

AGENDA
REGULAR MEETING OF THE AMES CONFERENCE BOARD
AND REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL
FEBRUARY 28, 2017

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.

REGULAR MEETING OF THE AMES CONFERENCE BOARD

CALL TO ORDER: 5:30 p.m.

1. Roll Call
2. Motion approving minutes of January 24, 2017, meeting
3. Resolution approving appointment of Ron Murphy to Board of Review
4. Public hearing on proposed 2017/18 budget for City Assessor's Office:
 - a. Motion adopting budget

CONFERENCE BOARD COMMENTS:

ADJOURNMENT:

REGULAR MEETING OF AMES CITY COUNCIL*

*The Regular Meeting of the Ames City Council will immediately follow the Regular Meeting of the Ames Conference Board.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting on February 14, 2017
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for February 1-15, 2017
5. Motion directing City Attorney to draft ordinance establishing speed limits on new roads in ISU Research Park
6. Motion approving new Class B Beer Permit & Outdoor Service for Homewood Golf Course, 401 E. 20th Street
7. Motion approving ownership change for Class C Liquor License & Outdoor Service for Buffalo Wild Wings, 400 S. Duff Avenue
8. Motion approving ownership change for Class C Liquor License for Welch Avenue Station, 207 Welch Avenue
9. Motion approving Encroachment Permit for a projecting sign at 429 Douglas Avenue, Rippke Design-Octagon Building

10. Motion approving Encroachment Permit for projecting sign at 2420 Lincoln Way, Suite 101, Smokin Oak Pizza
11. Motion approving Encroachment Permit for wall sign at 2420 Lincoln Way, Suite 101, Smokin Oak Pizza
12. Greek Week Olympics Requests:
 - a. Motion approving blanket Temporary Obstruction Permit for Greek activities on April 1
 - b. Resolution approving closure of portions of Gray Avenue, Ash Avenue, Greeley Street, Pearson Avenue, Lynn Avenue, and Sunset Drive from 7:00 a.m. to 6:00 p.m. on Saturday, April 1
 - c. Resolution approving suspension of parking regulations for closed areas from 5:00 p.m. Friday, March 31, until 6:00 p.m. Saturday, April 1
13. Resolution approving submission of application for 2017/18 Governor's Traffic Safety Bureau Enforcement Grant, and if awarded, authorizing participation by Police Department
14. Resolution approving 2016 Urban Revitalization tax abatement requests
15. Resolution approving Federal ICAAP Agreement for Traffic Network Master Plan Project
16. Grant Avenue (Hyde) Paving Project:
 - a. Motion adopting Preliminary Resolution
 - b. Motion adopting Resolution of Necessity
 - c. Resolution adopting Plat and Final Assessment Schedule and amending, confirming, and levying assessments
17. Resolution approving preliminary plans and specifications for 2015/16 Sanitary Sewer Rehabilitation; setting March 22, 2017, as bid due date and March 28, 2017, as date of public hearing
18. Resolution approving preliminary plans and specifications for Ames Municipal Cemetery Water Service Line Replacement; setting March 22, 2017, as bid due date and March 28, 2017, as date of public hearing
19. Resolution approving preliminary plans and specifications for 2017/18 Pavement Restoration Program Contract 1: Concrete Joint Repair Program; setting March 22, 2017, as bid due date and March 28, 2017, as date of public hearing
20. Resolution approving preliminary plans and specifications for 2017/18 Pavement Restoration Program Contract 2: Slurry Seal Program; setting March 22, 2017, as bid due date and March 28, 2017, as date of public hearing
21. Resolution approving preliminary plans and specifications for 2015/16 and 2016/17 Seal Coat Street Pavement Improvements; setting March 22, 2017, as bid due date and March 28, 2017, as date of public hearing
22. Resolution approving preliminary plans and specifications for 2015/16 Low-Point Drainage Improvements (Westwood Drive); setting March 22, 2017, as bid due date and March 28, 2017, as date of public hearing
23. Resolution awarding contract for 15kV Aluminum Cable for Electric Distribution Inventory to Wesco of Des Moines, Iowa, in the amount of \$73,188, subject to metals adjustment at time of order
24. Resolution waiving purchasing policy requirement for competitive bidding and awarding contract for Ceram Core Pipe for Electric Services to Fluid Technology Corporation of Des Moines, Iowa, in the amount of \$111,722
25. Resolution reallocating Capital Improvements Plan funding from Northwood Lift Station to East 30 Lift Station
26. Resolution approving contract and bond for 2014/15 Low-Point Drainage Improvements (Northwood Ravine Stabilization)
27. Resolution approving contract and bond to Replace Tipping Floor Concrete at Resource

Recovery Plant

28. Distributed Control System for Power Plant:
 - a. Resolution reallocating funding from Electric Fund to the project
 - b. Resolution approving Change Order No. 4 with Emerson Process Management Power & Water Solutions
29. Resolution approving Change Order with Bolton & Menk, Inc., for Engineering Services for South Skunk River Basin Improvements (City Hall Parking Lot)
30. Resolution approving Change Order No. 1 with M & M Engineering Associates for Power Plant Unit 7 Boiler Tube Piping Headers
31. Resolution accepting completion of 2014/15 Sanitary Sewer Rehabilitation (Manhole Rehabilitation Basins 1 and 5)
32. Resolution approving Plat of Survey for 1109 E. Lincoln Way and 200 Sondrol Avenue
33. Resolution approving Plat of Survey for 4303 Cochrane Parkway and 400 South Dakota Avenue
34. Resolution approving Plat of Survey for 2510 - 2526 Lincoln Way
35. Resolution approving Plat of Survey for 114 South Duff Avenue
36. Resolution approving Plat of Survey for 1712 E. Lincoln Way

ADMINISTRATION:

37. Discussion of additional questions to Resident Satisfaction Survey to replace previous one-time special topics of interest
38. Proposal to hold Firefly Country Night on Main Street on Friday, September 8:
 - a. Motion directing staff to accept/reject Special Event Application
39. Request for City incentives from Barilla regarding its expansion

PLANNING & HOUSING:

40. Motion approving content and form for Request for Proposals for 321 State Avenue

PUBLIC WORKS:

41. Multi-Modal Roadway Improvements Program Locations:
 - a. Resolution removing on-street improvements along Duff Avenue (Lincoln Way to 6th Street) and Beach Avenue (Mortensen Parkway to Lincoln Way) from consideration in future Capital Improvements Plans
 - b. Motion recommending to AAMPO that these projects need not to be considered during 2045 LRTP update

HEARINGS:

42. Hearing on Voluntary Annexation of property located at 5508 Lincoln Way and 632 N. 500th Avenue:
 - a. Motion to continue hearing to March 7, 2017
43. Hearing on rezoning of the following properties: 2901 Harrison Road from Suburban Residential Low Density (FS-RL) to Government/Airport (S-GA); 1002 6th Street from Government/Airport (S-GA) to Residential Low Density (RL); 820 Miller Avenue from Residential Low Density (RL) to Government/Airport (S-GA); 601 State Avenue from Residential Low Density (RL) to Government/Airport (S-GA); 925 Airport Road, from Highway-Oriented Commercial (HOC) to Government/Airport (S-GA); 1216 South Bell Avenue from General Industrial (GI) to Government/Airport (S-GA); and, 900 South 500th Avenue from Agricultural (A) to Government/Airport (S-GA):
 - a. First passage of ordinance
44. Hearing on 2016/17 CyRide Route Pavement Improvements (S. 3rd/4th Street):

- a. Motion accepting report of bids and delaying award of contract

ORDINANCES:

45. First passage of ordinance modifying requirements for Sidewalk Cafes
46. Campus and Community Commission:
 - a. Resolution establishing Campus and Community Commission
 - b. First passage of ordinance repealing Ordinance No. 3876 creating Student Affairs Commission
47. Second passage of ordinance making Clark Avenue “No Parking” at all times on both sides of street from Lincoln Way to Main Street

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

AMES, IOWA

JANUARY 24, 2017

REGULAR MEETING OF THE AMES CONFERENCE BOARD

The regular meeting of the Ames Conference Board was called to order by Chairman Ann Campbell at 5:30 p.m. on January 24, 2017. Present from the Ames City Council were Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem. Story County Board of Supervisors present were Martin Chitty, Lauris Olson, and Rick Sanders. Representing the Ames Community School Board were Lewis Rosser and Bill Talbot. Gilbert Community School District and United Community School District were not represented.

MINUTES OF FEBRUARY 23, 2016, MEETING OF THE CONFERENCE BOARD: Moved by Nelson, seconded by Sanders, to approve the Minutes of the February 23, 2016, meeting of the Ames Conference Board.

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

ASSESSOR'S BUDGET PROPOSALS: Ames City Assessor Greg Lynch highlighted information from the City Assessor's 2017/18 Annual Report.

City Assessor Lynch thanked Tom Carey for his service on the Board of Review. His term expired on December 31, 2016, and he is not seeking reappointment.

Mr. Lynch stated that taxable values increased 3.7% and assessed values have increased 2.3%.

City Assessor Lynch noted that both of the appraiser positions will be filled beginning January 25. However, there is still an existing vacancy for the database manager position. Although they are working to achieve full staffing in the Assessor's Office, staff is having a difficult time keeping up with the workload. He is requesting the addition of one more administrative assistant.

Mr. Lynch noted that while the Assessor's Office cost of living and merit increases are similar to what City employees receive, these increases for his office have fallen behind in the last two years. He referenced the chart on Page 7 which indicates that his staff's increases are 1% lower than the cost of living increases received by City employees. Mr. Lynch said that based on this, he has budgeted a 3.75% cost of living increase and a 1% merit pool, for a total of 4.75%.

City Assessor Lynch reported that aerial photography has been performed since 2012; it is prudent that these aerials be done every two years. The cost of this photography service has doubled, and the City has graciously agreed to help bear half of the cost for this service. For an additional \$3,000 over the next six years, the office will get aerial photography services every two years.

Board of Supervisors Member Sanders stated he is concerned that a 38% increase is being proposed over two years. Last year, the Board saw a major increase because, on the salary side, there were 27 pay periods instead of 26. What is being proposed, compared to FY 2016, is about 42% on the payroll side. Part of that is the addition of another employee. Mr. Sanders noted that in getting down to the bottom line, we are going from \$825,181 in FY 2016 to proposing \$1,146,000. He felt that what is being presented to the Board is not anywhere close to being sustainable.

Mr. Lynch noted that this would depend upon taxable value increases. Mr. Sanders stated that as has been discussed in past years, anything more than 3 to 3-1/2% projected out far enough is not sustainable.

Discussion was held regarding the salary increases proposed for FY 2017/18 and staffing levels and what was budgeted in the 2016/17 projected expenses. The Conference Board further discussed the past and current vacant positions existing in the City Assessor's Office.

Administrative Assistant Dawn Tank explained results and how these were arrived at in terms of the FY 2015/16 Actual Expenses. She further explained how she arrived at the figures pertaining to current staff versus current staff with the additional clerk and the percentage of changes.

Mr. Sanders advised that he wanted the Board members just to be aware that the City will not have a 32-cent levy next year, and that it will be seeing about a 42-cent levy instead.

In reference to questions posed by Council Member Tim Gartin regarding taxable values, Mr. Lynch reported that, from an assessment perspective, they will see an increase next year—primarily in residential and multi-residential values.

Board of Supervisors Member Lauris Olson stated the Mini Board discussed the back log of work in the Assessor's Office, as well as the hiring of a part-time person in lieu of interns.

Ms. Tank explained that the back log exists due to being short-staffed, and the office can not keep up with getting all records entered into their system. The part-time assistant will be tasked with getting the work caught up.

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

Moved by Sanders, seconded by Betcher, to receive the proposed budget (adoption of the budget will occur after the hearing is held).
Roll Call Vote: 3-0. Motion declared carried unanimously.

Moved by Sanders, seconded by Betcher, to set 5:30 p.m. on February 28, 2017, as the date of public hearing on the proposed FY 2017/18 City Assessor's budget.
Roll Call Vote: 3-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Gartin to adjourn the Ames Conference Board at 6:00 p.m.
Vote on Motion: 3-0. Motion declared carried unanimously.

Diane R. Voss, City Clerk

Ann H. Campbell, Chair

Jill L. Ripperger, Recording Secretary

Greg Lynch, City Assessor

CB 3

TO: Members of the Conference Boards

FROM: Ann H. Campbell, Mayor

DATE: February 24, 2017

SUBJECT: Appointment to Board of Review

Tom Carey's term of office on the Board of Review expired December 31, 2016. Tom has indicated that he chooses not to serve another term. Therefore, it will be necessary for the Conference Board to make an appointment to this position.

Ron Murphy has submitted an application indicating his interest in serving on the Board of Review. It is my recommendation that the Conference Board appoint Mr. Murphy to serve a six-year term on the Board of Review.

AHC/jlr

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

AMES, IOWA

FEBRUARY 14, 2017

SPECIAL MEETING OF THE AMES CITY COUNCIL

The Ames City Council met in Special Session for the budget wrap-up at 5:15 p.m., followed by its Regular Meeting, on the 14th day of February, 2017, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding and the following Council members present: Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, Peter Orazem and *ex officio* Member Sam Schulte.

FY 2017/18 BUDGET WRAP-UP: City Manager Steve Schainker reviewed information that had been provided to the Mayor and City Council at their request after the Budget Overview and Hearings.

PUBLIC ART COMMISSION (PAC): Kerry Anne Dixon, 1215 - 26th Street, Ames, Chairperson of the Commission On The Arts (COTA), stated that the request for funds for FY 2017/18 will be in the same amount as was allocated last year: \$41,000. The majority of the funding is allocated to three major programs: Ames Outdoor Sculpture, Art in the Parks, and the Neighborhood Sculpture Program.

ARTS FUNDING (COTA): Assistant City Manager Brian Phillips recalled the decision made by the City Council to allocate 5% over the FY 2016/17 allocation. The COTA volunteers were recommending awarding \$159,979 in Annual Grants and \$4,000 in Spring/Fall Special Grants. There is one new agency applying for funding this year: KHOA Radio. Answering an inquiry from Council Member Orazem about whether the KHOA Radio application met the criteria, Chairperson of the COTA Steve Sullivan stated that the COTA members believed that the request from KHOA will contribute to the cultural life of the community. The \$3,000 requested will be used as “seed money” to help develop its project. Mr. Phillips noted that, in the next couple months, the COTA will be working to identify ways to encourage new and innovative ideas that would contribute to the community.

HUMAN SERVICES FUNDING (ASSET): Mr. Phillips noted that the City Council had approved a 6% increase in ASSET funding over last year’s allocation. The City’s contribution will be \$1,355,000. A total of \$4.25 million will be contributed among all the funders. According to Mr. Phillips, there is a large funding increase being requested for the MICA Dental Clinic. Even though there was a large increase last year, it still wasn’t enough to keep the Dental Clinic going for the year. Each of the funders and other partners made one-time contributions to keep it going. The ASSET funders agreed that the increase in funding for this year would not be released until it has had a thorough discussion with MICA about its dental clinic operations.

OUTSIDE FUNDING REQUESTS: Assistant City Attorney Phillips said that funding applications had been received from eight organizations. He noted that the City Council had authorized a 6% increase in the allocation for Outside Funding Requests, which equated to \$145,114, excluding the request from the Ames Economic Development Commission (AEDC) for the Buxton service, which is paid from the Hotel/Motel Tax Fund. A large increase in the request from the Main Street Cultural District included \$20,000 to pay for continued expansion

of the Downtown Lighting Project. According to Mr. Phillips, it was recommended by the funding panel that that particular project not be funded through the Outside Funding Requests process. Also, the panel was recommending that the request from the Historic Preservation Commission for funding plaques (\$2,700) for historic buildings be allocated to the Ames Historical Society for administering the program.

According to Mr. Phillips, funding from the Local Option Sales Tax Fund for the following agencies and in the amounts listed had been recommended by the panel:

Ames Historical Society:	\$40,000
Ames International Partner Cities:	\$ 8,000
Campustown Action Association:	\$27,000
Hunziker Youth Sports Complex:	\$28,925
Main Street Cultural District:	\$41,189

and funding was recommending for the AEDC in the amount of \$7,500 out of the Hotel/Motel Tax Fund.

Mr. Phillips noted that two agencies: Colleges Against Cancer and Flying Cyclones were not funded as the panel felt the applications did not meet the criteria.

PUBLIC INPUT ON CAPITAL IMPROVEMENTS PLAN (CIP) AND OPERATING BUDGET: Jim Popken, 921 Ninth Street, Unit #303, Ames, gave the history of the Local Option Tax referendum of 1980 when a “deal was struck” between the City of Ames and its citizens. He noted that 60% was to go for property tax relief and the other 40% was to go for human services agencies, the arts, and community betterment. According to Mr. Popken, it was clear that priority should be given in that order: (1) human services agencies, (2) the arts, and (3) “the other stuff.” Mr. Popken listed projects that were included in the Proposed CIP Budget to be funded from Local Option Sales Tax dollars. He alleged that the projects should not be paid from Local Option Tax dollars, but rather from property tax dollars. Mr. Popken noted that the balance of the Local Option Sales Tax fund is significantly higher than the reserve and urged the City Council to approve a high level of funding for the Human Services Capital Grant Program.

Douglas Pepe, 225 South Kellogg, Avenue, Ames, referenced the Council Action Form dated August 23, 2016, which he said indicated that the demand for funding for the Human Services Capital Grant Program is higher than the available funding. He quoted comments made to him via email messages from Council Members Corrieri, Nelson, and Orazem on the proposed Grant Program and asked to hear the other Council members’ perspectives.

