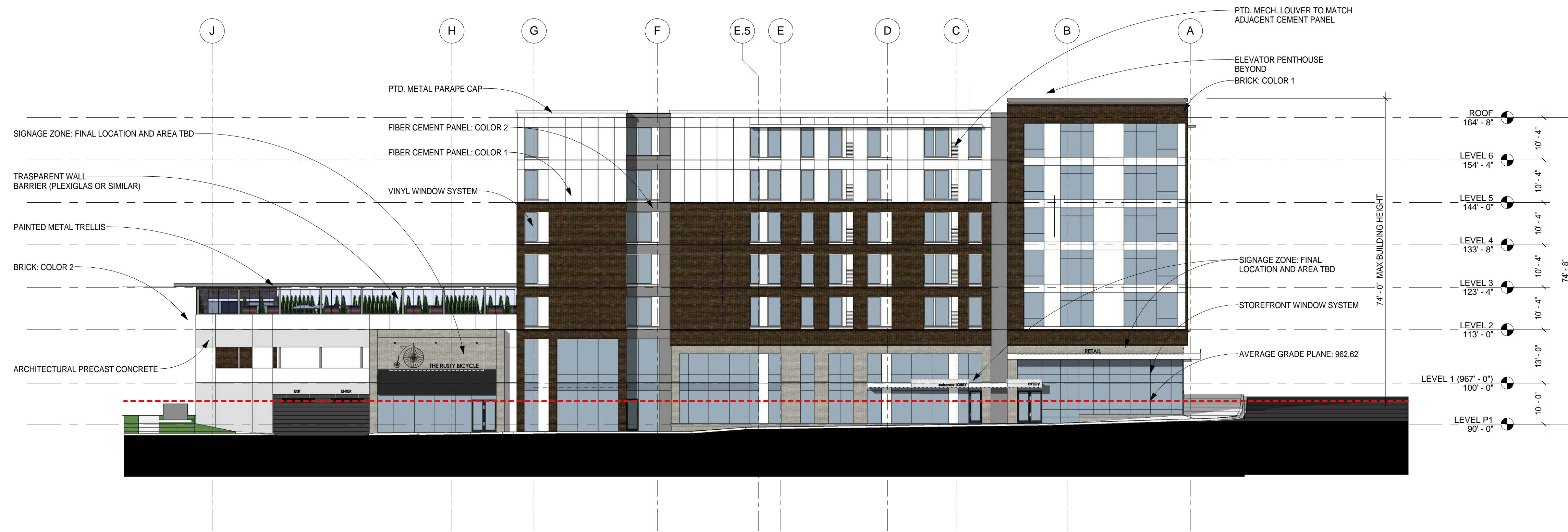
SHEET TITLE
ROOF PLAN

SHEET NUMBER

A-2.5



**NOT FOR
CONSTRUCTION**



EAST ELEVATION 1/16" = 1' - 0"



NORTH ELEVATION 1/16" = 1' - 0"

CONSULTANT

PROJECT

**River Caddis
Mixed-Use
Development**

PROJECT ADDRESS
2700 LINCOLN WAY
AMES, IOWA

PROJECT NUMBER
30984

ISSUE RECORD

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10/11/2016 MSDP Resubmittal #1

DATE
10/11/16
PROJECT MANAGER
30984
DRAWN BY
M. Hart
CHECKED BY
J. Fourniea

REGISTRATION

SHEET TITLE
**EXTERIOR
ELEVATIONS**

SHEET NUMBER

A-3.2



WEST ELEVATION 1/16" = 1' - 0"



SOUTH ELEVATION 1/16" = 1' - 0"



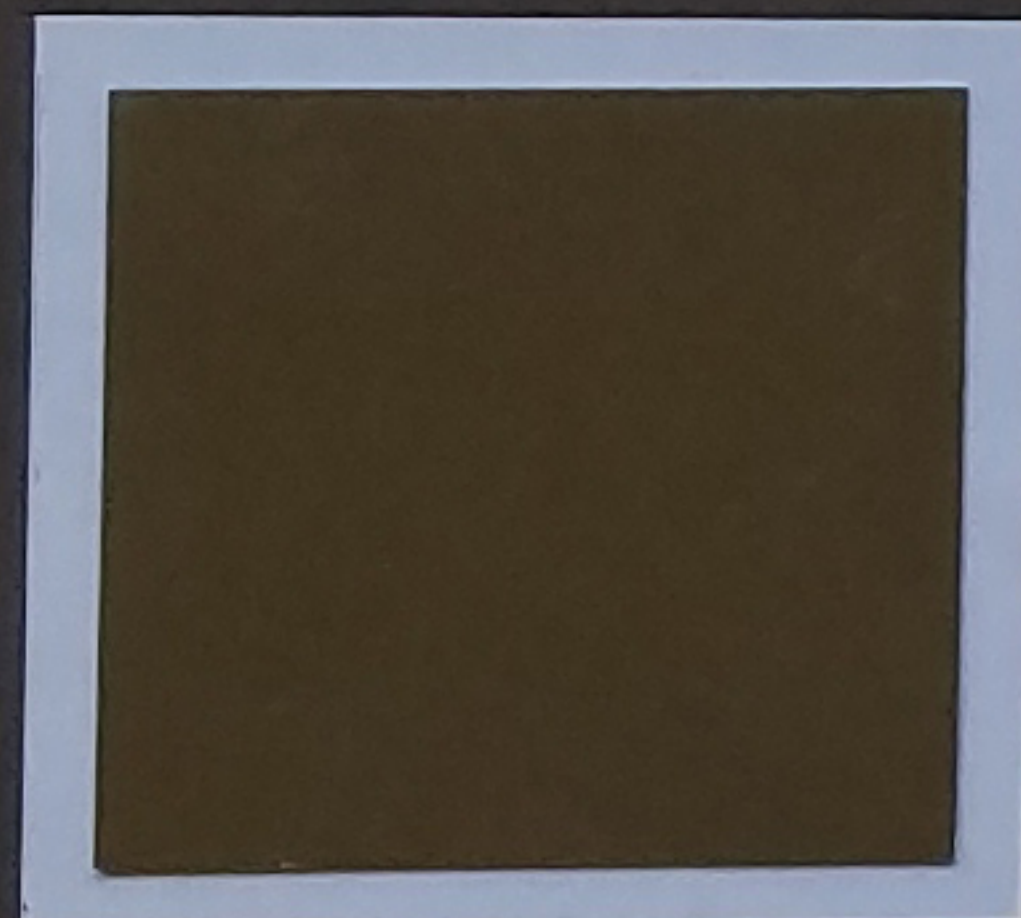
OPUS
THE OPUS GROUP

River Caddis Mixed Use Development
Ames, Iowa

Sheldon Avenue and Lincoln Way
09.23.2016



4 FABRIC CANOPY
Black



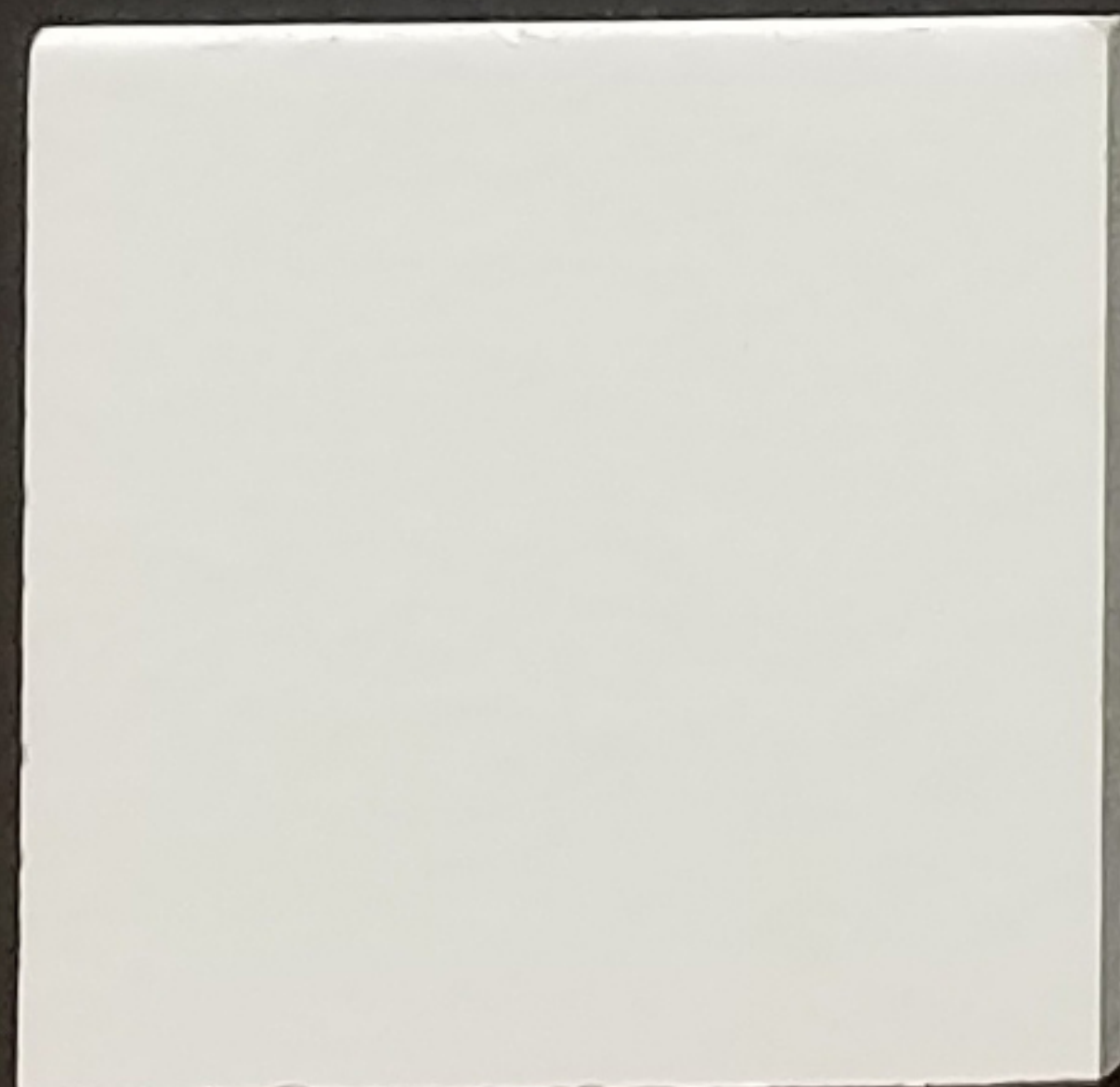
5 ALUMINUM WINDOW FRAME
Storefront
Bronze