Matthew Goodman, 2019 Friley Road, Ames, advised that he was a member of Ames Progressive Alliance. According to Mr. Goodman, that group strives to get people in the community more engaged. Mr. Goodman made a Power Point presentation related to the funding request for the Human Service Agency Grant Program. He also referenced the staff report dated August 23, 2016, in an attempt to show the need for the Program. Mr. Goodman noted that the United Way Program will not fund capital expenses. It is his opinion that there is great demand for the Human Service Agencies Capital Improvements Grant Program. Mr. Goodman noted that, with a \$1 million allocation to Grant Program, there would still be an unreserved balance of \$700,000 with a reserved balance of \$933,000. Mr. Goodman contended that the City of Ames could afford an increase of 22 times its largest dollar increase in recent history for ASSET

agencies. If the increase in Year One (FY 16/17) was from the General Fund Balance, there would be zero impact on the Local Option Sales Tax and no impact on ASSET funding. It was acknowledged by Mr. Goodman that the actual grant process still needs to be developed. He gave the best-case and worst-case scenarios on allocating additional funding. The Resident Satisfaction Survey was referenced to indicate that Ames residents responding preferred more funding be allocated to human services. After being asked by Council Member Gartin, Mr. Goodman cited his preference to increase FY 16/17 to \$500,000 and leave FY 17/18 alone. Council Member Gartin noted that that would be a lot of money to be put into the budget without first going through the normal public input process.

Victoria Szopinski, 3710 Ross Road, Ames, said that she is on the Board of Friendship Ark and Community Services. That agency provides 24-hour care to 28 individuals. It is now conducting a capital funding campaign to raise \$400,000 to allow the building of one new house that would accommodate five people. They currently have a waiting list of 30 people for full-time care. One new house will accommodate four to five persons. Ms. Szopinski commented that staff time is devoted to provide care to patients, not grant-writing or answering surveys. Medicaid monies do not pay for grant writing. She said that there are only two agencies who have staff for grant-writing. Ms. Szopinski stated that most human service agencies are totally consumed with making their agencies operate well within limited budgets. She asked the City to allocate additional dollars to the Human Service Agency Grant Program.

Jamet Colton, 2226 Northwestern Avenue, Ames, stated that last year, the Ames Progressive Alliance came together with the Body of Christ Church and the Ames Police Department to hold a community conversation about race. She thanked the City for adding a position in the Police Department to review and analyze arrest and traffic-stop data based on race. Ms. Colton noted that the City of Ames listened and acted.

Neysa Goodman, 2019 Friley Road, Ames, commented that she is a member of the Ames Progressive Alliance and thanked the City for taking measures to promote the growth of community solar energy in Ames.

Cindy Hicks, Executive Director of the Main Street Cultural District, 304 Main Street, Ames, recalled that the Council had allocated \$20,000 for its Downtown Lighting Project from its 2015/16 Contingency Fund. Ms. Hicks said that she was once again requesting \$20,000 for Downtown Lighting from the 2016/17 Contingency Fund to be extended from Main Street north to the alleyway on Douglas to Kellogg and Burnett and south on Kellogg to the tracks.

Jason Paull, 1007 Arkansas, Ames, and Eileen Gebbie, Ames United Church of Christ, 217-6th Street, Ames, requested \$33,567.31 from the City of Ames to help fund the Story County Housing Trust Fund. This would be to go towards the required local match of \$50,000 to leverage over \$207,973.30. According to Mr. Paull, state housing money is currently not available in Story County, and this would be a new source of funding to make housing more affordable in Story County.

Merlin Pfannkuch, 1424 Kellogg Avenue, Ames, asked the City to look at the order in which it does things procedurally pertaining to the budget. He suggested that the City add another time for public comment. Mr. Pfannkuch pointed out that currently, residents are asked to provide input at the Public Hearing, which he believes is too late. He would like public input to be taken after the amendments have been suggested, but not yet voted on.

SALARIES FOR COUNCIL APPOINTEES: Council Member Betcher stated that she and Council Member Gartin had been appointed by the Mayor to conduct the evaluation process for City Council appointees Steve Schainker, City Manager; and Judy Parks, City Attorney. Ms. Betcher noted that, this year, they had embarked on a new evaluation process that involves interfacing more with the City Manager and City Attorney. Evaluation surveys will be distributed to the remaining Council members for input. She said that she had been told that this would not cause a problem for completing the budget process. For now, they will leave the salaries the same, and once all the input has been gathered from the Council members, this topic will be revisited.

AMENDMENTS TO 2017/22 CAPITAL IMPROVEMENTS PLAN (CIP): Moved by Gartin, seconded by Beatty-Hansen, to approve the substitute page for the Multi-Modal Roadway Improvements with the recommendation by the Ames Bike Coalition.

City Manager Schainker reiterated that the funding amount remains the same, but it would be a shift of projects and funding between fiscal years.

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

Moved by Beatty-Hansen, seconded by Betcher, to replace the page for the Human Services Agency Capital Improvements Grant Program with a page that reflects an additional \$300,000 for FY 2016/17 out of the General Fund balance and leave FY 2017/18 at \$200,000.

Council Member Orazem commented that the Local Option Sales Tax (LOST) does not just fund human services and the arts; it funds a lot of things. The Community Enrichment budget is approximately \$14 million. Mr. Orazem pointed out that the City needed funding to purchase the Middle Parcel at the Old Middle School site for low- to moderate-income housing. It could have taken that money from the LOST, but it took it from the Community Development Block Grant allocation and will provide tax abatement. He said that if the Council is going to only fund certain things with certain funds, that would be subverting the entire budget process. If it did that, they would have to cut the Parks System in half. Mr. Orazem believes that the Council needs to look at the needs of the City and determine what makes sense; the goal is to improve the community as a whole. Council Member Orazem asked Council to review the priorities asked for by the respondents to the Resident Satisfaction Survey.

Council Member Corrieri noted that the uncertainty at the federal and state levels has created a lot of unknowns. There is no one-size-fits-all as it relates to human services agencies. What she has heard is that many agencies have operational needs support. Ms. Corrieri said that they know there is a need; however, what they have missed here is having a larger conversation about the needs of the community. She suggested that the City have substantial conversation with human services agencies before moving ahead with this. Ms. Corrieri commented that unreserved fund balance could be used to really have a significant impact to meet more needs of the community without it being facilities.

Council Member Nelson pointed out that there are needs that are all across the board. A lot of those needs are on the small side of things. He asked how the Council would pick and choose which projects to fund. Mr. Nelson shared that has no problem with the current level of funding; however, a lot of small things can be done with that money. There is not a lot that can be done on a very large project with the amount of money proposed to be allocated without being to the

detriment of other potential projects. Mr. Nelson said that it had taken a long time to build up the fund balance. He commented that he has strong reservations about this proposed program with the information that is currently available.

Council Member Gartin thanked the Ames Progressive Alliance for having a heart for these issues and conducting community conversations. He noted that if the City is going to spend large sums of money, it should be done consistently with the way it does everything else – have a process that involves substantial public input. Mr. Gartin also noted that it doesn't necessarily mean that all of the funding needs to come from the City's coffers; however, he doesn't believe that it is good governance requires that there be public conversation. He shared that he can't support the large increases without public conversation and suggested that the City actually have a workshop on this topic. Mr. Gartin noted that it has now become apparent that there is a great shortage for mental health funding.

Council Member Orazem offered that the ASSET funders need to be included in the conversation.

Council Member Betcher said she was seeing the funds as being allocated, not necessarily spent. She agreed that there must be a conversation about the grant program to make sure that the City is comfortable with the process so that it does not end up lacking equity.

Council Member Corrieri pointed out that the Council has to also noted that there are critical areas that need to be addressed based on City goals.

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

Moved by Betcher, seconded by Gartin, to approve the amended CIP sheet that brings in an additional \$100,000 for FY 16/17 from the General Fund (totals \$300,000) and \$200,000 for 2017/18 from the LOST Fund.

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

APPROVAL OF 2017/22 CIP, AS AMENDED: Moved by Gartin, seconded by Betcher, to approve the Capital Improvements Plan for 2017/22, as amended.

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

AMENDMENTS TO FY 2016/17 BUDGET: Moved by Gartin, seconded by Beatty-Hansen, to add \$100,000 from the General Fund balance to the Human Service Agency Capital Improvements Grant Program.

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

Moved by Gartin, seconded by Betcher, to remove \$28,000 from the Legal Services budget for the purchase of a two-year subscription to American Jurisprudence.

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

Moved by Nelson, seconded by Beatty-Hansen, to add \$68,000 for a two-year commitment of funding (2016/17 and 2017/18) to support the Story County Housing Trust Fund Task Force from the 2016/17 General Fund balance.

At the inquiry of Council Member Gartin as to what was the big draw for this, Council Member Corrieri replied that the City would get to access state resources that it does not have now because it does not have an established Housing Trust Fund. She listed a number of projects that had been done in other communities and could be done here. Council Member Gartin said he was supporting the motion, but not for the reason of drawing down federal funds. He pointed out that there is a finite pot of money, so what is taken for one need, another need is not being funded. Mr. Gartin did not believe the goal should be to leverage other people's money, but if she felt good things could be done in Ames, he would support the motion.

Roll Call Vote: 5-0-1. Voting aye: Beatty-Hansen, Betcher, Gartin, Nelson, Orazem. Voting nay: None. Abstaining due to conflict of interest: Corrieri. Motion declared carried.

Moved by Orazem, seconded by Orazem, to approve \$15,000 from the 2016/17 General Fund Contingency Account in support of the Leadership Ames entryway sign project.

Mr. Schainker advised that there would be an agreement that they would raise the matching funds (\$15,000).

Ms. Betcher pointed out that the last two funding requests had come to the City. She is hopeful that Leadership Ames will come up with other ideas for funding.

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

Moved by Corrieri, seconded by Orazem, to allocate \$20,000 for Downtown Lighting out of the 2016/17 General Fund Contingency, contingent upon matching funds being raised.

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

Moved by Gartin, seconded by Corrieri, to allocate \$2,700 from 2016/17 General Fund Contingency Fund.

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

Council Member Schainker advised that with those last three out of the Contingency Fund, the balance would be approximately \$38,000 (in the General Fund Contingency account).

APPROVAL OF BUDGET FOR FY 2016/17, AS AMENDED: Moved by Betcher, seconded by Gartin, to approve the FY 2016/17 budget, as amended.

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

SET PUBLIC HEARING DATE ON BUDGET AMENDMENTS FOR FY 2016/17: Moved by Nelson, seconded by Betcher, to set March 7, 2017, as the date of public hearing on the proposed budget amendments for FY 2016/17.

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

AMENDMENTS TO PROPOSED FY 2017/18 BUDGET: Moved by Gartin, seconded by Orazem, to approve the following amendments:

- a. Remove one Transit FTE (two .5 FTE receptionists) from the FY 2017/18 Budget
- b. Allocate \$1,355,711 to ASSET
- c. Allocate \$41,000 to Public Art Commission
- d. Allocate \$145,114 for Outside Funding Requests, as follows:

- I. Ames Historical Society: \$40,000
- ii. Ames Partner Cities Association: \$ 8,000
- iii. Campustown Action Association: \$27,000
- iv. Hunziker Youth Sports Complex \$28,925
- v. Main Street Cultural District: \$41,189

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

Moved by Orazem, seconded by Corrieri, to allocate \$163,979 to The Commission on The Arts. Roll Call Vote: 5-0-1. Voting aye: Beatty-Hansen, Betcher, Corrieri, Nelson, Orazem. Voting nay: None. Abstaining due to a conflict of interest: Gartin. Motion declared carried.

Moved by Betcher, seconded by Beatty-Hansen, to raise City Council salaries to \$10,000/year and the Mayor's salary to \$11,000.

Ms. Betcher said that she came up with the amount based on research she had done regarding what other City Council members are paid. She noted that if this is not done for 2017/18 Budget, they would have to wait another four years since salaries for the Mayor and City Council members can only be changed when a Mayor's term is up. It has been 12 years since there has been an increase in the Mayor's and City Council members' salaries.

Council Member Corrieri stated that she would like to see a mechanism put into place where there was a process for a review based on the Mayor's term.

City Manager Schainker noted that the impact on the 2017/18 budget would be approximately \$11,842 since it would not go into effect until July 1, 2018 (\$23,680/year). This would result in an increase in the tax rate by approximately \$.0087.

Council Member Gartin said that he did not believe the amount was unreasonable; however, to him, it is about the process. He did not think it was right for the public to first hear this proposal at this meeting and suggested that a committee, not made up of the Mayor or City Council members, to research what is paid in other cities.

Ms. Beatty-Hansen noted that the funds would just be allocated, they might not get spent.

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

Moved by Gartin, seconded by Beatty-Hansen, to direct staff to research what comparable communities are paying their Council members and have public input on the proposal. Vote on Motion: 6-0. Motion declared carried unanimously.

APPROVAL OF PROPOSED BUDGET FOR FY 2017/18, AS AMENDED: Moved by Gartin, seconded by Corrieri, to approve the proposed 2017/18 Budget, as amended. Vote on Motion: 6-0. Motion declared carried unanimously.

SET PUBLIC HEARING DATE ON PROPOSED BUDGET FOR FY 2017/18: Moved by Gartin, seconded by Beatty-Hansen, to set March 7, 2017, as the date of public hearing on the proposed budget for FY 2017/18. Vote on Motion: 6-0. Motion declared carried unanimously.

The meeting recessed at 7:22 p.m. and reconvened at 7:29 p.m.

REGULAR MEETING OF THE AMES CITY COUNCIL

PRESENTATION: John Cunningham, representing Iowa Ready Mixed Concrete Association, presented the *2016 Excellence in Concrete Award* to the City for the Skunk River Trail Extension. Accepting the Award on behalf of the City were Public Works Director John Joiner and Municipal Engineer Tracy Warner.

CONSENT AGENDA: Moved by Nelson, seconded by Gartin, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of Special Meetings of January 31, February 3, February 7, 8, and 9, 2017, and Regular Meeting of January 24, 2017
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for January 16-31, 2017
5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor & Outdoor Service – Cy’s Roost, 121 Welch Avenue
 - b. Class C Liquor & Outdoor Service – Mickey’s Irish Pub, 109 Welch Avenue
 - c. Class E Liquor, C Beer, & B Wine – Fareway Store #386, 619 Burnett Avenue
 - d. Class E Liquor, C Beer, & B Wine – Fareway Store #093, 3619 Stange Road
 - e. Class C Liquor & Outdoor Service – El Azteca, 2727 Stange Road (pending dram)
 - f. Class B Liquor – Holiday Inn Ames, 2609 University Boulevard
 - g. Class C Beer & B Wine – Gateway Expresse, 2400 University Boulevard
 - h. Class C Liquor – Taking It Easy Lounge, 129 Lincoln Way
 - i. Class C Liquor – Ge’Angelo’s, 823 Wheeler Street, #9
 - j. Class C Liquor & Outdoor Service – The District, 2518 Lincoln Way (pending dram)
 - k. Class E Liquor, C Beer, & B Wine – Wal-Mart Supercenter #4256, 534 S. Duff Avenue
 - l. Class C Liquor & Outdoor Service – Buffalo Wild Wings, 400 S. Duff Avenue
 - m. Special Class C Liquor & Outdoor Service – Stomping Grounds, 303 Welch Avenue (pending dram)
 - n. Class C Beer & B Native Wine – Casey’s General Store #2905, 3612 Stange Road
6. Motion approving transfer for Class E Liquor, C Beer, & Class B Wine permit for Wal-Mart Store #749, to new location at 3105 Grand Avenue (pending final inspection)
7. Motion approving new Special Class C Liquor License & Outdoor Service for Blaze Pizza, 2320 Lincoln Way
8. Motion approving ownership change for Class B Liquor License for Quality Inn & Suites, Starlite Village Conference, 2601 E. 13th Street
9. Motion approving ownership change for Class C Beer & Class B Native Wine Permit for Tobacco Outlet Plus #530, 204 S. Duff Avenue
10. RESOLUTION NO. 17-047 approving 2016 Resource Recovery Annual Report
11. RESOLUTION NO. 17-048 approving Memorandum of Understanding for Law Enforcement Services at National Center for Animal Health
12. RESOLUTION NO. 17-049 approving appointment of Lauris Olson to serve as alternate to Central Iowa Regional Housing Authority (CIRHA) Board of Commissioners
13. RESOLUTION NO. 17-050 setting date of public hearing for March 7, 2017, on General Obligation Loan Agreement in an amount not to exceed \$8,000,000
14. RESOLUTION NO. 17-051 approving preliminary plans and specifications for 2016/17

Asphalt Street Pavement Improvements and 2016/17 Water System Improvement Program #2 – Water Main Replacement; setting March 1, 2017, as bid due date and March 7, 2017, as date of public hearing

15. RESOLUTION NO. 17-052 authorizing upgrades and new purchases for Electric Services to be paid with monies previously accumulated in the Fleet Replacement Fund for units being taken out of service
16. RESOLUTION NO. 17-053 awarding contract for FY 2016/17 Boiler Maintenance Services for Power Plant to TEI Construction Services, Inc., of Duncan, South Carolina, in an amount not to exceed \$200,000
17. RESOLUTION NO. 17-054 approving contract and bond for Water Pollution Control Facility Switchgear Rehabilitation Project
18. RESOLUTION NO. 17-055 approving contract and bond for CyRide 2016 Security Entry System, Phase 1
19. RESOLUTION NO. 17-056 approving contract and bond for 2016/17 CDBG Public Facilities Improvement Program (Mainstream Living Parking Lot)
20. RESOLUTION NO. 17-057 approving contract and bond for South Skunk River Basin Watershed Improvements (City Hall Parking Lot)
21. RESOLUTION NO. 17-058 approving contract and bond for 2016/17 Water System Improvements Program #1 - Water Service Transfer (8th Street, Hayward Avenue, Little Street)
22. RESOLUTION NO. 17-059 accepting completion of the WPC Trickling Filter Pump Station Repainting Project
23. RESOLUTION NO. 17-060 approving Plat of Survey for 601 and 603 South 16th Street and 1420 South Grand Avenue

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

PUBLIC FORUM: Mayor Campbell opened Public Forum. Merlin Pfannkuch, 1424 Kellogg Avenue, Ames, wished to comment about the City Development Board hearing on the Eastern Industrial Annexation. He stated that the *Tribune* had reported that the hearing was closed and all that was left to be done was for the decision to be made at the Board's March meeting; however, the hearing was not closed - it was continued to the March meeting. Mr. Pfannkuch also noted that the meetings are live-streamed so citizens may participate from a conference room in City Hall. He just learned that that was an option, but it wasn't known to very many people. Mr. Pfannkuch reiterated his belief that the City's process on this was deficient. He stated that the proposal should have been an agenda item or a workshop so that it could be explained and discussed in detail. Mr. Pfannkuch alleged that, instead, it had been buried in the budget; the specific proposal was never presented until it was being discussed in the budget. Mr. Pfannkuch contended that the process was unconstitutional.