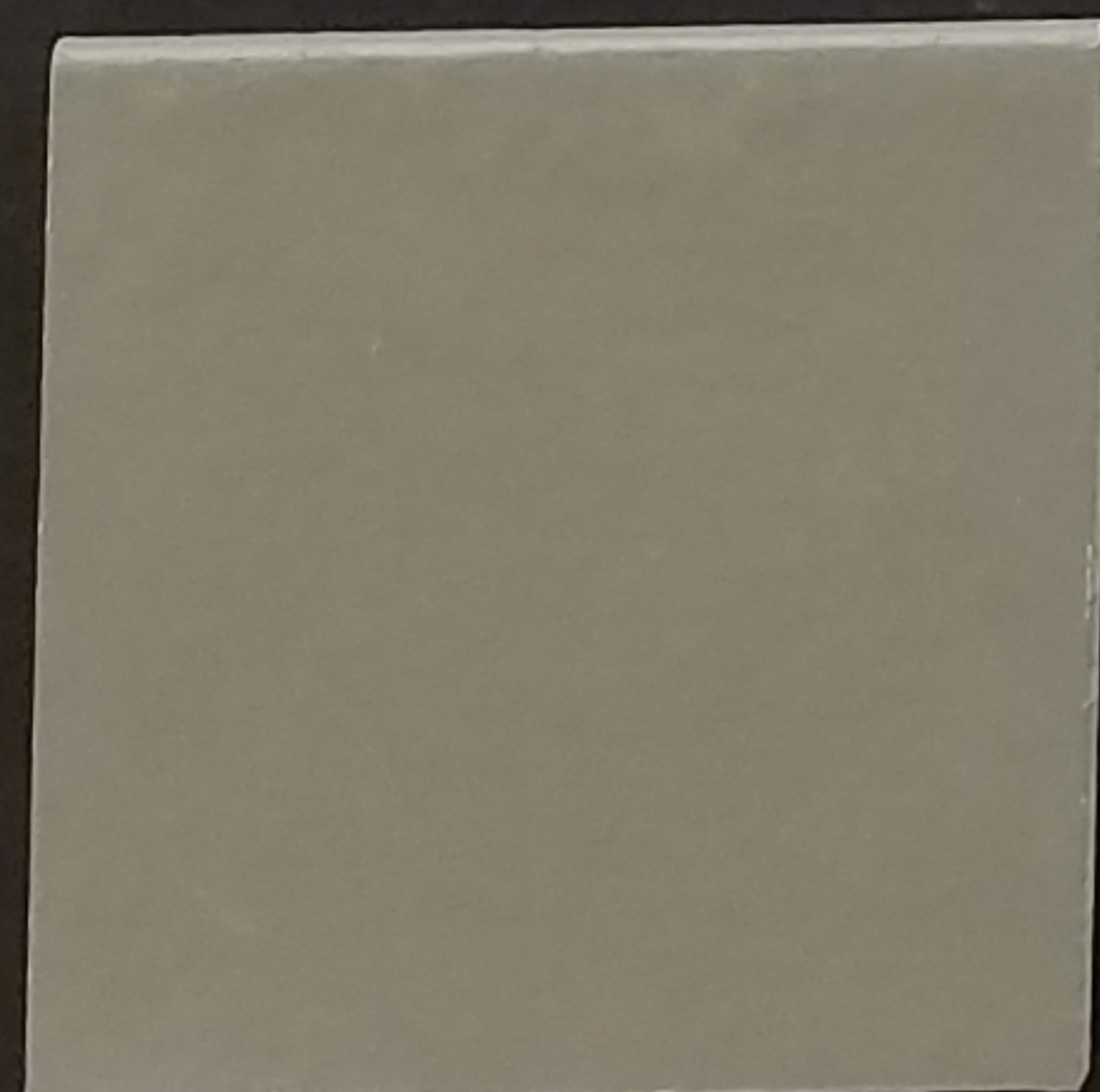
6 PREFINISHED METAL
PANEL
White



7 VINYL WINDOW FRAME
White



8 FIBER CEMENT PANEL
Color 1
White



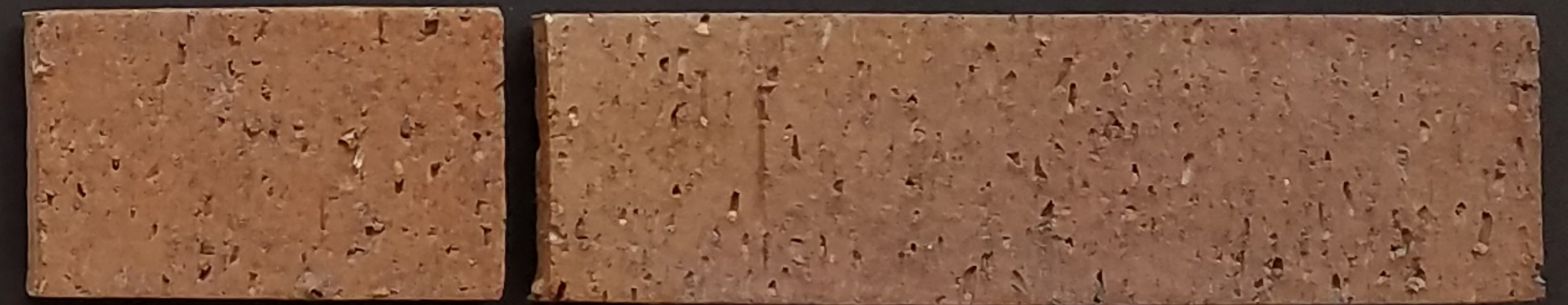
9 FIBER CEMENT PANEL
Color 2
Aged Pewter



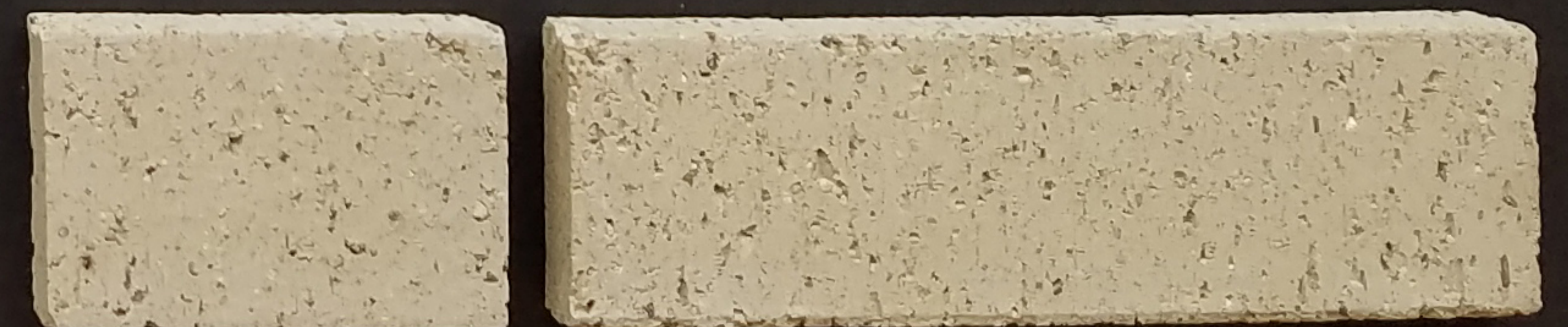
10 VISION GLASS
Lo E Clear



1 BRICK
Color 1 - Dark Brown
Norman Size - Smooth Finish



2 BRICK
Color 2 - Medium Red
Norman Size - Velour



3 BRICK
Color 3 - Ash
Norman Size - Velour



PERSPECTIVE @ NE CORNER



PERSPECTIVE @ NW CORNER



PERSPECTIVE @ SW CORNER



PERSPECTIVE @ SE CORNER



PERSPECTIVE @ AMENITY DECK



STREET VIEW @ NW CORNER



STREET VIEW MIDBLOCK @ LINCOLN WAY

CONSULTANT

PROJECT

**River Caddis
Mixed-Use
Development**

PROJECT ADDRESS
2700 LINCOLN WAY
AMES, IOWA

PROJECT NUMBER
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ISSUE RECORD

09/06/2016 Minor Site Dev Plan
10/11/2016 MSDP Resubmittal #1

**NOT FOR
CONSTRUCTION**

DATE
10/11/16
PROJECT MANAGER
30984
DRAWN BY
M. Hart
CHECKED BY
J. Fourniea

REGISTRATION

SHEET TITLE
PERSPECTIVES

SHEET NUMBER

A-3.6



THE RUSTY BICYCLE

EXIT

ENTER



ORDINANCE NO. _____

**AN ORDINANCE TO DESIGNATE THE URBAN REVITALIZATION AREA
FOR 2700, 2702, 2718, AND 2728 LINCOLN WAY; 112 AND 114 SOUTH HYLAND
AVENUE; AND 115 SOUTH SHELDON AVENUE**

Section 1: The land described as:

PARCEL 1: 2718 Lincoln Way:

LOT ONE (1) IN LEE'S SUBDIVISION OF THE NORTH 213 FEET (EXCEPT THE NORTH 33 FEET) OF THE W3/5 OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF THE NW1/4 OF SEC. 9-T83N-R24W OF THE 5TH P.M. IN THE CITY OF AMES, STORY COUNTY, IOWA.