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

HEARING ON ANNEXATION OF PROPERTY LOCATED AT 4605 HYDE AVENUE: City Planner Charlie Kuester advised that the City had received an Annexation Petition from Hunziker Land Development, LLC, representing a 68.19-acre parcel owned by Erben and Margaret Hunziker Apartments, LLC. This property is commonly addressed as 4605 Hyde Avenue and also known as Auburn Trail. It is located on the west side of Hyde Avenue immediately north of Bloomington Heights and south of Rose Prairie.

Staff presented this annexation request to the City Council on December 13, 2016, for direction on annexation boundary options. One of the main issues was that it was not possible to annex the entire original parcel at that time as it would create an island. Staff presented future annexation options that would allow for all of the properties along Hyde Avenue to eventually be annexed. The City Council directed staff to require the application to create a 50-foot strip of land along the north edge of the property and then to proceed with annexation. Staff was also directed to maximize the amount of property that could be included in an 80/20

Mayor Campbell opened the public hearing.

The hearing was closed after no one came forward to speak.

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 17-061 approving the annexation of 4605 Hyde Avenue.

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

HEARING ON 2014/15 LOW-POINT DRAINAGE IMPROVEMENTS: The public hearing was opened by the Mayor. She closed the hearing after no one asked to speak.

Moved by Orazem, seconded by Betcher, to adopt RESOLUTION NO. 17-062 approving final plans and specifications and awarding a contract to J&K Contracting, LLC, of Ames, Iowa, in the amount of \$332,881.

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

HEARING ON RESOURCE RECOVERY TIPPING FLOOR REPLACEMENT: The Mayor opened the public hearing and closed same after there was no one wishing to speak.

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 17-063 approving final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$129,929.

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

JOINT USE PARKING AGREEMENT FOR 3500 UNIVERSITY BOULEVARD: Planning and Housing Director Kelly Diekmann indicated that the Zoning Ordinance establishes that if there is an approved agreement for shared parking, the ratio is reduced to 1 space/200 square feet of floor area (5/1,000 square feet). McFarland Clinic requests to take advantage of this reduced parking rate as part of the Joint Use Parking Agreement.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 17-064 approving the Joint Use Parking Agreement for 3500 University Boulevard.

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

1017/18 CDBG PROPOSED ANNUAL ACTION PLAN PROJECTS: Housing coordinator Vanessa Baker-Latimer told the Council that on January 30 and 31, 2017, City staff hosted public forums to gather input regarding possible projects for consideration for the 2017/18

Community Development Block Grant (CDBG) Annual Action Plan as part of the City’s CDBG Program. A total of seven persons attended and participated in the forum discussions, including representatives from Habitat for Humanity of Central Iowa, ACCESS, YSS, and the press (Ames Tribune). The overall feedback centered around the continual need of affordable housing for low-income households in the areas of rental, shelters, transitional, and homeownership units and around the continuation of public services, such as Security Deposit, First Month’s Rent, and Transportation Assistance.

Ms. Baker-Latimer advised the Council that the City has not been notified what amount the City will receive in funding next year. The Department of Housing and Urban Development has advised staff to assume the same amount of funding as last year. The upcoming annual allocation is assumed to be \$490,986. Staff has budgeted the allotted maximum of 20% of the funding for administration of the Program, which leaves approximately \$392,789 available for programming in addition to any anticipated rollover of unspent funds and program income. Staff is cautiously anticipating a rollover balance of approximately \$392,789 and program income of \$36,000, which would provide approximately \$821,578 of program funds to be available for the 2017/18 program year. In light of the anticipated revenue resources and taking into consideration the public input and prior discussions with the City Council regarding 321 State Avenue, staff is recommending the following proposed projects and budget for the 2017/18 Annual Action Plan:

1. First-Time Homebuyer Assistance Program	\$ 150,000
2. Public Infrastructure Improvements Program in relation to 321 State Avenue (Old Middle School site)	550,000
3. Renter Affordability (deposits, first month’s rent, and transportation assistance) Programs	45,000
4. Single-Family Housing Improvement Programs	60,000
5. Disposition of Properties	<u>16,578</u>
Total Programming	\$ 821,578
2017/18 Program Administration	<u>98,197</u>
 GRAND TOTAL	 <u>\$ 919,775</u>

It was noted by Ms. Baker-Latimer that noticeably outside of the proposed programs is the disposition of the 6th Street property purchased with CDBG funds in Summer 2014. She provided the history behind the City’s attempts to find a developer interested in constructing low-income housing on the site. Based on the direction on how to proceed with development of 321 State Avenue and the difficulty in partnering on the development of the site on its own with affordable housing, staff has begun to explore with HUD the likely resale of the property and its effect on the former property acquisition program. The resale of the property could generate additional funds to support other programs identified in the new Action Plan. If the City Council agrees to sell the property at a future date, the funding that remains after applying HUD regulations for recapture of costs will then be allocated to the programs in the Plan.

Moved by Corrieri, seconded by Betcher, to approve the proposed 2017/18 Annual Action Plan Program projects and proposed budget in connection with the City's Community Development Block Grant Program.

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

CHANGE ORDER FOR WATER TREATMENT PLANT CONTRACT NO. 2: Moved by Orazem, seconded by Nelson, to adopt RESOLUTION NO. 17-061 approving Change Order No. 14 with Knutson Construction Services, Inc., of Minneapolis, Minnesota, for Water Treatment Plant Contract No. 2.

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

SIDEWALK CAFÉ REQUIREMENTS: Assistant City Manager Brian Phillips recalled that at the September 20, 2016, City Council meeting, City staff presented a list of proposed changes to the Sidewalk Café Ordinance. Those changes originated from a letter sent by the Campustown Action Association (CAA) to the City Council in 2012. A Draft ordinance was prepared to implement both CAA's requested changes and modifications proposed by City staff. At the September 20, 2016, meeting, the City Council raised several issues related to Sidewalk Cafes. Mr. Phillips presented the staff's responses to those issues. Also in response to the Council's requests specific to two items, he provided a summary of comparable cities' requirements regarding bringing in sidewalk café elements at the end of each day. The Council had also asked to know the ways through which alcohol service can be provided at a sidewalk café for places that are not restaurants. Mr. Phillips said that he had spoken with the Police Department, and it would be satisfied if the furniture was securely fastened down with chains or cables. Regarding ways through which alcohol could be served at a sidewalk café, Mr. Phillips stated that it was initially proposed that only those establishments that permit minors on the premises would be able to serve alcohol at their sidewalk cafes. However, it was his belief after the Council's previous discussions, that it was desirable to give them some alternatives. Those were presented as:

1. Exception to the regulation to be reviewed and granted by the City Council. City staff would do an analysis to provide to the City Council on each request.
2. Allow with increased safety standards for all establishments that are considered bars.
3. Proceed with only those establishments (restaurants) that allow minors on the premises and revisit it after a trial period.

Council Member Beatty-Hansen asked to hear her colleagues' viewpoints on the allowance of serving alcohol at the sidewalk cafes. Council Member said she believed the alcohol service should be time-limited (state that alcohol can't be served outside after a certain time); that would eliminate many of the potential conflicts, in her opinion.

Ms. Beatty-Hansen shared that the establishment where she works uses compliance training that alcohol sales persons must be certified. She felt that would help ensure that any exceptions would not be abused and provide a little

Ryan Jeffrey, Arcadia Café, 116 Welch, Ames, who said he was also a representative of the Campustown Action Association, commented that, generally, they are in favor of the concept.

Mr. Jeffrey said that requiring the compliance training should be part of it. Also, if there was a violation, the privilege of having alcohol at its sidewalk café should be revoked. He shared that he preferred that the outdoor furniture be required to be locked down, rather than brought in. At the inquiry of Council Member Corrieri, Mr. Jeffrey said that, in Campustown, basically the streets are pretty empty until 9:45 p.m. and by 10:30 p.m., they are full.

Nick Bottenfield, General Manager at Café Beaudelaire, 2504 Lincoln Way, Ames, said that he would prefer the outdoor furniture be required to be locked down, preferably with cables. He also liked the idea of requiring the compliance training for the staff of the establishment. They currently require that of all of their staff.

At the request of Council Member Nelson, Mr. Phillips stated that if the Council requested the exception route, staff would provide the compliance history on the existing Liquor License. Council Member Betcher said that that would work for renewals, but not for new establishments; there would be no track record. She wondered if Council should not approve alcohol service at a sidewalk café until the establishment had been in business for a period of time. Mr. Phillips replied that Council would have options to determine what criteria they would choose.

Moved by Betcher, seconded by Corrieri, to implement an ordinance that is worded like Cedar Falls' pertaining to outdoor furniture (requires removal or locking down) except that it state "while staff is on premises."

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

Ms. Betcher clarified that it meant after the sidewalk café closed.

Moved by Nelson, seconded by Orazem, that alcohol service at the sidewalk café cease at 10:00 p.m.

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

Council Member Beatty-Hansen pointed out that the Council had not addressed the rest

Moved by Beatty-Hansen, seconded by Corrieri, to direct staff to explore the exception process: City Council Granted Exception. A business that does not meet the "restaurant" criteria, but wishes to provide sidewalk café service, could submit a request for an exception allowing the service of alcohol, providing that all staff has taken the compliance training and the establishment has been in compliance, and if there are any compliance issues, the privilege is revoked.

Mr. Phillips advised that the City Council would receive a staff report indicating the establishment's alcohol compliance history and the measures proposed to control the service of alcohol. The City Council could then decide whether to allow an exception for that establishment to serve alcohol at its sidewalk café.

Council Member Gartin asked Mr. Phillips if local law enforcement had weighed in on this. Mr. Phillips replied that Ames Police Chief Cychosz had offered an opinion; however, Iowa State University Department of Public Safety (ISU DPS) had not. Mr. Gartin indicated that he felt it was important to involve ISU DPS because it will affect students.

Council Member Gartin said he was going to take a more conservative approach on the first pass. He said he would feel more comfortable knowing the opinion of ISU DPS and input from students.

Council Member Betcher said that she wished to have some regulations for those bars that have “drink specials.”

Vote on Motion: 5-1. Voting aye: Beatty-Hansen, Betcher, Corrieri, Nelson, Orazem. Voting nay: Gartin. Motion declared carried.

Council Member Nelson wanted it clarified that this would pertain only to sit-down service, so people could not just walk up and order a drink. Mr. Phillips indicated that under the requirements of the Sidewalk Café Ordinance, it would be sit-down service.

Moved by Corrieri, seconded by Beatty-Hansen, to direct staff to draft an ordinance.

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

ORDINANCE SETTING PARKING REGULATIONS ON CLARK AVENUE: Moved by Nelson, seconded by Betcher, to pass on first reading an ordinance making Clark Avenue “No Parking” at all times on both sides of street from Lincoln Way to Main Street.

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

COUNCIL COMMENTS: Moved by Betcher, seconded by Beatty-Hansen, to direct that Planner Kuester talk to the Main Street Cultural District requesting that its Firefly Night not be held on the Thursday before CyHawk Weekend.

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

ADJOURNMENT: Moved by Betcher to adjourn the meeting at 8:45 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

MINUTES OF THE AMES CIVIL SERVICE COMMISSION

AMES, IOWA

FEBRUARY 23, 2017

The Ames Civil Service Commission convened in regular session at 8:15 a.m. on February 23, 2017, 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. Assistant City Manager Bob Kindred and Human Resources Analyst Samantha Perry attended the meeting.

APPROVAL OF MINUTES: Moved by Pike, seconded by Ricketts, to approve the minutes of the January 26, 2017, Civil Service Commission meeting as written.
Vote on Motion: 3-0. Motion declared carried unanimously.

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

Human Resources Officer:	Meghann Henrich	83
Power Plant Auxiliary Operator:	Jared Miller	80
	Jesse Steinback	72
	Kent Buske	70
Storekeeper:	John Helton	81
	Nathan McKern	78
	Travis Shur	71

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

COMMENTS: Assistant City Manager Bob Kindred introduced Human Resources Analyst Samantha Perry to the Commission members.

The next regularly scheduled Civil Service Commission meeting was set for March 23, 2017, at 8:15 a.m.

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

Michael R. Crum, Chair

Jill Ripperger, Recording Secretary



REPORT OF CONTRACT CHANGE ORDERS

Period:	<input checked="" type="checkbox"/>	1 st – 15 th
	<input type="checkbox"/>	16 th – End of Month
Month & Year:	February 2017	
For City Council Date:	February 28, 2017	

Department	General Description of Contract	Contract Change No.	Original Contract Amount	Contractor/ Vendor	Total of Prior Change Orders	Amount this Change Order	Change Approved By	Purchasing Contact (Buyer)
Water & Pollution Control	WPCF Digester Improvements	9	\$1,615,750.00	Eriksen Construction Co., Inc.	\$4,064.00	\$-(21,196.35)	S. Shinker	MA
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		

COUNCIL ACTION FORM

SUBJECT: PARKING REGULATION UPDATES (NEW STREETS AND MINOR CORRECTIONS)

BACKGROUND:

When new or extended streets are completed in developing subdivisions, the wording of the Municipal Code's Parking Ordinance (Section 18) and Speed Limit Ordinance (Section 26) must be updated to reflect these new streets. The following list will bring those street segments into compliance with City parking and speed limit standards:

Newly Paved Streets:

1. Collaboration Place
 - a. Section 18: No Parking at all times on both sides of the street.
 - b. Section 26: Thirty (30) miles per hour from University Boulevard to South Riverside Drive.
2. Plaza Loop
 - a. Section 18: No Parking except in marked parking stalls.
 - b. Section 26: Twenty (20) miles per hour on all sections of the street.

Maps showing the affected sections of streets are attached to this report.

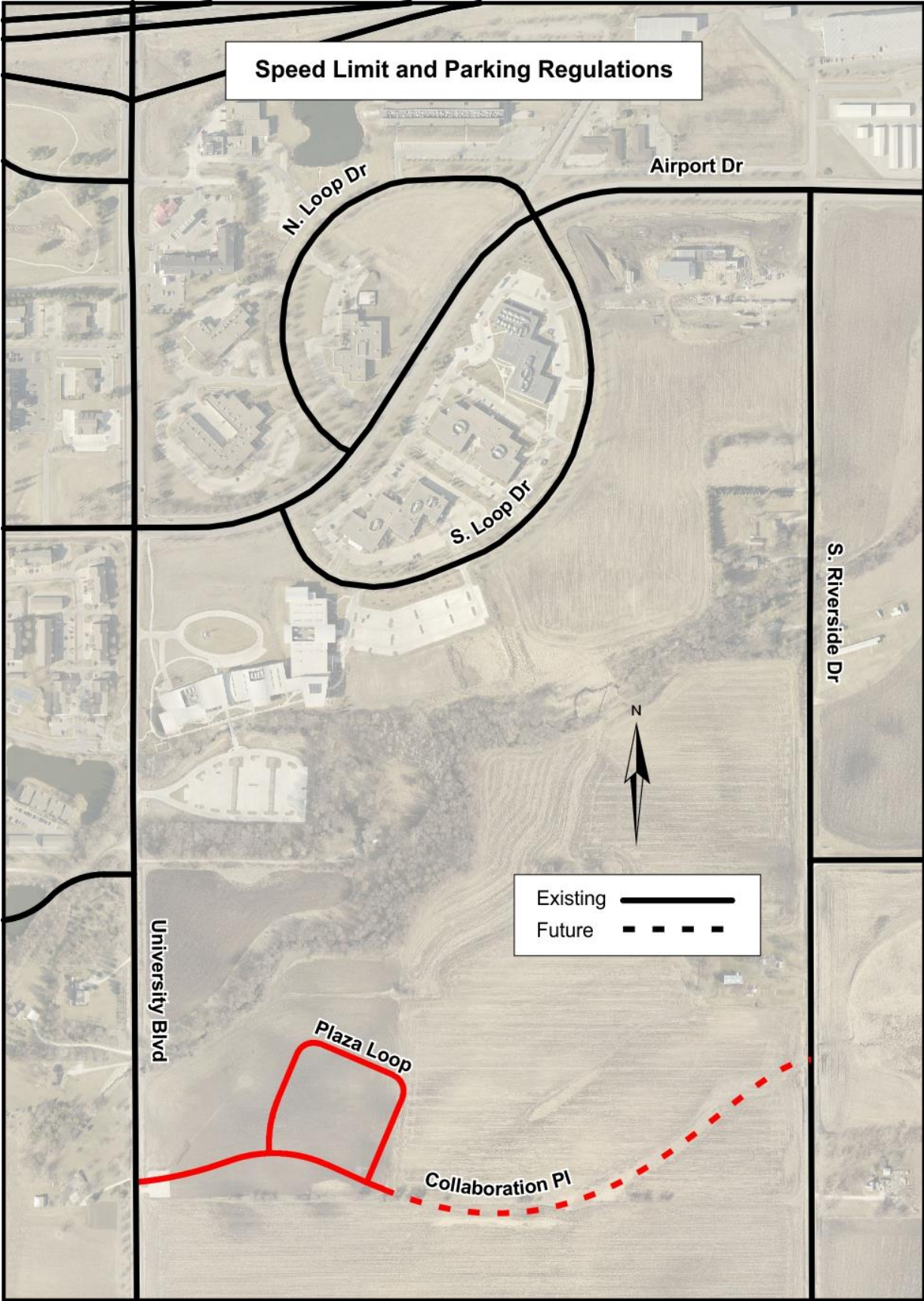
ALTERNATIVES:

1. Direct the City Attorney to draft an ordinance to change Municipal Code Section 18.31 to codify the parking regulations and Section 26.38 to codify the speed limits noted above.
2. Direct staff to leave the ordinance sections unchanged.

MANAGER'S RECOMMENDED ACTION:

These modifications to the Municipal Code will bring parking and speed limit regulations on these new streets into conformance with other streets in Ames.

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



Applicant License Application ()

Name of Applicant: <u>City of Ames</u>		
Name of Business (DBA): <u>Homewood Golf Course</u>		
Address of Premises: <u>401 E 20th Street</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>
Business <u>(515) 239-5363</u>		
Mailing <u>1500 Gateway Hills Park Drive</u>		
City <u>Ames</u>	State <u>IA</u>	Zip: <u>50010</u>

Contact Person

Name Joshua Thompson	
Phone: (515) 239-5364	Email jthompson@city.ames.ia.us

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

Term: 8 months

Effective Date: 03/20/2017

Expiration Date: 01/01/1900

Privileges:

- Class B Beer (BB) (Includes Wine Coolers)
- Outdoor Service
- Sunday Sales

Status of Business

BusinessType: <u>Municipality</u>
Corporate ID Number: _____ Federal Employer ID <u>426004218</u>

Ownership

Steve Schainker

First Name: Steve **Last Name:** Schainker
City: Ames **State:** Iowa **Zip:** 50010
Position: City Manager
% of Ownership: 0.00% **U.S. Citizen:** Yes

Joshua Thompson

First Name: Joshua **Last Name:** Thompson
City: Ames **State:** Iowa **Zip:** 50010
Position: Parks & Facilities
Superintendent
% of Ownership: 0.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company: <u>Iowa Communities Assurance Pool</u>
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Insurance Company: Iowa Communities Assurance Pool

Policy Effective Date: 03/20/2017

Policy Expiration 11/19/2017

Bond Effective

Dram Cancel Date:

Outdoor Service Effective

Outdoor Service Expiration

Temp Transfer Effective

Temp Transfer Expiration Date:

Name of Applicant: <u>Blazin Wings, Inc.</u>		
Name of Business (DBA): <u>Buffalo Wild Wings</u>		
Address of Premises: <u>400 South Duff Avenue</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>
Business <u>(515) 232-9464</u>		
Mailing <u>Attn: Licensing</u>		
City <u>Minneapolis</u>	State <u>MN</u>	Zip: <u>55416</u>

Contact Person

Name <u>Licensing Department</u>
Phone: <u>(952) 593-9943</u> Email <u>Licensing@buffalowildwings.com</u>

Classification Class C Liquor License (LC) (Commercial)

Term: 12 months

Effective Date: 03/07/2018

Expiration Date:

Privileges:

Class C Liquor License (LC) (Commercial)

Status of Business

BusinessType: <u>Publicly Traded Corporation</u>
Corporate ID Number: <u>246194</u> Federal Employer ID <u>411957107</u>

Ownership

Sally Jeanne Wold

First Name: Sally Jeanne **Last Name:** Wold
City: Edina **State:** Minnesota **Zip:** 55439
Position: President
% of Ownership: 0.00% **U.S. Citizen:** Yes

James Schmidt

First Name: James **Last Name:** Schmidt
City: Plymouth **State:** Minnesota **Zip:** 55447
Position: Vice President
% of Ownership: 0.00% **U.S. Citizen:** Yes

Buffalo Wild Wings, Inc.

First Name: Buffalo Wild Wings, **Last Name:** Inc.
City: Minneapolis **State:** Minnesota **Zip:** 55416
Position: Parent Company
% of Ownership: 100.00% **U.S. Citizen:** Yes

Emily Decker

First Name: Emily **Last Name:** Decker
City: Wayzata **State:** Minnesota **Zip:** 55391
Position: Vice President/Gen
% of Ownership: 0.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company: <u>Hartford Fire Insurance Company</u>	
Policy Effective Date: <u>03/07/2017</u>	Policy Expiration <u>03/07/2018</u>
Bond Effective	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective	Temp Transfer Expiration Date:

Applicant License Application (LC0018333)

Name of Applicant: <u>Norman Investment Corp.</u>		
Name of Business (DBA): <u>Welch Ave Station</u>		
Address of Premises: <u>207 Welch Avenue</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>5001400</u>
Business <u>(515) 292-2334</u>		
Mailing <u>207 Welch Ave Ste #101 PO Box 1131</u>		
City <u>Ames</u>	State <u>IA</u>	Zip: <u>50014</u>

Contact Person

Name Thomas Northrop, President of Corp	
Phone: (515) 292-5030	Email ppames@aol.com

Classification Class C Liquor License (LC) (Commercial)

Term: 12 months

Effective Date: 07/31/2017

Expiration Date:

Privileges:

Class C Liquor License (LC) (Commercial)

Status of Business

BusinessType: <u>Privately Held Corporation</u>	
Corporate ID Number: <u>95821</u>	Federal Employer ID <u>42-1233358</u>

Ownership

Thomas Northrop

First Name: Thomas **Last Name:** Northrop
City: Ames **State:** Iowa **Zip:** 50010
Position: President
% of Ownership: 51.00% **U.S. Citizen:** Yes

James B Zeman

First Name: James B **Last Name:** Zeman
City: Gilbert **State:** Iowa **Zip:** 50105
Position: Secretary
% of Ownership: 49.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company: <u>Illinois Casualty Co</u>	
Policy Effective Date: <u>07/31/2016</u>	Policy Expiration <u>07/30/2017</u>

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 A PROJECTING SIGN AT 429 DOUGLAS (RIPPKE DESIGN-OCTAGON BUILDING)

BACKGROUND:

The owner of the property at 429 Douglas Avenue 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 (perpendicular to the building) 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 the approval of the encroachment permit.

Chapter 22.3(3) of the Ames Municipal Code requires approval of the Encroachment Permit Application by the Ames City Council before a permit can be issued. By signing the application, the Owner has agreed to hold harmless the City of Ames 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 \$25.00, 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. Modify 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.

MANAGER'S RECOMMENDED ACTION:

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



515 Clark Avenue
Ames, IA 50010
515.239.5153 Phone
515.239.5261 Fax

ENCROACHMENT PERMIT APPLICATION/AGREEMENT

Address of Encroachment: 429 Douglas Ave. Ames, IA 50010

Type of Encroachment: Hanging Sign

Total Square Feet of the Area to Encroach: 1.5' (See attached submittal guidelines)

Applicant is: Property Owner Tenant Contractor

Applicant Name: Nathan Rippe Phone: 515 450 7477

Mailing Address: PO Box 1929 Ames IA 50010 Email: info@rippke.com

Property Owner Name: The Octagon Center for Arts

Phone: 515 232 5331 Mailing Address: 427 Douglas Ave Ames IA 50010

By signing this application, the Building Owner agrees to the following conditions, upon approval:

1. The Owners do hereby indemnify and hold harmless the City of Ames, its officers and employees, against any loss or liability whatsoever made by any and all persons whomsoever, resulting from or arising out of the location and maintenance of the encroachment.
2. The Owners shall submit and maintain, through the period of the encroachment, comprehensive general liability insurance coverage in the amount of not less than \$500,000 combined single limit and a current copy of Endorsement CG 2013, naming the City of Ames and its employees and assigns, as an additional insured on the policy. The Owner will supply the City Clerk's Office annually with a current copy of the insurance and the endorsement.
3. The City Council may revoke the permit at any time.
4. This agreement shall run with the land and be binding upon the successors and assignees of the parties hereto.
5. The Owners shall notify the City Clerk at the time that the encroachment ceases to exist, or before making any modification to the encroachment.
6. The encroachment will be built and erected in the same manner as shown on the attached sketch.
7. To pay a one-time encroachment fee of \$25 or \$1 for every square foot that encroaches, whichever is larger.

Property Owner Signature [Signature] Date 2/16/17

FOR OFFICE USE

Fee Received

Sketch of Encroachment Received

Insurance Received

Approved by City Council on

Insurance Approved by HR

Date: _____

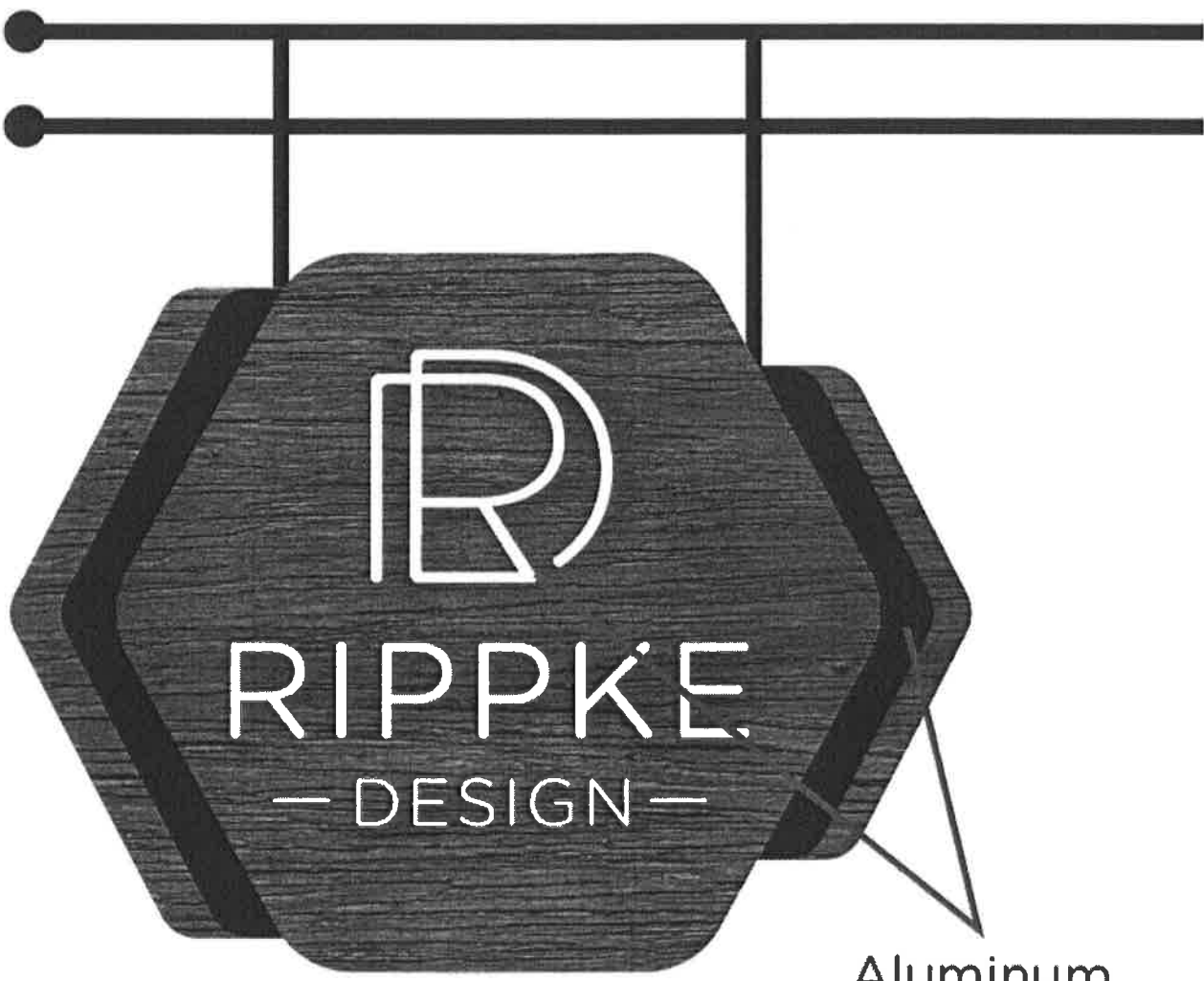
Approved by: _____ Date: _____ Permit No: _____

Exterior Signage
429 Douglas Ave
Ames, IA 50010

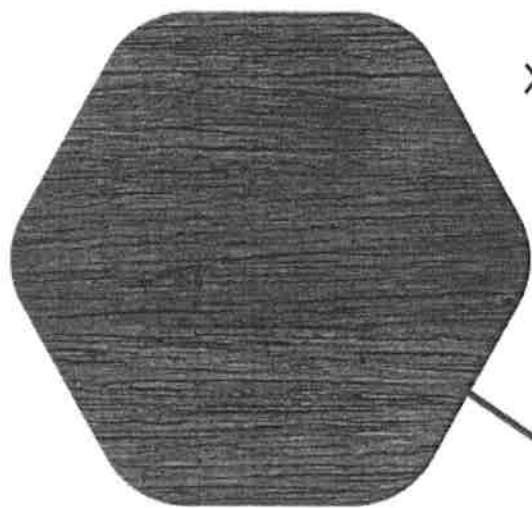
30" - 36"

18" - 24"

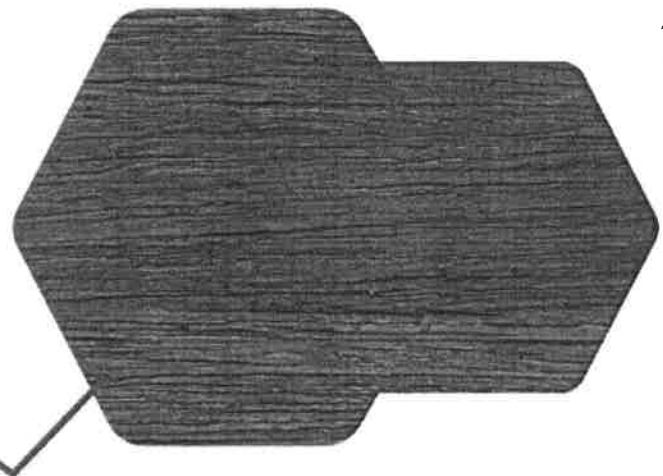
18" - 24"



Aluminum

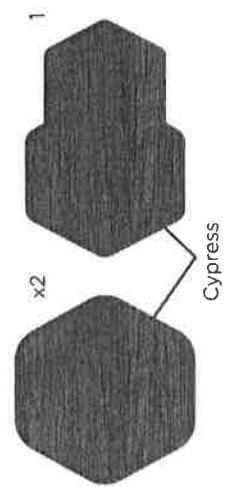
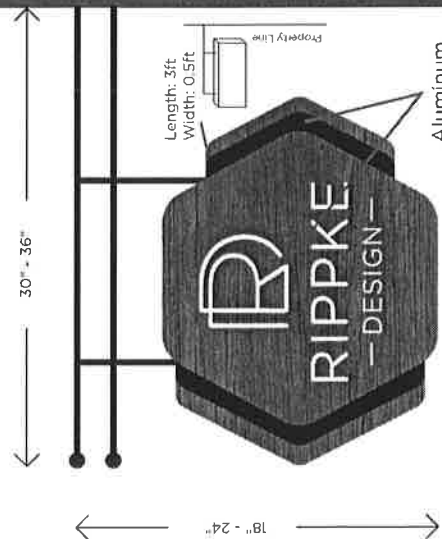


x2



1

Exterior Signage
429 Douglas Ave
Ames, IA 50010



COUNCIL ACTION FORM

**SUBJECT: ENCROACHMENT PERMIT FOR A PROJECTING SIGN AT 2420
LINCOLN WAY SUITE 101 (SMOKIN OAK PIZZA)**

BACKGROUND:

The owner of the property at 2420 Lincoln Way 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 brick above the main entrance of the building. It will project 40 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 the approval of the encroachment permit.

Chapter 22.3(3) of the Ames Municipal Code requires approval of the Encroachment Permit Application by the Ames City Council before a permit can be issued. By signing the application, the Owner has agreed to hold harmless the City of Ames 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 \$25.00, 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. Modify 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.