PARCEL 2: 2702 Lincoln Way:

BEGINNING AT A POINT ON THE WEST LINE OF THE EAST 2/5 OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION NINE (9). TOWNSHIP EIGHTY-THREE (83) NORTH. RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA, AND AT THE INTERSECTION OF THE SOUTH LINE OF LINCOLN WAY IN THE CITY OF AMES, IOWA RUNNING THENCE SOUTH 128 FEET, THENCE NORTH 128 FEET, THENCE WEST TO THE PLACE OF BEGINNING.

PARCEL 3: 2700 Lincoln Way:

BEGINNING AT A POINT 28 FEET EAST OF THE WEST LINE OF THE EAST 2/5 OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION NINE (9). TOWNSHIP EIGHTY-THREE (83) NORTH. RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA, AND AT THE INTERSECTION OF THE SOUTH LINE OF LINCOLN WAY IN THE CITY OF AMES, IOWA RUNNING THENCE SOUTH 128 FEET, THENCE EAST 75 FEET, THENCE NORTH 128 FEET, THENCE WEST 75 FEET TO THE PLACE OF BEGINNING.

PARCEL 4: 2728 Lincoln Way:

LOTS TWO (2) AND THREE (3) AND THE NORTH 13 FEET OF LOT FOUR (4) OF LEE'S SUBDIVISION OF THE NORTH 213 FEET (EXCEPT THE NORTH 33 FEET THEREOF) OF THE W3/5 OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF THE NW1/4 OF SECTION 9, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M. IN THE CITY OF AMES, STORY COUNTY, IOWA.

PARCEL 5: 112 S. Hyland Avenue:

THE SOUTH 47 FEET OF LOT FOUR (4) OF LEE'S SUBDIVISION OF THE NORTH 213 FEET, EXCEPT THE NORTH 33 FEET THEREOF, OF THE W3/5 OF THE E1/2 OF THE NE1/4 OF THE

NW1/4 OF THE NW1/4 OF SEC. 9-T83N-R24W OF THE 5TH P.M., AMES, STORY COUNTY, IOWA.

PARCEL 6: 115 S. Sheldon Avenue:

OFFICE AND CONDOMINIUM UNITS 101, 102 AND 103 IN TPM CONDOMINIUMS, A CONDOMINIUM IN THE CITY OF AMES, STORY COUNTY, IOWA, TOGETHER WITH ALL APPURTENANCES THERETO INCLUDING AN UNDIVIDED FRACTIONAL INTEREST IN THE COMMON ELEMENTS, AREAS AND FACILITIES AS DETERMINED FOR SAID UNIT BY THE PROVISIONS OF, AND IN ACCORDANCE WITH, THE DECLARATION OF SUBMISSION TO HORIZONTAL PROPERTY REGIME FOR TPM CONDOMINIUMS FILED IN THE OFFICE OF THE RECORDER OF STORY COUNTY, IOWA, ON DECEMBER 30, 2005 AS INST. NO. 05-16146 (AND ANY SUPPLEMENTS AND AMENDMENTS THERETO). TPM CONDOMINIUMS, AS PRESENTLY CONSTITUTED, IS LOCATED ON A PART OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF THE NW1/4 OF SEC. 9-T83N-R24W OF THE 5TH P.M., IN THE CITY OF AMES, STORY COUNTY, IOWA; DESCRIBED AS FOLLOWS; COMMENCING AT A POINT ON THE EAST LINE OF HYLAND AVENUE, IN THE CITY OF AMES, WHICH IS 257.5 FEET SOUTH OF THE SE CORNER OF THE INTERSECTION OF LINCOLN WAY AND HYLAND AVENUE; THENCE S89°31'30"E, 199.3 FEET ALONG THE NORTH LINE OF THE SOUTH 370 FEET OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF SEC. 9-T83N-R24W OF THE 5TH P.M. IN THE CITY OF AMES, STORY COUNTY, IOWA, THENCE NORTH 129.6 FEET ALONG THE WEST LINE OF THE E2/5 OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF THE NW1/4 OF SAID SEC 9, THENCE S89°29'40"E, 87 FEET ALONG A LINE WHICH IS 128 FEET SOUTH OF A PARALLEL TO THE SOUTH LINE OF LINCOLN WAY, THENCE SOUTH, 136.6 FEET, THENCE N89°29'40"W, 87 FEET, THENCE NORTH, 7 FEET ALONG THE WEST LINE OF THE E2/5 OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF THE NW1/4 OF SE. 9 TO THE POINT OF BEGINNING. PARCEL CONTAINS 11,878 SQUARE FEET, OR 0.273 ACRE.

PARCEL 7: 114 S. Hyland Avenue:

SOUTH 77.5 FEET OF NORTH 290.5 FEET OF WEST 3/5THS PF EAST HALF (E1/2) NORTHEAST QUARTER (NE1/4) NORTHWEST QUARTER (NW1/4) NORTHWEST QUARTER (NW1/4) OF SECTION 9, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., AMES, STORY COUNTY, IOWA

is hereby designated, pursuant to Chapter 404, Code of Iowa, as the 2700, 2702, 2718, AND 2728 Lincoln Way; 112 and 114 South Hyland Avenue; and 115 South Sheldon Avenue Urban Revitalization Area.

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

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

ADOPTED THIS ____ day of _____, 2016.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

COUNCIL ACTION FORM

REQUEST: **DEVELOPMENT AGREEMENT FOR RIVER CADDIS
DEVELOPMENT PROJECT LOCATED AT 2700, 2702, 2718 & 2728
LINCOLN WAY, 112 & 114 S. HYLAND AVENUE, AND 115 S.
SHELDON AVENUE**

BACKGROUND:

River Caddis, Inc, contract purchaser and developer, are requesting the approval of a development agreement for a mixed use project for properties located at 2700, 2702, 2718 & 2728 Lincoln Way, 112 & 114 S. Hyland Avenue, and 115 S. Sheldon Avenue. The subject site consists of seven properties with a total area of 1.8 acres that were recently rezoned to the Campustown Service Center (CSC) zone. A location map is included as Attachment 1.

River Caddis will remove the existing buildings and consolidate the lots with the intent of developing a single mixed residential and commercial project on the subject area. In support of the project the developer requested the City establish a unique Urban Revitalization area for the site based upon their redevelopment plan. Additionally, the developer is interested in entering into a development agreement to ensure that the URA and its criteria for partial property tax abatement are maintained through the completion of the project. City Council gave direction on September 27th to proceed with a public hearing on creating the 2700 Block of Lincoln Way Urban Revitalization Area and to consider a development agreement on the November 15th meeting.