MANAGER'S RECOMMENDED ACTION:

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



515 Clark Avenue
Ames, IA 50010
515.239.5153 Phone
515.239.5261 Fax

ENCROACHMENT PERMIT APPLICATION/AGREEMENT

Address of Encroachment: 2420 LINCOLN WAY SUITE 101

Type of Encroachment: SIGNAGE OVERHANG

Total Square Feet of the Area to Encroach: 3.6 FEET (See attached submittal guidelines)

Applicant is: Property Owner Tenant Contractor

Applicant Name: CAMPUSTOWN HOSPITALITY GROUP
DOING BUSINESS AS SMOOKIN OAK PIZZA Phone: 641 529 0975

Mailing Address: 1401 6TH AVE S. CLEAR LAKE, IA 50428 Email: CRG@KINGLAND.COM

Property Owner Name: KINGLAND CAMPUS PROPERTIES

Phone: 641 355 1000 Mailing Address: 1401 6TH AVE S. CLEAR LAKE, IA 50428

By signing this application, the Building Owner agrees to the following conditions, upon approval:

1. The Owners do hereby indemnify and hold harmless the City of Ames, its officers and employees, against any loss or liability whatsoever made by any and all persons whomsoever, resulting from or arising out of the location and maintenance of the encroachment.
2. The Owners shall submit and maintain, through the period of the encroachment, comprehensive general liability insurance coverage in the amount of not less than \$500,000 combined single limit and a current copy of Endorsement CG 2013, naming the City of Ames and its employees and assigns, as an additional insured on the policy. The Owner will supply the City Clerk's Office annually with a current copy of the insurance and the endorsement.
3. The City Council may revoke the permit at any time.
4. This agreement shall run with the land and be binding upon the successors and assignees of the parties hereto.
5. The Owners shall notify the City Clerk at the time that the encroachment ceases to exist, or before making any modification to the encroachment.
6. The encroachment will be built and erected in the same manner as shown on the attached sketch.
7. To pay a one-time encroachment fee of \$25 or \$1 for every square foot that encroaches, whichever is larger.

Property Owner Signature [Signature] Date 02/07/17

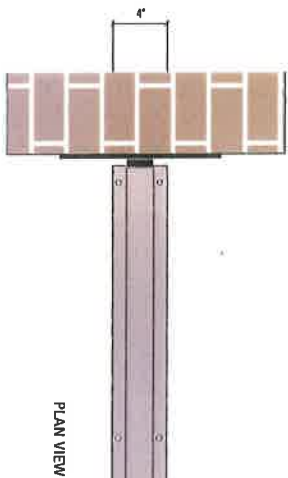
FOR OFFICE USE

- | | |
|---|--|
| <input type="checkbox"/> Fee Received | <input type="checkbox"/> Sketch of Encroachment Received |
| <input type="checkbox"/> Insurance Received | <input type="checkbox"/> Approved by City Council on |
| <input type="checkbox"/> Insurance Approved by HR | Date: _____ |

Approved by: _____ Date: _____ Permit No: _____

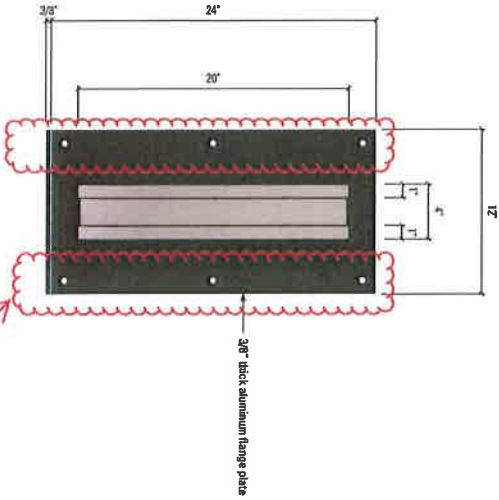


03 | SIDE B ELEVATION VIEW
scale: 1"=3'



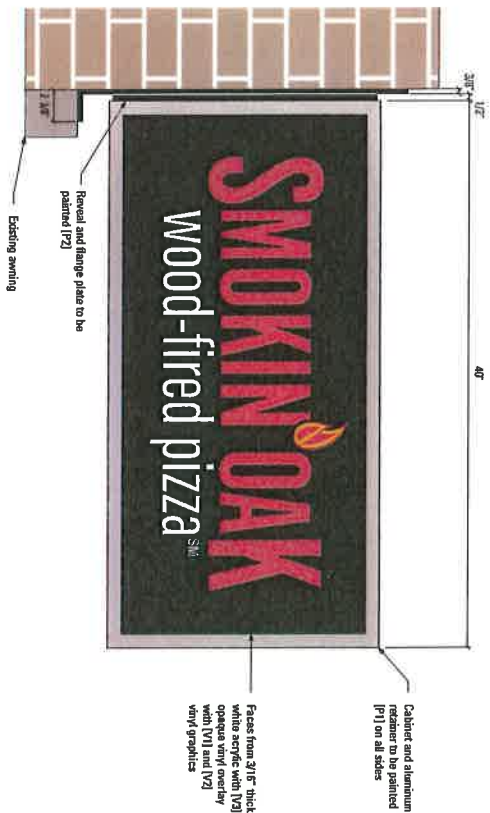
PLAN VIEW

Countersink fasteners around perimeter



02 | END VIEW
scale: 1 1/2"=1'

PLEASE ADJUST ANCHOR SPACING, SEE CONNECTION DETAIL



01 | SIDE A ELEVATION VIEW
scale: 1 1/2"=1'

Cabinet and aluminum mesh to be painted [P1] on all sides

Faces from 3/16" thick white acrylic with [V9] opaque vinyl overlay with [V1] and [V2] vinyl graphics

Reveal and flange plate to be painted [P2]

Existing awning

120 V



Drawing Notes:
Paper template to ship with
Flag Mount Quantity (1)

2.a WO #: 56681

1 | TEMPLATE NOTE:
Paper template to ship with
signage

[V1] 238-33	[P1] 40X-15
[V2] 238-015	[P2] SC-965
[V3] 228-12	[V4] Dual Film
[V4] Dual Film	

Sign Type:	EM2
Description:	Legacy/Flag Mount
Scale:	Noted
Project:	Smokin Oak Piza
Client:	ASI love
Date:	12/17/16
By:	RMH
Revision:	Description

DESIGN STATUS: Approved

DESIGN STATUS: Revisions & Resubmit

DATE: _____



COUNCIL ACTION FORM

**SUBJECT: ENCROACHMENT PERMIT FOR A SIGN AT 2420 LINCOLN WAY
SUITE 101 (SMOKIN OAK PIZZA)**

BACKGROUND:

The owner of the property at 2420 Lincoln Way is seeking approval for an encroachment permit that would allow a sign to hang into the public way. The proposed sign is a wall sign mounted to the face of the building. It will extend 4 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 the approval of the encroachment permit.

Chapter 22.3(3) of the Ames Municipal Code requires approval of the Encroachment Permit Application by the Ames City Council before a permit can be issued. By signing the application, the Owner has agreed to hold harmless the City of Ames 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 \$25.00, 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. Modify 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.

MANAGER'S RECOMMENDED ACTION:

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



515 Clark Avenue
Ames, IA 50010
515.239.5153 Phone
515.239.5261 Fax

ENCROACHMENT PERMIT APPLICATION/AGREEMENT

Address of Encroachment: 2420 LINCOLN WAY, SUITE 101

Type of Encroachment: SIGNAGE OVERTHANG

Total Square Feet of the Area to Encroach: 4 FEET (See attached submittal guidelines)

Applicant is: Property Owner Tenant Contractor DOING BUSINESS AS SMOKIN OAK PIZZA

Applicant Name: CAMPUSTOWN HOSPITALITY GROUP Phone: 641 529 0975

Mailing Address: 1401 6TH AVE SOUTH, CLEAR LAKE IA 50428 Email: CHG@KINGLAND.COM

Property Owner Name: KINGLAND CAMPUS PROPERTIES

Phone: 641 355 1000 Mailing Address: 1401 6TH AVE SOUTH, CLEAR LAKE, IA 50428

By signing this application, the Building Owner agrees to the following conditions, upon approval:

1. The Owners do hereby indemnify and hold harmless the City of Ames, its officers and employees, against any loss or liability whatsoever made by any and all persons whomsoever, resulting from or arising out of the location and maintenance of the encroachment.
2. The Owners shall submit and maintain, through the period of the encroachment, comprehensive general liability insurance coverage in the amount of not less than \$500,000 combined single limit and a current copy of Endorsement CG 2013, naming the City of Ames and its employees and assigns, as an additional insured on the policy. The Owner will supply the City Clerk's Office annually with a current copy of the insurance and the endorsement.
3. The City Council may revoke the permit at any time.
4. This agreement shall run with the land and be binding upon the successors and assignees of the parties hereto.
5. The Owners shall notify the City Clerk at the time that the encroachment ceases to exist, or before making any modification to the encroachment.
6. The encroachment will be built and erected in the same manner as shown on the attached sketch.
7. To pay a one-time encroachment fee of \$25 or \$1 for every square foot that encroaches, whichever is larger.

Property Owner Signature [Signature] Date 02/07/17

FOR OFFICE USE

- | | |
|---|--|
| <input type="checkbox"/> Fee Received | <input type="checkbox"/> Sketch of Encroachment Received |
| <input type="checkbox"/> Insurance Received | <input type="checkbox"/> Approved by City Council on |
| <input type="checkbox"/> Insurance Approved by HR | Date: _____ |

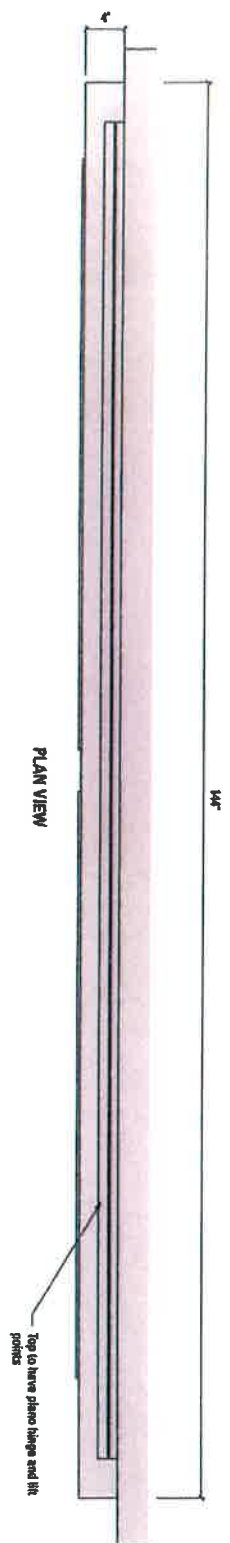
Approved by: _____ Date: _____ Permit No: _____



144" x 20" Sign - 144" x 20" Sign

Revision	Description	Date

Sign Type: E82.2
 Description: Layer Flag Mount
 Scale: None
 Project: Smokin Oak Pizza
 Client: SM
 Date: 12/17/15
 By: RMH



120 V

1 TASK #: 48447

Drawing Notes:
 Layer Wall Mount Quantity (1)

TEMPLATE NOTE:
 Paper template to ship with signage

ITEM # 12
DATE: 2-28-17

COUNCIL ACTION FORM

SUBJECT: REQUESTS FOR GREEK WEEK OLYMPICS 2017

BACKGROUND:

The Greek Week Committee has submitted plans to host the Greek Week Olympics on April 1. To facilitate this event, organizers have requested closure of the following streets from 7:00 a.m. to 6:00 p.m. on Saturday, April 1: Sunset Drive; Ash Avenue from Gable Lane to Knapp Street; Gray Avenue from Gable Lane to Greeley Street; Greeley Street; Pearson Avenue from Sunset to Greeley; and Lynn Avenue from Chamberlain to Knapp.

To clear these streets of parked vehicles prior to the commencement of activities, event organizers have requested that parking be prohibited on both sides of the streets listed above from 5:00 p.m. on Friday, March 31, until each street has re-opened after the activities.

Several single family homes are located along the closed streets, and the organizers will notify the affected residents about the closures by canvassing the area and distributing a notification letter. There are no fireworks associated with this event. Insurance for this event is provided through the University.

ALTERNATIVES:

1. Approve the request to close streets and enact temporary parking prohibitions for the Greek Week Olympics scheduled for Saturday, April 1.
2. Deny the requests.

MANAGER'S RECOMMENDED ACTION:

Greek Week is an annual student-run event at Iowa State that highlights the fraternities and sororities and their contributions to student life. It is highly dependent upon City approval of street closures and parking prohibitions so that it may occur in a safe and smooth manner.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby approving the request to close streets and enact temporary parking prohibitions for the Greek Week Olympics.



CITY OF
Ames™

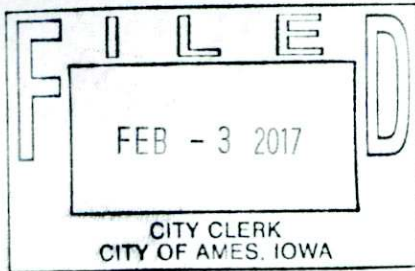
SPECIAL EVENT APPLICATION

SUMMARY OF EVENT

DESCRIPTION

Event Name Greek Week Olympics

Description Members of the Greek Community at Iowa State team up to compete in events like LARP, Dizzy Duck, Dingle Dangle Donut, Bed Racer, Egg Joust, Balloon Toss, and Tug O War. Points are awarded to winning teams and go towards total Greek Week points.



Event Category

- Athletic/Recreation
 - Exhibits/Misc.
 - Festival/Celebration
 - Parade/Procession/March
 - Concert/Performance
 - Farmer/Outdoor Market
 - Other (please explain)
- Iowa State Greek Community

Anticipated Attendance

Total 3,000 Per Day 3,000

DATE/TIME

Setup	Date <u>4/1/17</u>	Time <u>7:00 am</u>	Day of Week <u>Saturday</u>
Event Starts	Date <u>4/1/17</u>	Time <u>10:00 am</u>	Day of Week <u>Saturday</u>
Event Ends	Date <u>4/1/17</u>	Time <u>4:00 pm</u>	Day of Week <u>Saturday</u>
Teardown Complete	Date <u>4/1/17</u>	Time <u>6:00 pm</u>	Day of Week <u>Saturday</u>

Rain Date, if applicable _____

Rain Location, if applicable _____

LOCATION

Region

(Select one or more)

- Main Street Cultural District (Downtown)
- Campustown District
- Iowa State University Property
- City Parks
- Other (please explain) Iowa State Greek Community

Please note that events occurring in the Downtown, Campustown, in City parks, or on ISU property require prior approvals. A letter of support will be required from CAA if the event occurs in Campustown or from MSCD if the event occurs in Downtown. Please contact the appropriate office well in advance:

Downtown - Main Street Cultural District: (515) 233-3472

events@amesdowntown.org

Campustown - Campustown Action Association: (515) 450-8771

director@amescampustown.com

Iowa State University - Events Authorization Committee: (515) 294-1437

eventauthorization@iastate.edu

CONTACTS

Host Organization

Greek Week

Local Contact (Required)

Must be present during event

Name: Cooper Royer

Address: 201 Gray Ave. Ames, IA 50014

Telephone: (515) 577-4315

Cell phone: (515) 577-4315

Must be available by cell phone during event

Email: gwclogistics@gmail.com

At least ten business days prior to the event, Organizer must submit Emergency Contact List, including names and numbers of all coordinators, volunteers, and location assigned to each.

Yes No

Is this an annual event? How many years have you been holding this event? 65

Is this event open to the public?

Is your event being held in conjunction with another event (e.g. *Farmers' Market, 4th of July*, etc.)?

If yes, please list

COUNCIL ACTION FORM

SUBJECT: GOVERNOR'S TRAFFIC SAFETY BUREAU ENFORCEMENT GRANT PROGRAM

BACKGROUND:

In early February the Police Department learned that it was eligible to apply for funding from the Governor's Traffic Safety Bureau's Highway Safety Program to support traffic safety and enforcement programs. Because the completed applications were due before March 1, 2017, and the Department filed an application with the Governor's Traffic Safety Bureau. Should that application be accepted and an award made, the Department seeks permission to accept the award and participate in the program.

This program is conducted through the Governor's Traffic Safety Bureau in cooperation with local and county law enforcement agencies. Its purpose is to address traffic safety problems including alcohol, excessive speed, pedestrian and bicycle safety, and vehicle occupant protection. The program is designed with both enforcement and educational components to improve driver safety and protection, to reduce impaired driving, and to enhance overall traffic safety. The Ames Police Department has participated in similar annual programs for more than a decade.

This grant will support additional traffic enforcement during periods of high risk for impaired driving, excessive speed and crashes. The officers conducting this intensified traffic enforcement will be added to the normal staffing levels for the Police Department and will work on an overtime basis. The areas in which these officers work will be selected on the basis of citizen complaints, officer observations and traffic incident data.

The grant application seeks \$35,450 for the following uses:

- To pay officers at an overtime rate,
- To replace an in-car video camera and a preliminary breath test device,
- To add a vehicle mounted message board,
- To fund acquisition of educational materials on traffic safety,
- To send an officer to an annual national traffic safety conference.

There is no local match required with this grant.

ALTERNATIVES:

1. Approve the submittal of the Police Department's application for and participation in the Governor's Traffic Safety Bureau Enforcement Grant program.
2. Do not approve the submittal of this application.

MANAGER'S RECOMMENDED ACTION:

Participation in this program allows our Police Department to devote additional resources to traffic safety without additional costs to the City. These funds help reduce traffic violations and improve traffic safety for the citizens of Ames.

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

COUNCIL ACTION FORM

SUBJECT: 2017 URBAN REVITALIZATION TAX ABATEMENT REQUESTS

BACKGROUND:

In accordance with Chapter 404 of the *Code of Iowa*, the City Council has established Urban Revitalization Areas (URAs) which, among other things, specifies standards for physical improvements that provide public benefits. When property within one of these URAs is developed, redeveloped, rehabilitated, or remodeled, the property owner is eligible for abatement of property taxes on the incremental increase in property value after the improvements are completed. This abatement can extend for three, five, or ten years, depending on the criteria for each URA.