The Development Agreement, as prepared by the Applicant and reviewed by Planning Staff and the City Attorney's Office, is intended to secure incentives through the Urban Revitalization Area and Plan (as approved tonight under separate agenda item) in exchange for certain project specific requirements desired by the City for the redevelopment area. The agreement does not restate all of the requirements of the URA Plan, but references compliance with the Plan and the additional elements of the agreement. The attached development agreement addresses the follow items listed below (*see Attachment 2 – Development Agreement*):

- Maintaining transparency of first floor commercial storefront windows to address street visibility in commercial tenant spaces;
- A small commercial tenant space between 1,000 square feet and 1,500 square feet is required along Lincoln Way. The agreement has a provision that if the space is not leased within 2 years of original construction the developer may request and adjustment to the tenant space configuration and size. After the initial term, if the space is not leased for 1 year then the space may be reconfigured as well.

- Construction of required mechanical equipment necessary to allow for at least one full service restaurant use;
- A minimum 20 hotel rooms;
- Staffing on site for the hotel and to have additional staffing for stacked valet parking as was approved under Special Use Permit by the Zoning Board of Adjustment;
- Limitations on the days and hours of use to 11 pm for the amenity deck to address potential issues with noise and/or disturbances. The agreement also allows the City control over revisions to such hours if regularly occurring complaints or disturbances occur. In addition, the Agreement includes a provision that allows for the Police Department to pre-emptively require closure of the deck in advance of occasional events or if there is an immediate need because of a general event in the area. This provision is meant to limit potential risk during high levels of activity of special events related to sports activities or events occurring in or around Campustown;
- Agreement for sidewalk easements along Lincoln Way and Sheldon Avenue to provide for the requested increased width for the shared use path and pedestrian sidewalks along the commercial street frontages;
- The developer will be responsible for all public improvements associated with the project, such as sidewalks, utilities, traffic signal infrastructure, streetscape, parking meters and signage;
- The agreement also spells out areas of responsibility regarding maintenance for the loading/valet areas, parking spaces, and sidewalks within the rights-of-way for the project;
- A Construction Management Plan, a Sign program, and Public Security Plans are also addressed in the agreement to manage construction, and future signage for the project and security lighting and cameras for the project.

The agreement states the City has an obligation to maintain the URA and its eligibility criteria as adopted, without consent of the developer to amend the Plan.

The agreement states that City staff must inspect the property for compliance when it is substantial complete to allow the developer to complete the project in accordance with the criteria to ensure there is adequate time for compliance before filing for final eligibility determination for property tax abatement. The agreement has no specified end date and will continue beyond the initial life of the tax abatement program.

ALTERNATIVES

1. The City Council can approve the attached Development Agreement for the River Caddis Development Inc. subject to the City’s establishment of the 2700 Block of Lincoln Way Urban Revitalization Area.
2. The City Council may decline to enter into the Development Agreement if it finds that the proposed agreement does not meet the City’s interest.
3. The City Council can defer action on this request and refer it back to City staff

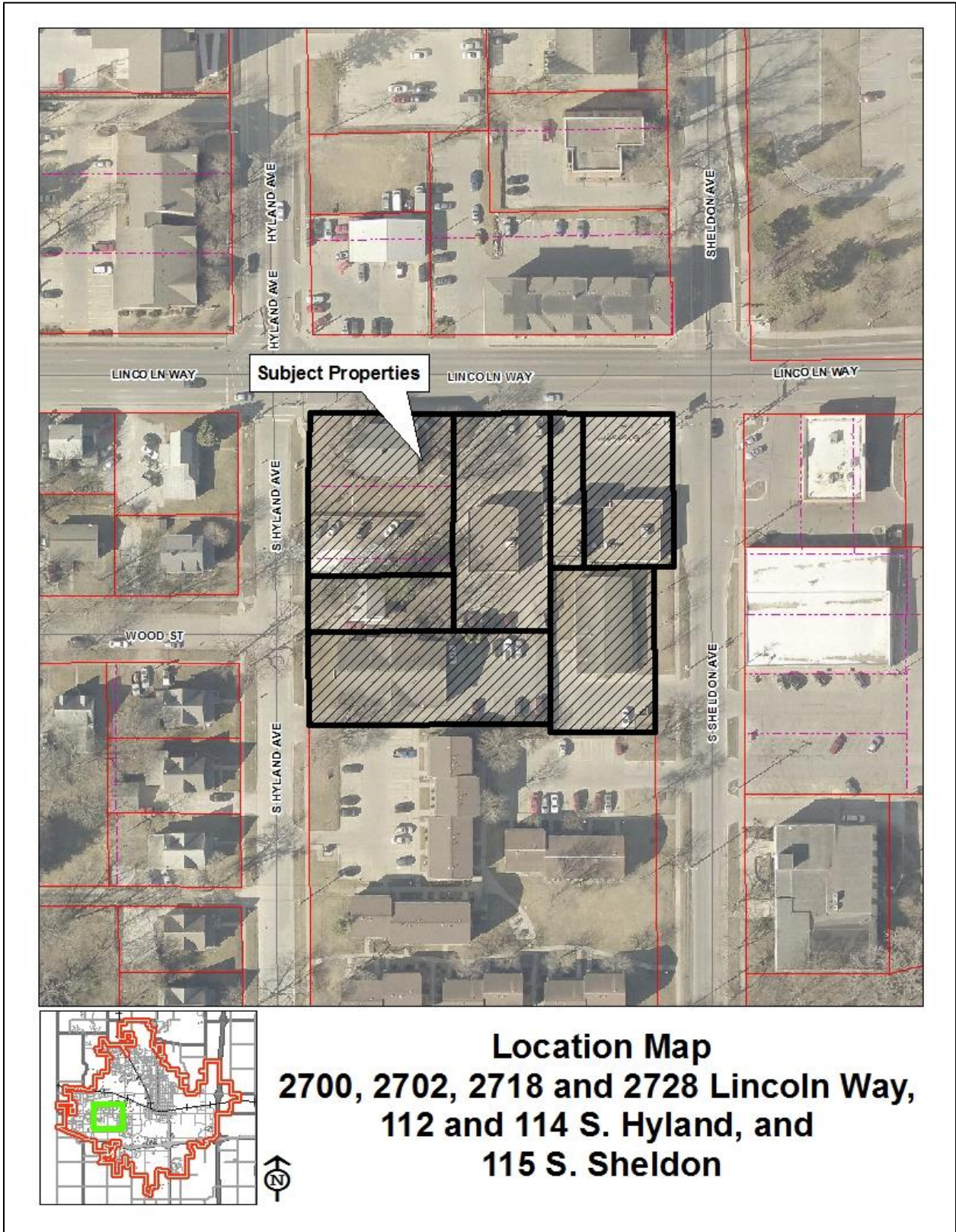
and/or the applicant for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

Assuming that the City Council desires to commit to the developer on maintaining the 2700 Block URA, this agreement spells out City assurances for the operation of the project while also providing security to the developer of the requested financial incentives.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, thereby approving the attached Development Agreement for the River Caddis Development.