The City Council has adopted Urban Revitalization Areas and Plans for the following areas and purposes:

- HOC Commercial Program
- Sprinkler Retrofit Program
- Downtown URA
- Campustown URA
- East University Impacted URA
- West University Impacted URA
- North Sheldon URA
- South Lincoln URA
- Walnut Ridge Mixed Use URA
- Roosevelt School Area

Every year, owners who have made improvements to property within the City's URAs during the previous year may apply for tax exemption on the incremental added value of their properties. The City must determine if the completed improvements meet the criteria in the Urban Revitalization Plan for the URA in which the property is located. If the City Council finds that the criteria are met, this approval is forwarded to the City Assessor, who then reviews the request and determines the increase in incremental value.

Property owners of eight projects are requesting tax exemptions for improvements completed in the 2016 calendar year. Applications related to the Downtown, Roosevelt, East University, and Walnut Ridge URAs. A table of project addresses, Urban Revitalization Area, project costs, and requested tax abatement schedule is included in Attachment 1. Attachments 2 through 5 contain the specific eligibility criteria for the designated Areas, descriptions of the individual projects, staff determination of eligibility, and the submitted application forms.

In summary, the property owners have reported construction values totaling \$10,054,186 for these eight projects. **The various applicant estimates are based upon construction and soft costs and may not be the same as the added property value. The actual increase in valuation from the improvements will be determined by the City Assessor and that valuation will be the basis of the partial property tax abatement**

In addition to the current eight applications for final approval, the City Council gave previous approval to a Campustown Urban Revitalization Area application for 2311 Chamberlain Street at their meeting on October 11, 2016. Staff does not typically bring individual requests to the Council before February. However, the developer desired final approval in advance of February 2017 to assist in setting up the long term financing of the project.

ALTERNATIVES:

1. The City Council can approve the requests for tax exemption as outlined in Attachment 1 by finding that they meet the criteria of their respective Urban Revitalization Areas.
2. The City Council can deny any or all of these requests for approval of the tax exemptions if the Council finds the improvements do not comply with the respective Urban Revitalization Area criteria.

MANAGER'S RECOMMENDED ACTION:

Staff has examined the applications as of February 2017, and finds that the work conforms to the respective Urban Revitalization Plans approved by the City Council.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the eight requests for tax exemption as meeting the criteria for their respective Urban Revitalization Areas. This action will allow the qualifying requests for tax exemption to be processed by the City Assessor, who will determine the actual value of the respective tax exemptions.

ATTACHMENT 1: 2016 URBAN REVITALIZATION APPLICATIONS

ADDRESS	URA	COSTS	YEARS
921 9 th Street, Unit 101	Roosevelt	\$229,000	3
921 9 th Street, Unit 202	Roosevelt	\$284,500	3
921 9 th Street, Unit 306	Roosevelt	\$303,000	3
413 Northwestern Avenue	Downtown	\$2,121,425	3
217 Ash Avenue	University	\$2,266,261	10
3505 Lincoln Way, Suites 101, 201-208	Walnut Ridge	\$1,500,000	10
3505 Lincoln Way, Suites 102-105	Walnut Ridge	\$1,100,000	10
3515 Lincoln Way	Walnut Ridge	\$2,250,000	10

ATTACHMENT 2: ROOSEVELT SCHOOL AREA CRITERIA AND APPLICATIONS

Eligibility Criteria.

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

These three units in the Roosevelt School Urban Revitalization Program received abatements for partial improvements in 2015. They are now seeking abatement for the remaining completed value of the units.

Staff finds that the interior buildout of the units is consistent with the eligibility criteria.

RECEIVED

APR 29 2016

Application Form Last Updated: April 20, 2016

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

Tax Abatement
Roosevelt School Urban Revitalization Program
Application Form


(This form must be filled out completely before your application will be accepted.)

- 1. **Property Address:** 921 9th St. Unit No. 101
- 2. **Property Identification Number (Geocode):** 09-03-235-500
- 3. **Legal Description:** Roosevelt Condominiums Lot: Unit 101

Improvement costs: \$ <u>229,000.00</u>
Beginning construction date: <u>October 2013</u>
Completion date: <u>January 2015</u>
Assessment year for which exemption is being claimed: <u>2017</u>
Exemption schedule (3, 5, or 10 years): <u>3</u>

- 4. **Property Owner:** Tony Minatta
- Mailing Address: 921 9th Street Unit 101 Ames IA 50010
(Street) (City) (State) (Zip)
- 970-219-6204 Tminatta@iastate.edu
(Phone) (Fax) (e-mail)

I (We) certify that I (we) have submitted all the required information to apply for approval of the Roosevelt School Urban Revitalization Program and that the information is factual.

Signed by:  Date: 04-29-16
 Property Owner(s)
Tony Minatta
 Print Name

(Note: No other signature may be substituted for the Property Owner's Signature.)

RECEIVED

Application Form Last Updated: December 24, 2014

APR 20 2016

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

Tax Abatement Roosevelt School Urban Revitalization Program Application Form

(This form must be filled out completely before your application will be accepted.)

- 1. **Property Address:** 921 9th St. Unit No. 202
- 2. **Property Identification Number (Geocode):** 09-03-235-520
- 3. **Legal Description:** Roosevelt Condominiums Lot: Unit 202

Improvement costs: \$ <u>284,500</u>
Beginning construction date: <u>October 2013</u>
Completion date: <u>3-13-15</u>
Assessment year for which exemption is being claimed: <u>2015</u>
Exemption schedule (3, 5, or 10 years): <u>3 years</u>

- 4. **Property Owner:** Nola Jean Poklitar
- Mailing Address: 921 9th St. #202 Ames IA 50010
(Street) (City) (State) (Zip)
- 515-232-7508 checkstar@aol.com
(Phone) (Fax) (e-mail)

I (We) certify that I (we) have submitted all the required information to apply for approval of the Roosevelt School Urban Revitalization Program and that the information is factual.

Signed by: Nola Jean Poklitar Date: 4-18-16
 Property Owner(s)
Nola Jean Poklitar
 Print Name

(Note: No other signature may be substituted for the Property Owner's Signature.)

Tax Abatement Roosevelt School Urban Revitalization Program Application Form

(This form must be filled out completely before your application will be accepted.)

1. **Property Address:** 921 9th St. Unit No. 306
2. **Property Identification Number (Geocode):** 0903235580
3. **Legal Description:** Roosevelt Condominiums Lot: Unit 306

Improvement costs: <u>\$ 303,000</u>
Beginning construction date: <u>October 2013</u>
Completion date: <u>3/13/2015</u>
Assessment year for which exemption is being claimed: <u>2016</u>
Exemption schedule (3, 5, or 10 years): <u>3</u>

4. **Property Owner:** Jason Salisbury / Manali Sheth
Mailing Address: 921 9th St #306 Ames, IA 50010
(Street) (City) (State) (Zip)
773-727-8539 jdsalisbury9@gmail.com
(Phone) (Fax) (e-mail)

I (We) certify that I (we) have submitted all the required information to apply for approval of the Roosevelt School Urban Revitalization Program and that the information is factual.

Signed by: Jason Salisbury / Manali Sheth Date: 11/4/2016
Property Owner(s)
Jason Salisbury / Manali Sheth
Print Name

(Note: No other signature may be substituted for the Property Owner's Signature.)

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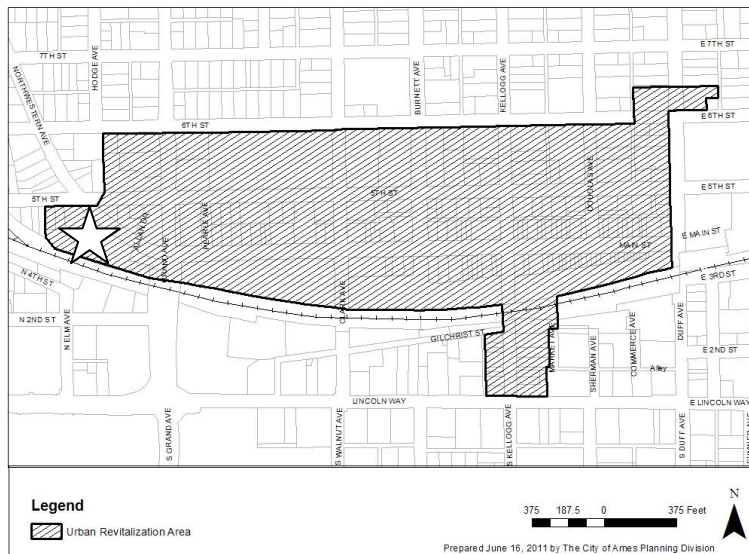
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ATTACHMENT 3: DOWNTOWN CRITERIA AND APPLICATION

Eligibility Criteria.

- Properties must be located within the designated Downtown Urban Revitalization Area.
- Façade Improvements and the scope of work must follow the current Downtown Design Guidelines as approved by City Council. If additional interior or exterior improvements are part of the same project, the entire project is eligible for tax abatement, as long as the project includes façade improvements whose scope and design follow the Guidelines.
- If the first floor is vacant before the façade improvements are made, then the front half of the first floor is required to have a retail use after the improvements are completed. If the first floor has a permitted use before the façade improvements are made, then it is eligible. No residential structures are eligible.
- Improvements must be made to the property increasing its actual value by 5% or more. The property is eligible to receive abatement of 100% of this added value for each of three (3) years.
- The improvements must be maintained for three (3) years.

Downtown Urban Revitalization Area



Wheatsfield Cooperative received a façade grant and completed the improvements consistent with that grant. The project also included significant interior remodeling and site improvements. The structure is a one-story building which has a retail use occupying the front half of the structure. There is no residential use. **Staff finds that the improvements meet the eligibility criteria.**

Effective Date: March 25, 2013

**Downtown
Urban Revitalization Program**
Application Form

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CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

1. **Property Address:** 413 Northwestern Ave
2. **Property Identification Number (Geocode)** (if known): 09-03-478-065
3. **Legal Description** (attach, if lengthy): College park add 2nd north parcel B lots 1-4 BLK 29 and SEC 3 parcels I, J & K slide 515 pg 1
4. **Description of Improvements**(attach, if lengthy):Removed 2 houses to the west to increase the size of the parking lot and added a storm water management system under new lot. Renovated eastern part of building to include in retail store adding new entrance, expanded kitchen, full-service meat, new deli seating area, teaching kitchen/classroom, new restrooms and office space. New east facade.

Improvement costs: \$1,487,338.97 in building & \$634,086 in parking lot (includes \$194,740 for storm water system) TOTAL: \$2,121,424.97

Beginning construction date: May 2015

Estimated or actual completion date: Jan 31, 2017

Assessment year for which exemption is being claimed: 2017

5. **Property Owner:** Ronald J. McMillen

Address: 29659 595th Cambridge IA 50046
(Street) (City) (State) (Zip)

515-231-6025
(Phone) (Fax) (e-mail)

Effective Date: March 25, 2013

Designed by: _____

Business: _____

Address: _____
(Street) (City) (State) (Zip)

(Phone) (Fax) (e-mail)

I (We) certify that I (we) have submitted to the best of our knowledge all the required information to apply for approval of the Downtown Urban Revitalization Program and that the information is factual.

Signed by: Ron McMillen Date: 1/6/17
(Property Owner)

Ron McMillen
(Print Name)

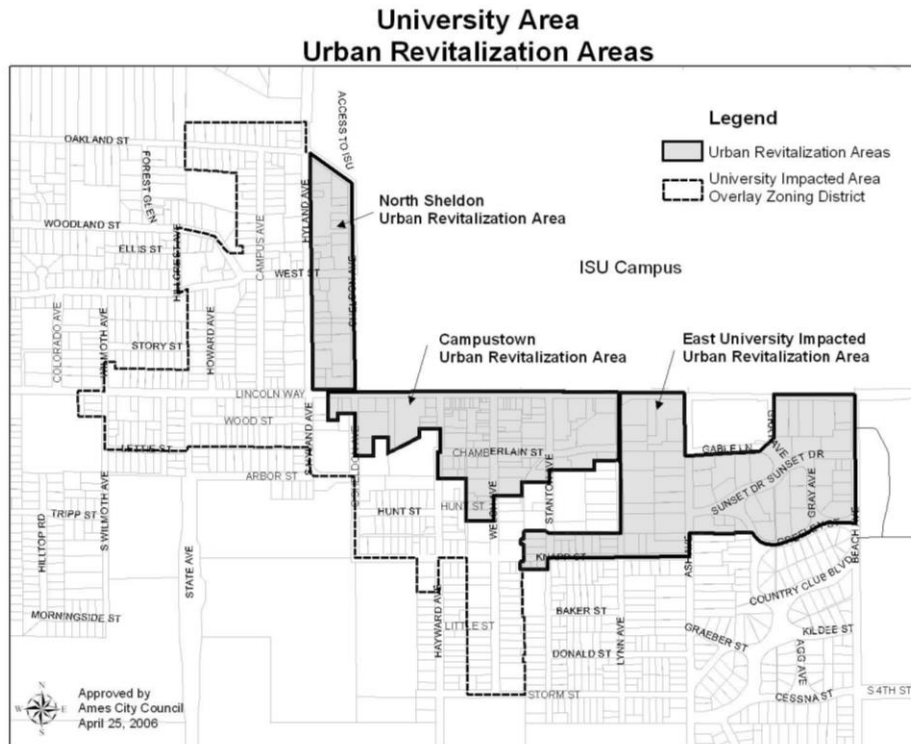
Linda L. Johnson Date: 1/6/17
(Applicant - if different than Property Owner)

LINDA L. JOHNSON
(Print Name)

ATTACHMENT 4: UNIVERSITY AREA CRITERIA AND APPLICATION

Eligibility Criteria.

- Properties must be located within one of the designated Urban Revitalization Areas in the University Area. (See map below)
- Within each of these Urban Revitalization Areas, different eligibility criteria and conditions apply. (See the criteria below)
- Improvements must be made to the property increasing its actual value by 5% or more.



URBAN REVITALIZATION CRITERIA

EAST UNIVERSITY IMPACTED

NORTH SHELDON AREA

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

This project included the installation of a fire alarm and fire suppression system as well as extensive interior remodeling and minor exterior improvements. **Staff finds that the improvements meet the eligibility criteria under the retention of the existing facades and that the home is a Greek House. The Assessor must determine the increase in value requirement.**

Effective Date: March 8, 2016

University Area Urban Revitalization Program Application Form

(This form must be filled out completely before your application will be accepted.)

1. **Property Address:** 217 Ash Avenue, Ames, IA 50014
2. **Property Identification Number (Geocode):** 09-09-202-090
3. **Urban Revitalization Area:** East University Impacted Urban Revitalization Area
4. **Legal Description** (attach, if lengthy): "LOT 3, IN MILLER'S SUBDIVISION, AMES, STORY COUNTY, IOWA"
5. **Description of Improvements - Attach if lengthy:** Please see attached description

Improvement costs: \$ \$2,266,260.54 which includes construction hard & soft costs
Beginning construction date: June 3, 2014
Estimated or actual completion date: May 26, 2016
Assessment year for which exemption is being claimed: 2016
Exemption schedule (3, 5, or 10 years): 10 years

6. **Property Owner:** Colonials Club House LLC

Business: _____

Address: 3119 Burnham Dr Ames IA 50010
(Street) (City) (State) (Zip)

515-233-2674 rjhallenbeck@gmail.com
(Phone) (Fax) (e-mail)

I (We) certify that I (we) have submitted all the required information to apply for approval of the University Area Urban Revitalization Program and that the information is factual.

Signed by: Ronald Hallenbeck Date: January 19, 2017
Property Owner(s)

Ronald Hallenbeck, President Colonials Club House LLC

Print Name

(Note: No other signature may be substituted for the Property Owner's Signature.)

ATTACHMENT 5: WALNUT RIDGE MIXED USE AREA CRITERIA AND APPLICATION

Eligibility Criteria.

- The project shall be built in substantial compliance with the Major Site Development Plan approved by City Council on September 8, 2015 and in accordance with the condition of Resolution #15-561, or as amended.
- The residential project shall receive and maintain certification for the Iowa Crime Free Multi-Housing Program administered by the Ames Police Department.

The two new buildings have received occupancy and are compliant with the approved Major Site Development Plan. The police department has verified that both structures have received certification in the Iowa Crime Free Multi-Housing Program. This enrollment will need to be maintained in order to continue receiving the 10-year abatement the owners are seeking. **Staff finds that the improvements meet the eligibility criteria.**

Note that 3505 Lincoln Way includes two applications. The building has been converted to a condominium regime and there are two separate owners.

Urban Revitalization Program Application Form

(This form must be filled out completely before your application will be accepted.)

1. **Property Address:** 3505 Lincoln Way, Suites 101, 201 through 208
2. **Property Identification Number (Geocode):** 09-05-451-244
3. **Legal Description** (attach, if lengthy): see attached

4. **Description of Improvements:**

Established Urban Revitalization Areas

- | | |
|---|--|
| <input type="checkbox"/> Downtown | <input type="checkbox"/> North Sheldon |
| <input type="checkbox"/> Campustown | <input type="checkbox"/> South Lincoln |
| <input type="checkbox"/> East University Impacted | |

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DEPT. OF PLANNING & HOUSING

Urban Revitalization Policy Areas

- | | |
|--|---------------------------------|
| <input type="checkbox"/> Southeast 16 th Street | Address _____ |
| <input checked="" type="checkbox"/> Other Commercial Area | Address <u>3505 Lincoln Way</u> |
| <input type="checkbox"/> University Impacted Area – West | Address _____ |

Improvement costs: \$ <u>1,500,000</u>
Beginning construction date: <u>August 2015</u>
Estimated or actual completion date: <u>August 2016</u>
Assessment year for which exemption is being claimed: <u>2017</u>
Exemption Schedule (3, 5, or 10 years): <u>10 year</u>

5. **Property Owner:** WS Properties, LLC

Business: _____

Address: 3505 Lincoln Way Suite 102 Ames, IA 50010
(Street) (City) (State) (Zip)

Telephone: _____ 515-292-7777 515-290-7007
(Home) (Business) (Fax) Cell ☐

Effective Date: March 25, 2013

I (We) certify that I (we) have submitted all the required information to apply for approval of the Urban Revitalization Program and that the information is factual.

Signed by:  Date: 1/30/17
Property Owner(s)

Chuck Winkleblack
Print Name

(Note: No other signature may be substituted for the Property Owner's Signature.)

Urban Revitalization Program Application Form

(This form must be filled out completely before your application will be accepted.)

- 1. **Property Address:** 3505 Lincoln Way, suites 102, 103, 104 and 105
- 2. **Property Identification Number (Geocode):** 09-05-451-244
- 3. **Legal Description** (attach, if lengthy): see attached

4. **Description of Improvements:**

Established Urban Revitalization Areas

- Downtown
- Campustown
- East University Impacted
- North Sheldon
- South Lincoln

Urban Revitalization Policy Areas

- Southeast 16th Street Address _____
- Other Commercial Area Address 3505 Lincoln Way
- University Impacted Area – West Address _____

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Improvement costs: \$ <u>1,100,000</u>
Beginning construction date: <u>August 2015</u>
Estimated or actual completion date: <u>partial - Oct 16</u>
Assessment year for which exemption is being claimed: <u>2017</u>
Exemption Schedule (3, 5, or 10 years): <u>10 year</u>

5. **Property Owner:** TPM Properties LLC

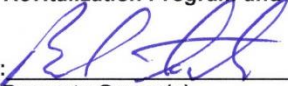
Business: _____

Address: 3505 Lincoln Way Suite 102 Ames, IA 50010
(Street) (City) (State) (Zip)

Telephone: N/A 515-292-7777 515-290-4104
(Home) (Business) (Fax) Cell

Effective Date: March 25, 2013

I (We) certify that I (we) have submitted all the required information to apply for approval of the Urban Revitalization Program and that the information is factual.

Signed by:  Date: 1/30/17
Property Owner(s)

Brad Stehr
Print Name

(Note: No other signature may be substituted for the Property Owner's Signature.)

Urban Revitalization Program Application Form

(This form must be filled out completely before your application will be accepted.)

- 1. **Property Address:** 3515 Lincoln Way
- 2. **Property Identification Number (Geocode):** 09-05-451-248
- 3. **Legal Description** (attach, if lengthy): Parcel A Walnut Ridge SD 1st ADD
lots 1+2 + E 93.74' Alley in Edgewood 5th ADD Slide 521 pg 6
- 4. **Description of Improvements:**

Established Urban Revitalization Areas

- Downtown
- Campustown
- East University Impacted
- North Sheldon
- South Lincoln

Walnut Ridge Mixed Use

Urban Revitalization Policy Areas

- Southeast 16th Street Address _____
- Other Commercial Area Address 3515 Lincoln Way
- University Impacted Area – West Address _____

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CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

Improvement costs: \$	<u>2,250,000</u>
Beginning construction date:	<u>11/16/15</u>
Estimated or actual completion date:	<u>11/4/16</u>
Assessment year for which exemption is being claimed:	<u>2017</u>
Exemption Schedule (3, 5, or 10 years):	<u>10 years</u>

- 5. **Property Owner:** Turn Key Investments LLC
- Business:** Contact: Chuck Winklerblack
- Address:** 125 S 16th St Ames Ia 50010
(Street) (City) (State) (Zip)
- Telephone:** 515-290-7007 515-239-8606 515-233-5821
(Home) (Business) (Fax)

Effective Date: March 25, 2013

I (We) certify that I (we) have submitted all the required information to apply for approval of the Urban Revitalization Program and that the information is factual.

Signed by:  Date: Dec 30, 16
Property Owner(s)

Chuck Winkler
Print Name

(Note: No other signature may be substituted for the Property Owner's Signature.)

COUNCIL ACTION FORM

SUBJECT: IOWA CLEAN AIR ATTAINMENT PROGRAM (ICAAP) GRANT APPLICATION FOR AMES TRAFFIC NETWORK MASTERPLAN

BACKGROUND:

This project is shown in the 2016/17 Capital Improvements Plan (CIP) under the Intelligent Transportation System (ITS) Program. In the 2040 Ames Area Long Range Transportation Plan (LRTP), which was effective starting October 12, 2015, one of the highest priorities is establishing corridors that utilize traffic adaptive signal systems. In preparation for these projects, there needs to be an evaluation of the current traffic communication network. Therefore, a traffic network master plan will create a detailed inventory and evaluation of the communication network used along the City's signalized corridors. This plan will then identify the upgrades necessary to support the modern technologies used to manage transportation.

The Iowa Department of Transportation (Iowa DOT) administers grants through the Iowa Clean Air Attainment Program (ICAAP) program that provides \$4 million annually to fund projects with the highest potential for reducing transportation-related congestion and air pollution. There is a minimum requirement of 20% in local matching funds, which for this project would be approximate \$20,000, leaving \$80,000 to be funded by the Iowa DOT (total project cost is \$100,000). The CIP shows \$124,000 in Road use Tax funding to be used for providing the local match for this study and for the Systems Engineering Analysis.

ALTERNATIVES:

1. Accept the ICAAP grant for the Ames Traffic Network Master Plan study up to the maximum amount equaling 80% of the total estimated eligible project costs, and provide official certification in the form of a resolution to commit the necessary local matching funds for the project of 20% equaling \$20,000.
2. Do not accept this grant.

MANAGER'S RECOMMENDED ACTION:

ICAAP grant funding is critical to the funding of this study, which will help identify the communication network needed to make the Ames transportation network ready for future technologies and innovations. These technologies will ultimately relieve traffic congestion and reducing pollution along all major arterial corridors within the City.

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

COUNCIL ACTION FORM

SUBJECT: GRANT AVENUE PAVING PROJECT

BACKGROUND:

The City fronted the costs for paving the gravel portion of Grant Avenue (now Hyde Avenue) from Hyde Avenue north to West 190th Street. Street construction costs were to be shared among the three developers and the City, and the Developer's portion of the costs were to be recovered through the special assessment process after the construction was done. The Pre-Annexation Agreements approved by the City Council on December 30, 2013, and signed by the three developers (Rose Prairie, Quarry Estates, and Hunziker Land Development Co.) confirmed that financing arrangement. Each Pre-Annexation Agreement included a Special Assessment Contract and Waiver executed by the respective developers. Pursuant to that contract, each Developer agreed to waive, agree or consent to specific components of the special assessment process found at *Iowa Code* Section 384, as follows:

1. Waiver of the Notice to property owners by publication and mailing;
2. Waiver of the right to a hearing on the making of the improvement, the cost of the Project, the assessment, and the final adoption of the Resolution of Necessity;
3. Consent to the adoption of a Preliminary Resolution, a plat, schedule of assessments and cost estimate, and Resolution of Necessity;
4. Waiver of any objections to the Project, its boundaries, its costs, the valuation of any lot, the assessment against any lot, or the final adoption of the Resolution of Necessity;
5. Agreement that the amount and proportion of the cost of the construction of the Project would constitute assessments against the respective properties and that the assessments would be paid by the developers within the time provided by law for the payment of special assessments for such improvement;
6. Waiver of the right to request deferment for agricultural land;
7. Waiver of the limitation that an assessment may not exceed 25% of the value of the lot;
8. Waiver of Notice to property owners by public and mailing relating to the Notice to Certification to the County Auditor of the Final Schedule of Assessments;

9. Provide warranties that the real estate was free and clear of all liens and encumbrances;
10. Agreed to subordinate the sale of any part of the property to the terms of the Agreement; and
11. Agreed to pay the assessed amounts if the Project or Assessment is declared in whole or in part invalid or beyond the City's authority.

The Paving Project was bid on May 6, 2015, and a contract with Manatt's, Inc., of Brooklyn, Iowa, was approved on May 26, 2015. On January 24, 2017, the City Council accepted the roadway construction as complete in the amount of \$2,690,709.35. Engineering, Administration, and Acquisition costs were \$338,340.44, bringing the total roadway costs to \$3,029,049.79. The project assessment also needs to include installation of street lighting, which had final costs of \$79,544.20. **This brings total final assessment costs to \$3,108,593.99.**

The Developer's Agreement calls out for the Project is to be split as shown below:

Rose Prairie	37%	\$1,150,179.77
Hunziker	23%	\$714,976.62
City	23%	\$714,976.62
Quarry Estates	<u>17%</u>	<u>\$528,460.98</u>
	100%	\$3,108,593.99

The items associated with this Council Action Form are the final steps before applying the assessments to the property owners included in the final schedule (Exhibit A).

ALTERNATIVES:

1. Approve the Preliminary Resolution, the Resolution of Necessity, and the Resolution adopting the plat and final assessment schedule and amending, confirming, and levying assessments for the Grant Avenue (now known as Hyde Avenue) Paving Project.
2. Direct staff to pursue modifications to the project.

MANAGER'S RECOMMENDED ACTION:

By approving Alternative No. 1, the property assessments as outlined on the final schedule (Exhibit A) can be applied to the respective properties.

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

**Grant Avenue Paving Assessment
Hyde Avenue to W 190th Street
Schedule A**

	Name and Address	Legal Description	Assessment	Percent of Cost
1	Sansgaard Group, LLC 1529 Broad Street Story City, Iowa 50248 Successor Diligent Rose Prairie, LLC 12119 Stratford Drive Suite B Clive, Iowa 50325	Rose Prairie Final Plat, Lot 2, Story County, Iowa Address: 5571 Grant Ave (05-21-200-150)	\$1,119,093.83	36
2	Sansgaard Group, LLC 1529 Broad Street Story City, Iowa 50248 Successor Diligent Rose Prairie, LLC 12119 Stratford Drive Suite B Clive, Iowa 50325	Rose Prairie Final Plat, Outlot X, Story County, Iowa Address: 4397 Grant Ave (05-21-400-001)	\$31,085.94	1
3	Hunziker, Erben & Margaret Hunziker Apartmenst LLC 105 S 16 th St Ames, IA 50010-8009	S ½ SE Ex Parcel 'D', Slide 10 Pg 3 % Ex RR ROW, Story County, Iowa Address: 4397 Grant Ave (05-21-400-310)	\$621,718.80	20
4	Hunziker Land Development Co LLC 105 S 16 th St Ames, IA 50010-8094	S ½ BG 540.9' NW ¼ CR NE 510.4' NE 648.2' NE 479.6' W 1479.9' S 557.4' to Beginning, Story County, Iowa Address: Franklin Township (05-22-100-320)	\$93,257.82	3
5	Quarry Estates LLC 100 6 th St Ames, IA 50010-6338	Parcel "L" in the North Half (N ½) of Section 22, Township 84 North, Range 24 West of the 5th P.M., Story County, Iowa; as shown on the Plat of Survey filed in the Office of the Recorder of Story County, Iowa on January 17, 2012 and recorded as Instrument # 2012- 00000476. Contains 84.46 gross acres Address: 904 W. 190 th Street (05-22-100-100)	\$528,460.98	17
6	City of Ames 515 Clark Ave Ames, IA 50010-6135	Parcel 'J' NW, Slide 112 Pg 3, Ames, Iowa Address: 5300 Grant Ave (05-22-100-340)	\$466,289.10	15

**Grant Avenue Paving Assessment
Hyde Avenue to W 190th Street
Schedule A**

7	City of Ames 515 Clark Ave Ames, IA 50010-6135	Section 22, Township 84 Range 24, NW, SW, Ames, Iowa <u>Address:</u> 5000 Grant Ave (05-22-300-100)	\$248,687.52	8
			\$3,108,593.99	100.0

COUNCIL ACTION FORM

**SUBJECT: 2015/16 SANITARY SEWER REHABILITATION
(SANITARY SEWER LINING)**

BACKGROUND:

The ability of the sanitary sewer system to convey wastewater well into the future is dependent on the removal of the current large amount of infiltration and inflow (I&I, or I/I) in the system that occurs during wet weather. In order to minimize the need for costly expansions to the City's Water Pollution Control (WPC) facility, as well as to convey flows from new development as the City grows, the City must work to reduce the overall I/I in the system.

In 2012 the City began a Sanitary Sewer System Evaluation that included a comprehensive and systematic evaluation for identifying the defects that could contribute I/I across the entire, City-wide sanitary sewer system. This evaluation data collection is complete and it is evident that there are over \$25 million worth of immediate structural improvements needed in the sanitary sewer system.

Current and future CIP projects for the sanitary sewer system are based on the results of this evaluation. Work includes rehabilitation such as the lining of existing mains or spray lining of existing structures, as well as complete removal and replacement of structures and sanitary sewer mains. These projects were shown in the CIP beginning in 2014/15. Funding comes from the State Revolving Fund (SRF) in the amount of \$3,470,000 for each year with an annual increase of 5% for inflation. Repayment of the SRF loans will be from revenues generated in the Sanitary Sewer Fund.

On September 13, 2016 meeting, City Council approved the engineering services agreement with WHKS & Company of Mason City, Iowa to complete sanitary sewer rehabilitation design with funding from a SRF Planning and Design Loan for \$350,000 approved by City Council in August 2016.

This is the third rehabilitation project and was selected to have an immediate impact by removing Inflow & Infiltration (I&I) in sewer mains that are older and installed with non-sealed joints, the industry standard at the time. By eliminating I&I in these mains, the sanitary sewer system will regain some capacity. Items of work in the contract include point repairs, cured-in-place lining of the existing mains. These rehabilitation methods minimize the impact to residents and will reduce the amount of clean water that enters the system, thus reducing the amount of water needing treatment at the plant.

Revenue and expenses associated with this program are estimated as follows:

	Available Revenue	Estimated Expenses
State Revolving Funds	\$ 3,270,000	
2015/16 Sanitary Sewer Rehab (Sanitary Sewer Lining)		\$2,519,000
Engineering/Administration		\$500,000
	<hr/>	<hr/>
	\$ 3,270,000	\$3,019,000

ALTERNATIVES:

1. Approve the 2015/16 Sanitary Sewer Rehabilitation (Sanitary Sewer Lining) by establishing March 22, 2017, as the date of letting and March 28, 2017, as the date for report of bids.
2. Direct staff to revise the project.

MANAGER'S RECOMMENDED ACTION:

This project represents City Council's commitment to improve the sanitary sewer system. This is the third of several large projects that will have an immediate impact by removing Inflow & Infiltration to regain valuable capacity in the City's existing sanitary sewer mains.

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

COUNCIL ACTION FORM

SUBJECT: AMES MUNICIPAL CEMETERY WATER SERVICE LINE REPLACEMENT

BACKGROUND:

This program provides funding to enhance the physical appearance and services at the Cemetery. The five-year program for restoration and improvement of the cemetery driving lanes and water service lines began in 2011/12. The water service line and final lane paving is expected to be complete in the spring of 2017.

This project will replace the existing galvanized water services lines within the Municipal Cemetery. Several breaks have occurred in recent years. In the summer of 2016, a significant break occurred that greatly reduced the volume and availability to provide water in a large portion of the cemetery. Staff placed additional signage directing Cemetery customers to the available water locations. This new water service line will be constructed of a more durable material and feature self closing, easy to operate faucet locations across the Cemetery.

Staff has completed plans and specifications with estimated project costs of \$67,000. Funding is identified in the 2016/17 Capital Improvements Program in the amount of \$70,000.

ALTERNATIVES:

1. Approve the Ames Municipal Cemetery Water Service Line Replacement Project by establishing March 22, 2017, as the date of letting and March 28, 2017, as the date for report of bids.
2. Do not proceed with this project.

MANAGER'S RECOMMENDED ACTION:

By approving plans and specifications and setting the letting date, it will be possible to move forward with the water service line replacement prior to Memorial Day in 2017.

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

COUNCIL ACTION FORM

**SUBJECT: 2017/18 PAVEMENT RESTORATION PROGRAM – CONTRACT 1:
CONCRETE JOINT REPAIR PROGRAM**

BACKGROUND:

This is an annual program for preventative and proactive maintenance activities on City streets. This program allows for a wide variety of pavement maintenance techniques to preserve and enhance City street infrastructure. The techniques in this program are typically more specialized or larger in scope than can be performed with City street maintenance staff. The goal of projects in this program will be to repair and extend the lifespan of the City streets

This project will focus on repairing joints in existing concrete streets that are experiencing rapid deterioration from freeze thaw cycles in the winter months. **13th Street from Hyland Avenue to east of the Union Pacific Railroad overhead bridge and Hyland Avenue south to Ross Road have been identified as this year's locations.** Ontario Street, 13th Street, and Hyland Avenue will all need to close to traffic at various times while repair work occurs. The repair work is being separated into 3 stages to minimize the effect on traffic. Any traffic detours are anticipated to be a day or less in duration. It is anticipated that all work will be complete within 4 to 5 days. Work will be coordinated with other local projects to minimize traffic disruptions.

Staff has completed plans and specifications with estimated project costs for Contract 1 of \$83,072. Funding is identified in the 2017/18 Capital Improvements Program in the amount of \$250,000 fro Road Use Tax. The table below shows anticipated program costs and funding.

	Project Costs	Funding
Contract 1: Concrete Joint Repairs (this action)	\$ 83,072	
Contract 2: Slurry Seal Program	\$147,412	
2017/18 Pavement Restoration CIP		<u>\$250,000</u>
	\$230,484	\$250,000

Left over funding will be utilized for other pavement restoration priorities across the City.