Attachment 1: Location Map



Location Map
2700, 2702, 2718 and 2728 Lincoln Way,
112 and 114 S. Hyland, and
115 S. Sheldon

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

Prepared by: Judy K. Parks, Ames City Attorney, 515 Clark Ave., Ames, IA 50010 (515-239-5146)
Return to: City Clerk, City of Ames, 515 Clark Ave., Ames, IA 50010

**DEVELOPMENT AGREEMENT WITH IOWA CADDIS, LLC, REGARDING
PROJECT DEVELOPMENT REQUIREMENTS FOR THE PROPERTY AT 2700, 2702,
2718 & 2728 LINCOLN WAY, 112 & 114 SOUTH HYLAND AVENUE and 115 SOUTH
SHELDON AVENUE**

THIS AGREEMENT is made and entered into this _____ day of November, 2016, between the City of Ames, Iowa (hereinafter called the “City”) and Iowa Caddis, LLC, their successors and assigns, (hereinafter called the “Developer”),

WITNESSTH THAT:

WHEREAS, the City has established the 2700 Block Urban Revitalization Area (the “Urban Revitalization Area”), and has adopted a Plan for Urban Revitalization (the “Plan”) that includes criteria for partial property tax abatement eligibility for the Property (as defined below); and

WHEREAS, the Developer owns certain real property (the “Property”), which is situated within the Urban Revitalization Area, that is locally addressed as 2700, 2702, 2718 & 2728 Lincoln Way, 112 & 114 South Hyland Avenue, and 115 South Sheldon Avenue, and which is specifically described as shown on Attachment A, and;

WHEREAS, the Developer proposes to construct a commercial mixed use facility for retail, office, hotel, and apartment uses on the Property (the “Project”); and

WHEREAS, the City is willing to provide incentives to the Developer for this major Revitalization project in accordance with the Plan and to promote certain types of uses within the Project to serve the needs of the Campustown community; and

WHEREAS, Chapter 404 of the Code of Iowa authorizes cities to establish Urban Revitalization Areas to support redevelopment, economic development, and construction of housing.

NOW THEREFORE, the parties hereto agree as follows:

A. Development Conditions. Developer's receipt of the abatements, incentives and benefits for the 2700 Block Urban Revitalization Area and the Plan as contemplated by this Agreement shall be conditioned upon Developer's completion of the following requirements with respect to the initial development of the Project (the "Development Conditions"):

1. The Project shall be constructed, maintained and used as a commercial facility incorporating residential uses throughout the term of this Agreement.

2. Project Features. The following elements shall be incorporated in the Project, in addition to the City's standard development and permitting requirements:

- a. A Construction Management Plan shall be submitted to the City prior to the demolition of the existing buildings and the new construction of the Project, which shall address how management of on- and off-site transportation, parking, and construction general coordination issues with the Developer's General Contractor will be done.
- b. The windows along the ground level retail storefronts shall be kept open and clear from any sort of obtrusive visual obstructions to allow for visibility into or through to the interior spaces.
- c. One tenant space on the conceptual floor plan shall be pre-planned and constructed for use as a restaurant. This shall include provision of necessary mechanical space, chases, and other necessary physical accommodations needed to serve as a full service restaurant use.
- d. There shall be a minimum of one tenant space that is between 1,000 and 1,500 square feet to support small business needs along Lincoln Way. This space shall be available for at least two years past the completion date of the Project. If after that time, it becomes vacant despite reasonable efforts to lease it, the Developer may seek City approval to reconfigure that tenant space.
- e. There shall be a minimum of 20 hotel rooms.
- f. Hotel must be staffed adequately to serve the hotel guests, including but not limited to the requirement that, at a minimum, there will be an employee on site at all times. In addition, an individual valet will be provided for parking of hotel guests during times of high demand.
- g. The Developer shall include a Public Safety Security Plan for lighting and surveillance cameras for the site, and shall use and maintain the security features of that plan once the Project is constructed. Security camera footage shall be recorded and retained for a minimum of two weeks and shall be made available to the Ames Police Department upon reasonable request.

- h. A signage plan for the Project, which shall contain intended sign locations, awnings, sign materials, and finishes, for the complete building and site shall be submitted to the Director of Planning and Housing for approval prior to issuance of a sign permit, or if no sign permit is required, prior to the application of the first tax abatement. The approved signage plan shall be binding upon all tenants and shall be incorporated into Developer's tenant commercial/retail lease agreements.
 - i. There shall be no signage on the south facade.
 - ii. There shall be no signage along the Hyland facade.
 - iii. The sign program may be approved to allow for direction signage or entrance identification signage for the Hyland facade and south facade.
- i. Apartment Amenity Deck: The amenity deck on the 2nd floor shall not be open later than 11:00 pm on weekdays and midnight on weekends, and shall be closed earlier if reasonably requested by the Ames Police Department due to valid complaints of excessive noise and or disturbance. The City may further restrict the regular hours of use for the amenity deck when there have been a significant number or regularly occurring complaints or disturbances received by the Ames Police Department. The Ames Police Department may notify the property manager and require closure of the amenity deck on occasions when there are pre-planned events in the community where the police believe that the deck poses additional public safety risks, or they may require the deck to be closed immediately during existing or developing events that have such risks.
- j. Provide sidewalk easements for area between Lincoln Way and Sheldon Avenue and the Building Façade.
- k. Developer is responsible for completing all public improvements specified by the City for the rights-of-way abutting the Project, including but not limited to the relocation of traffic signal infrastructure, construction of parking areas, sidewalks, shared use paths, street paving, streetscape elements, parking meters, and signage.
- l. Developer is responsible for maintenance and upkeep, including snow removal, of any signed loading areas abutting the Property.
- m. Developer is responsible for any snow removal for angled parking spaces abutting the Property in accordance with the performance requirements of the City.

- n. Developer is responsible for snow removal all sidewalks and shared use paths abutting the Property in accordance with the performance requirements of the City.

3. Use Conditions. Developer's receipt of the abatements, incentives and benefits of the 2700 Block Urban Revitalization Area and the Plan as contemplated by this Agreement shall be subject to Developer's satisfaction of the following conditions with respect to the use and operation of the Project (the "Use Conditions", and together with the Development Conditions, the "Conditions"):

- a. Prohibited Uses. No space in the Project shall ever be used for a casino, an adult entertainment facility (as defined by the Ames zoning regulations), a firearms shooting range, a massage parlor or hot tub facility, or as a gambling or betting office, except that the incidental sale of state regulated lottery tickets approved for sale at retail outlets is permitted.
- b. Drive-thru uses are prohibited for any use.

B. City's Obligations. Provided that the Developer's satisfactorily accomplishes all of the Use Conditions and Development Conditions outlined above, the City agrees to maintain the 2700 Block Urban Revitalization Area designation for the Property and shall not amend the Plan or its criteria for eligibility during the duration of the Plan without prior agreement by the Developer.

Provided that Developer meets the required eligibility prerequisites for the Plan, the City shall provide urban revitalization tax exemption through December 31, 2021, to Developer with respect to any and all completed improvements on the property in accordance with and pursuant to Iowa Code Section §404.3 and the City's Urban Revitalization Program.

The Developer may request that prior to the City Council's final approval of the Property's eligibility for partial property tax abatement in conformance to the 2700 Block Urban Revitalization Plan, representatives of the City shall conduct an on-site walk through of building and property. The walk through shall be requested by the developer upon substantial completion of the Project and the City representatives shall conduct the walk through and provide their assessment of the Project's conformance to the Developer no later than October 1st of the year preceding the request for final approval. For example, the filing of an application for final approval of eligibility prior to February 1, 2019 would require a walk through prior to October 1, 2018.

If at any time during the duration of the Agreement after final approval by the City Council, the Developer shall fail to satisfy any of the Conditions, the City shall provide written notice of any such failure to Developer at the address set forth in the preamble hereof and Developer shall have a period of thirty (30) days in which to cure any such failure to the City's reasonable satisfaction prior to the City exercising any remedies, modifying the 2700 Block Urban Revitalization Area designation or withholding any of the incentives, abatements or

benefits of the Plan; provided, however, if the nature of the failed Condition reasonably requires a period of longer than thirty (30) days to cure, then Developer shall have such longer period as may be reasonably required to cure such failed Condition provided that Developer commences the cure within the initial thirty (30) day period and prosecutes the same to completion with reasonable diligence.

C. Administrative Provisions

1. This Agreement shall run with the land and shall be binding upon the City and the Developer, its successors and assigns. Developer shall be entitled to assign this Agreement along with any sale or other transfer of the Property. Each party hereto agrees to cooperate with the other in executing a Memorandum of Agreement that may be recorded in place of this document.

2. This Agreement shall be deemed to be a contract made under the laws of the State of Iowa and for all purposes shall be governed by and construed in accordance with laws of the State of Iowa.

3. The parties acknowledge and agree that this Agreement is being executed without review or approval of specific plans for development of the Site. The parties acknowledge and agree that it is not possible to anticipate all the requirements the Developer may be required to complete to properly develop the site. Therefore, the parties agree that all work done by or on behalf of the Developer with respect to, but not limited to, a traffic study and any improvements identified by that study, public streets, sidewalks, bike paths, building design, construction and utilities, both on-site and off-site, shall be made in compliance with the Iowa Code, SUDAS and all other federal, state and local laws and policies of general application, including but not limited to subdivision and zoning codes, whether or not such requirements are specifically stated in this Agreement.

4. This agreement may be terminated only with the express written consent of both parties.

The City and the Developer have caused this Agreement to be signed, in their names and on their behalf, by their duly authorized officers, all as of the day and date written above.

(Signatures on following page)

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 _____, 2016, 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, who, being 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 _____, 2016, 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

IOWA CADDIS, LLC

By _____
Kevin T. McGraw, Manager

STATE OF IOWA, COUNTY OF _____, ss:

This instrument was acknowledged before me on _____, 2016, by Kevin T. McGraw as Manager of Iowa Caddis, LLC.

Notary Public in and for the State of Iowa

COUNCIL ACTION FORM

SUBJECT: SALE OF RIGHT OF WAY AT 115 SOUTH SHELDON AVENUE

BACKGROUND:

The developer of 2700 Lincoln Way formally requested the purchase of a portion of right of way south of 2700 Lincoln Way and east of 115 South Sheldon Avenue to accommodate underground detention as a part of the project's storm water management plan. The land totals 2,184 square feet in area; and a map of the general location is shown in Attachment A.

At the September 27, 2016 Council Meeting, Council provided direction to move forward with the sale of this right-of-way. Staff contacted all right-of-way users and found one facility in that parcel – Alliant Energy. The developer's engineer is working with Alliant to relocate their facilities at the developer's cost.

The current practice approved by the City Council to establish the sale price for City land is as follows: Step 1) determine the average value per square foot from the City Assessor's records for land adjacent to the subject property, Step 2) multiply the average value per square foot by the number of square feet to be sold, Step 3) reduce the sale price established in third step by 15% if an easement is retained over the property, and Step 4) reduce the sale price established in the third step by an additional 10% in recognition that a quit claim deed is being issued to the purchaser of the City land. In accordance with this past practice, the amount owed the City would be \$17,217.17. The calculations for this example are shown in Attachment B.

Because of recent negative experiences associated with the use of quit claims deeds given in connection with the sale of City land, the City Attorney is exploring and may be requesting at the November 22, 2016 meeting that the City Council consider changing this past practice so that quit claim deeds are no longer use with the sale of City land. If this recommendation is approved, the 10% deduction for quit claim deeds would be eliminated in the calculation of the sale price, and the buyer, additionally, would be responsible to the City for the costs associated with providing transfer of title to the buyer.

ALTERNATIVES:

- 1a. Approve the process of selling right-of-way south of 2700 Lincoln Way, east of 115 South Sheldon, and setting the date of public hearing as December 13, 2016, for first passage of the Ordinance.

It should be emphasized that the sale price for this land will be determined after the November 22, 2016 meeting when the City Council decides whether or not to change the current policy for establishing the sale price for land owned by the City.

- b. Initiate the process for the sale and conveyance of these parcels, set December 13, 2016, as the date of public hearing, and direct the City Clerk to publish notice of these proposed sales.
2. Retain the land and deny the request to purchase the right of way.

CITY MANAGER'S RECOMMENDED ACTION:

This area of right-of-way no longer serves any functional purpose for future street improvements. Property owners are willing to provide an easement for existing utilities and relocation, as necessary, at the developer's expense. Furthermore, the purchase of this land will facilitate the development of the project as proposed by the developer.

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

It should be emphasized that the sale price for this land will be determined after the November 22, 2016 meeting when the City Council decides whether or not to change the current policy for establishing the sale price for land owned by the City.

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 or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the User.



Proposed Sale of Right of Way 2700 Lincoln Way



Scale: 1 in = 50 ft
Date: 11/8/2016

ATTACHMENT B

**PROPOSED SALE OF CITY RIGHT OF WAY
2700 LINCOLN WAY**

11/8/2016

Piece	Address	Assessed SF	Assessed Land Value	\$/SF
A	2700 Lincoln Way	9,600	\$ 199,300	\$ 20.76
B	115 South Sheldon	3,145	\$ 32,400	\$ 10.30

Average SF Cost	\$ 10.30
------------------------	-----------------

Property for Proposed Sale	Sale Area	Average SF Cost	Value	Amount Minus 10% for Quit Claim Deed	Amount Minus 15% for Easement	Amount Minus 25% for QCD & Easement
Area Behind 2700 and in Front of 115 South Sheldon	2,228.76	\$ 10.30	\$ 22,956.23	\$ 20,660.61	\$ 19,512.79	\$ 17,217.17

COUNCIL ACTION FORM

SUBJECT: **AMENDMENT TO REMOVE PROPERTIES AT 2700, 2702, 2718
LINCOLN WAY FROM THE CAMPUSTOWN URBAN
REVITALIZATION AREA**

BACKGROUND:

On June 14th, City Council directed staff to proceed with creation of a new Urban Revitalization Area for the proposed mixed use development project for properties located at 2700, 2702, 2718 & 2728 Lincoln Way, 112 & 114 S. Hyland Avenue, and 115 S. Sheldon Avenue. **Three of the noted properties (2700, 2702 and 2718) are currently also part of the existing Campustown Urban Revitalization Area and should be removed from the Campustown area once the new URA Plan is adopted.** The approval of the new URA Plan to replace the Campustown designation on this site is a separate item on the same agenda. A current map of the Campustown URA is included as Attachment 1. A revised map showing the revised boundaries for the Campustown URA is included as Attachment 2.

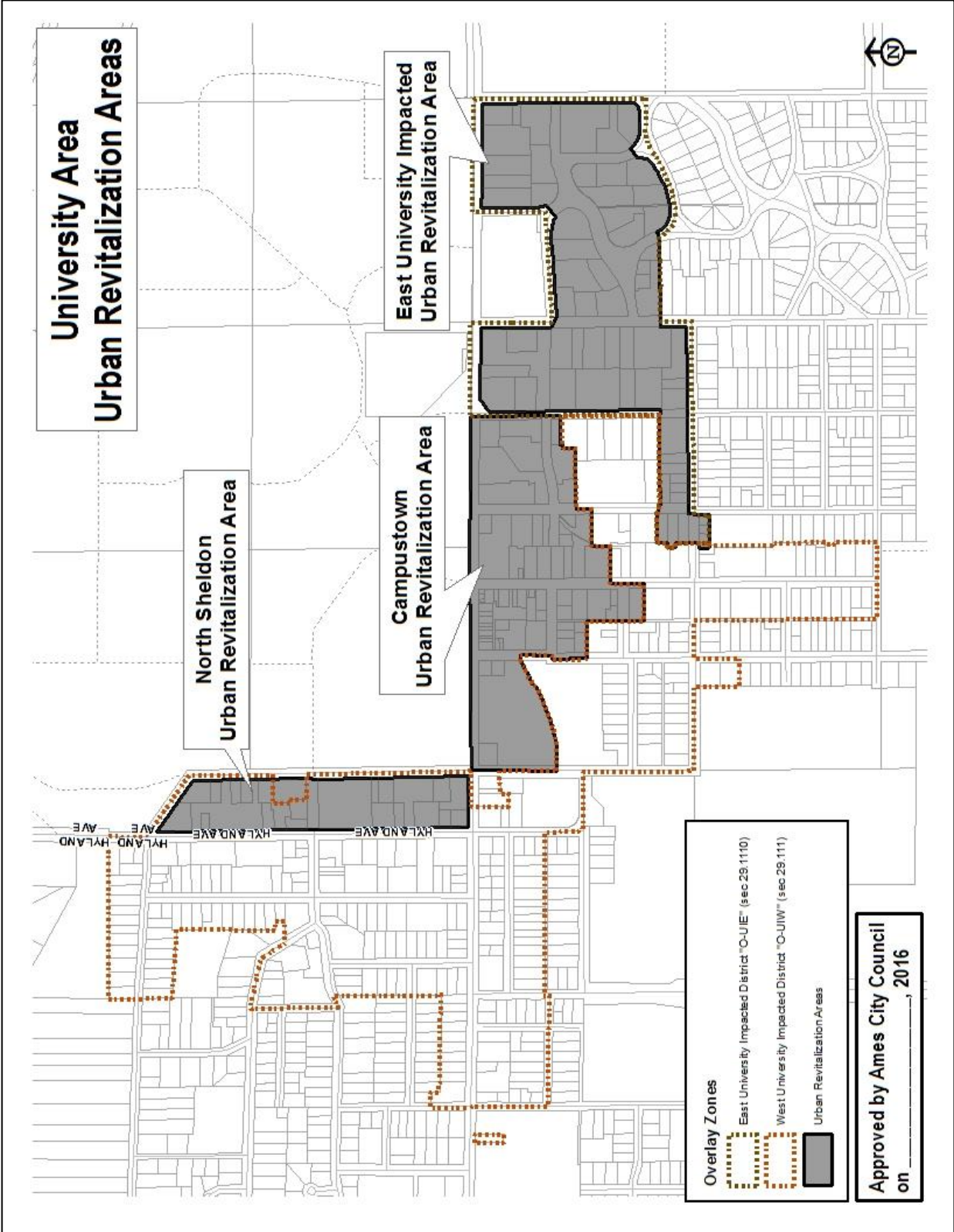
ALTERNATIVES:

1. If City Council can approve the first reading of an ordinance establishing the new boundaries for the Campustown Urban Revitalization Area and by resolution approve the revised Campustown Urban Revitalization Plan to remove the properties at 2700, 2702, and 2718 Lincoln Way.
2. The City Council can modify or change the Urban Revitalization Plan for the Campustown Urban Revitalization Area and then approve the ordinance and resolution.

CITY MANAGER'S RECOMMENDED ACTION:

If City Council approves the Urban Revitalization Plan for 2700, 2702, 2718 & 2728 Lincoln Way, 112 & 114 S. Hyland Avenue, and 115 S. Sheldon Avenue for the River Caddis development, **it is the recommendation of the City Manager that the City Council adopt Alternative #1 as described above.**

ATTACHMENT 2: AMENDED CAMPUSTOWN URA MAP





CITY OF
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MEMO

To: Mayor and City Council

From: Diane Voss, City Clerk

Date: November 10, 2016

Subject: Ordinance Changing the Boundaries of the Campustown Urban Revitalization Area

The Ordinance changing the boundaries of the Campustown Urban Revitalization Area is still being worked on by the Legal Department. It will be sent to you on Monday.

/drv