ALTERNATIVES:

1. Approve the 2017/18 Pavement Restoration Program Contract 1: Concrete Joint Repair Program by establishing March 22, 2017, as the date of letting and March 28, 2017, as the date for report of bids.
2. Do not proceed with this project.

MANAGER'S RECOMMENDED ACTION:

By approving plans and specifications and setting the letting date, it will be possible to take advantage of the current favorable bidding environment and move forward with the joint repair before the winter of 2017.

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

COUNCIL ACTION FORM

**SUBJECT: 2017/18 PAVEMENT RESTORATION PROGRAM – CONTRACT 2:
SLURRY SEAL PROGRAM**

BACKGROUND:

This is an annual program for preventative and proactive maintenance activities on City streets. This program allows for a wide variety of pavement maintenance techniques to preserve and enhance City street infrastructure. The techniques in this program are typically more specialized or larger in scope than can be performed with City street maintenance staff. The goal of projects in this program will be to repair and extend the lifespan of the City streets

This Slurry Seal Program will level dips in joints and provided a new thin wearing surface for traffic. This work will take place predominately in residential areas. Work in all locations will be coordinated with other local projects to minimize traffic disruptions.

Staff has completed plans and specifications for Contract 2 with estimated project costs of \$147,412. Funding is identified in the 2017/18 Capital Improvements Program in the amount of \$250,000 from Road Use Tax. The table below shows anticipated program costs and funding.

	Project Costs	Funding
Contract 1: Concrete Joint Repairs	\$ 83,072	
Contract 2: Slurry Seal Program (this action)	\$147,412	
2017/18 Pavement Restoration CIP		<u>\$250,000</u>
	\$230,484	\$250,000

Left over funding will be utilized for other pavement restoration priorities across the City.

ALTERNATIVES:

1. Approve the 2017/18 Pavement Restoration Program Contract 2: Slurry Seal Program by establishing March 22, 2017, as the date of letting and March 28, 2017, as the date for report of bids.
2. Do not proceed with this project.

MANAGER'S RECOMMENDED ACTION:

By approving plans and specifications and setting the letting date, it will be possible to move forward with the street rehabilitation before the winter of 2017.

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

COUNCIL ACTION FORM

SUBJECT: 2015/16 & 2016/17 SEAL COAT STREET PAVEMENT IMPROVEMENTS (E. 14TH STREET, GABLE LANE, S. 2ND STREET, S. MAPLE AVE)

BACKGROUND:

The Seal Coat Street Pavement Improvements is the annual program for removal of built-up seal coat from streets with asphalt surface. This program restores surface texture, corrects structural deficiencies, removes built-up seal coat, and prevents deterioration of various streets. This resurfacing process results in better riding surfaces, increased safety with improved surface texture, and increased life expectancy of streets. Built-up seal coat on streets causes excess crown which results in vehicles dragging at driveway entrances. Complete removal of this built-up seal coat allows for repair to curb and gutter and placement of 4" of asphalt surface.

The locations for this project include E. 14th Street (Duff Avenue to Meadowlane Avenue), Gable Lane (Ash Avenue to Gray Avenue), S 2nd Street (S Hazel Avenue to S Oak Avenue), and S Maple Avenue (S 2nd Street to Lincoln Way).

Staff has completed plans and specifications for this contract with a total estimated Engineering and construction cost of \$1,329,727. Water main work along the 100, 200, and 300 blocks of S. Maple Avenue have been included as add alternates to the project. This additional work has total estimated construction costs of \$111,135.00, \$97,367.50, and \$92,550.00, respectively by block. Because these are add alternates, the expenses are not reflected in the total expenses shown below. They will be added only if funding allows.

The table on the following page summarizes the funding sources and distribution for this project.

<i>Program Funding Summary</i>	<u>E. 14th, Gable, S. 2nd, S. Maple</u>
2015/16 & 2016/17 Seal Coat Street Pavement Improvements	
G.O. Bonds	\$ 328,302.00
Road Use Tax Funds	\$ 714,993.00
2013/14 Storm Sewer Improvements	
Storm Sewer Utility Fund	\$ 100,000.00
2016/17 Water System Improvements	
Water Utility Fund	\$ 75,000.00
2015/16 Neighborhood Curb Replacement	
Road Use Tax Funds	\$ 75,000.00
2016/17 Neighborhood Curb Replacement	
Road Use Tax Funds	\$ 75,000.00
2017/18 Neighborhood Curb Replacement	
Road Use Tax Funds	\$ 75,000.00
Total Funding	\$ 1,443,295.00
<i>Program Expense Summary</i>	
Engineering & Contract Administration (estimated)	\$ 173,442.61
Base Bid Construction Costs	\$ 1,156,284.05
Total Expenses	\$ 1,329,726.66

ALTERNATIVES:

1. Approve the plans and specifications for the 2015/16 & 2016/17 Seal Coat Street Pavement Improvements Program (E. 14th Street, Gable Lane, S. 2nd Street, S. Maple Ave) project and establish March 22, 2017, as the date of letting and March 28, 2017, as the date for report of bids.
2. Do not approve this project.

MANAGER'S RECOMMENDED ACTION:

The combining of these programs is intended to minimize the inconvenience to area residents by consolidating these projects into one construction season. In addition, this strategy should provide cost savings to the City by minimizing patching costs related to the water main and storm sewer work. By approving these plans and specifications, it will be possible to improve the reliability of the water system and to improve both water quality and street quality for our citizens in this area.

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

COUNCIL ACTION FORM

SUBJECT: 2015/16 LOW POINT DRAINAGE IMPROVEMENTS (WESTWOOD DR)

BACKGROUND:

The Low Point Drainage Improvements is the annual program for drainage improvements to decrease flooding at low points. Low point drainage improvements are not focused on residential street locations, but rather on those locations most in need of the improvements as affected by standing water, flooding, and insufficient pipe capacity. The program identifies core locations for improvements each year. **The location for this project is the 400 block of Westwood Drive.**

Staff has completed plans and specifications for this contract with a total estimated construction cost of \$76,680. Engineering and construction administration costs are estimated at \$11,502, bringing the **total estimated cost for the project to \$88,182.**

This Low Point Drainage Improvement is shown in the 2015/16 Capital Improvements Plan with **funding in the amount of \$150,000** in Storm Sewer Utility Funds.

Staff has met with the affected property owner to receive input on the project design and access. The main comment incorporated into the project design was to make the affected area as easy to maintain as possible after the project. Site constraints limited the options available to achieve this goal, however, the design of the proposed grading and the choice of a woodland seed mix should lead to a manageable area.

ALTERNATIVES:

1. Approve the plans and specifications for the 2015/16 Low Point Drainage Improvements (Westwood Dr) project and establish March 22, 2017, as the date of letting and March 28, 2017, as the date for report of bids.
2. Do not approve this project.

MANAGER'S RECOMMENDED ACTION:

By approving these plans and specifications, it will be possible to re-establish a healthy drainage conveyance and stabilize the channel to prevent erosion from migrating closer to the homes in this area.

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

COUNCIL ACTION FORM

SUBJECT: AWARD CONTRACT FOR 15kV 1/0 STRANDED ALUMINUM CABLE FOR THE ELECTRIC SERVICES DEPARTMENT

BACKGROUND:

This bid is for the purchase of 30,000 feet of 15kV 1/0 stranded aluminum cable to replenish inventory for the Electric Services Department. Cable of this type is kept on hand in order to ensure availability for the needs of the department. Typically, this cable is used to provide service for commercial and residential applications and is necessary to meet the anticipated needs of the Electric Services Department for new construction and maintenance projects.

On February 14, 2017, an invitation to bid (ITB) was issued to 51 vendors. The ITB was advertised on the Current Bid Opportunities section of the Purchasing webpage.

On February 23, 2017, three bids were received as shown below:

BIDDER	TOTAL COST
Wesco Distribution, Des Moines, IA	\$73,188.00
RESCO, Ankeny, IA	\$78,324.00
Border States, Sioux Falls, SD	Non-responsive

Staff reviewed the bids and concluded that the apparent low bid in the amount of \$73,188.00 (inclusive of Iowa sales tax) submitted by Wesco, is acceptable. The non-responsive bidder took exception to the specifications and offered unacceptable manufacturers' product per the specifications provided in the bid documents.

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

There is not a budget line item assigned for the purchase of this material. Once purchased, the cable will be placed into inventory and charged out to individual projects as needed.

ALTERNATIVES:

1. Award a contract to Wesco, Des Moines, IA., for the purchase of Electric Services aluminum cable in accordance with bid in the amount of \$73,188.00 (inclusive of Iowa sales tax), subject to metals adjustment at time of order.
2. Reject all bids and attempt to purchase aluminum cable on an as needed basis.

MANAGER'S RECOMMENDED ACTION:

It is important to purchase aluminum cable at the lowest possible cost with minimal risk to the City. It is also imperative to have aluminum cable available to meet department's needs for commercial and residential application. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

BID TABULATION RFQ #2017-115				WESCO		RESCO		BORDER STATES		MCMULLEN-NIEMANN & ASSOC.		KRIZ-DAVIS CO.		FLETCHER-REINHARDT CO.	
Line Item Number	Description	Qty	UOM	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
Item 1	CABLE, ALUM 1/0, 220 MIL, JACKETED, 15KV CITY STOCK # 880 002 04067 1/0 STRAND FILLED, 220 MIL CABLE, 1/0 STRANDED ALUMINUM, CONCENTRIC 15 KV, 220 MIL EPR INSULATION, FULL SIZE UNCOATED COPPER NEUTRAL, WITH OVER-ALL INSULATING JACKET. PER CITY OF AMES SPEC URD-EPR_lcc_11-15-11. MUST ALSO CONFORM TO LATEST NESC REQUIREMENTS FOR MARKING. TO BE PACKAGED ON NON-RETURNABLE REELS OF 2500 FT EACH. CERTIFIED TEST REPORTS ARE REQUIRED. COMPLETE MANUFACTURER'S SPECS SHALL BE PROVIDED WITH QUOTATIONS. ACCEPTABLE SUPPLIERS ARE OKONITE AND KERITE. CME NOT AN APPROVED MANUFACTURER PERLYNDON COOK ON 07/09/2013.	30000	FT	2.2800	68,400.0000	2.4400	73,200.0000	2.1500	64,500.0000	NO	NO	NO	NO	NO	NO
MANUFACTURER				OKONITE		KERITE		GENERAL CABLE							
PART #				163-23-3072		111F15-K1200		1/0 501 220M EPR 16#14							
SUBTOTAL				68,400.0000		73,200.0000				NO QUOTE		NO QUOTE		NO QUOTE	
SALES AND/OR USE TAX ON ABOVE MATERIALS (7% IF LICENSED TO PAY IOWA SALES TAX)				4,788.0000		5,124.0000									
TOTAL				73,188.0000		78,324.0000									
LEAD TIME				4 WEEKS		9 WEEKS									
NOTE				PRICE IS FIRM EXCEPT FOR METALS ESCALATION/DE-ESCALATION BASED ON COPPER AT \$2.716/LB. AND ALUMINUM AT \$.92826/LB. PRICE CAN BE FIRMED UP ON DAY OF ORDER AND BEFORE ORDERING IF PREFERRED.		KERITE TERMS PROVIDED, AND WILL BE USED FOR PRICING.		NON-RESPONSIVE							

COUNCIL ACTION FORM

SUBJECT: CERAM CORE PIPE FOR POWER PLANT

BACKGROUND:

Ceram Core Pipe is used to convey the abrasive bottom ash produced in each of the power plant boilers to the Ash Pond. There are currently about 3,300 feet of Ceram Core pipe starting at the basement of the Power Plant and ending at the Ash Pond located about a half mile east of the Power Plant. The Power Plant currently needs to replace 290 feet of damaged pipe (along with four elbows) and desires to maintain an additional 360 feet for spare material in case of emergencies.

The Power Plant has tested other pipe in the past and found they do not mate well with the existing piping, causing leaks in the joints and excessive wear. The Plant has also found that other pipe is not as durable as the Ceram Core Pipe, wearing out at a much quicker rate.

In order to take advantage of this preferred material, staff is requesting that the City Council waive the City's purchasing policies requiring competitive bids, and award this contract to Fluid Technology Corporation, Des Moines, IA in the amount of \$111,722.00 (inclusive of Iowa sales tax).

Funding is available from the approved FY2016/17 Electric Production operating budget which contains \$133,000 for replacing existing Ceram Core piping.

ALTERNATIVES:

1. Waive the purchasing policy requirement for competitive bidding for the Ceram Core pipe and award a contract to Fluid Technology Corporation, Des Moines, IA, in the amount of \$111,722.00 (inclusive of Iowa sales tax).
2. Solicit bids and purchase the necessary pipe from another vendor.
3. Continue operating with failing, old pipe and make another attempt to secure competitive bids for comparable pipe with replacement at a future date.

MANAGER'S RECOMMENDED ACTION:

Purchase of this Ceram Core pipe insures reliable performance for the Power Plant. The Plant will not be able to run without the ability to remove the bottom ash. Purchasing this pipe will allow the plant to replace old, failing sections of the pipe, operate with a known, reliable piping, and have spare inventory to quickly repair unforeseen failures. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

COUNCIL ACTION FORM

SUBJECT: REALLOCATION OF CAPITAL IMPROVEMENTS PLAN FUNDS FROM NORTHWOOD LIFT STATION TO EAST 30 LIFT STATION

BACKGROUND:

East 30 Lift Station Force Main Project

During the construction of improvements to the East 30 lift station project, new factory tested pumps did not achieve the designed flow rates when they were installed in the field. The pumps discharge into an existing force main installed in the 1950s that ties the lift station back to the gravity sewer in the Youth Sports Complex. The engineering consultant for the project conducted some investigations and determined a possible blockage of the force main as the likely cause of the poor pump performance.

In 1994 when the Dayton Avenue overpass was installed, a portion of the force main was replaced. However, over 1,760 feet of original force main under the South Skunk River remains in place. The cost to televise the old portion of the force main was estimated at over \$45,000. Additionally, high hydrogen sulfide levels recorded in the manhole indicate that corrosion of the force main is likely occurring and staff has concerns that jetting the line could cause a rupture which would result in an emergency repair.

An engineering estimate to replace the force main is \$150,000. Staff investigated the possibility of utilizing the same State Revolving Fund (SRF) loan used for the East 30 Lift Station improvements as a source of funding; but this would exceed the authorized maximum dollar amount of the loan and would result in increased costs to modify the loan. While the pumps are not operating efficiently and are outside the recommended operating range, they are still functioning and the force main has remained in service.

Because of the inefficient pump performance and the likelihood for a deteriorating force main, staff prefers to address the issue proactively instead of waiting for an emergency failure of the force main. However, no funds have been appropriated for this project. One way to address this funding issue without impacting the Sewer fund balance is to reallocate the funds budgeted for the Northwood Lift Station Project to the East 30 Lift Station Force Main Project.

Northwood Lift Station Project

The FY 2015/16 Capital Improvements Plan included a project to perform a routine equipment replacement at the Northwood Lift Station. This lift station has functioned reliably for years with a single pump and the proposed equipment replacement retained

the same design. **Staff has attempted to obtain a construction permit from the Iowa Department of Natural Resources (IDNR) for the equipment replacement, but was told that a permit could not be issued. Current IDNR design standards require redundant pumps to provide a backup should one pump fail. The existing lift station cannot accommodate two pumps without substantial modification.**

Enlarging the existing wet well would require significant cost to the City due to the location of the wet well (in a sidewalk and along a steep embankment). The existing single pump design has dependably served 11 properties and staff has a backup pump in stock should there be an issue. **Because of the unanticipated cost, staff is recommending this project be tabled until the wet well has reached the end of its useful life or a more cost effective retrofit solution can be found that would be permitted by IDNR.**

ALTERNATIVES:

1. Authorize the reallocation of \$212,000 from the Northwood Lift Station CIP project for replacement of the East 30 Lift Station Force Main Project.
2. Do not reallocate CIP funds to this project at this time and thereby delay any improvements to the force main.

CITY MANAGER’S RECOMMENDED ACTION:

The Northwood Lift Station has been operating with one pump without issue since it started operation in the 1970s. The equipment replacement planned by staff would have triggered IDNR requirements for a more comprehensive rebuild of the station than was budgeted. Staff has determined that it isn’t cost effective to replace the wet well until it shows signs of deterioration and have tabled improvements of this lift station at this time.

The East 30 Lift Station force main serves a significant area near Dayton Avenue including many hotels and businesses. A number of factors are pointing to a deterioration of the force main serving that station. Utilizing funds from the Northwood Lift Station Project to replace the East 30 Lift Station force main would allow this unanticipated repair to proceed without impacting the Sewer Fund balance. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as stated above.



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MEMO

To: Mayor and Members of the City Council

From: City Clerk's Office

Date: February 24, 2017

Subject: Contract and Bond Approval

There are no Council Action Forms for Item Nos. 26 and 27 . Council approval of the contract and bond for these projects is simply fulfilling a *State Code* requirement.

/jr

COUNCIL ACTION FORM

SUBJECT: POWER PLANT FUEL CONVERSION – DISTRIBUTED CONTROL SYSTEM (DCS) - 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 March 10, 2015, City Council awarded a contract to Emerson Process Management Power & Water Solutions, Inc., Pittsburgh, PA, for the Distributed Control System (DCS) in the amount of \$1,595,000.

The action being requested is to approve Change Order No. 4 to the Distributed Control System Contract and the transfer of monies from the Electric Fund balance to increase the contingency for the Power Plant Conversion Project.

Description of Change Order No. 4:

This Change Order is to provide additional Field Service support for the installation, testing, troubleshooting, and startup of Emerson's Ovation distributed control system (DCS), and also to adjust and modify (tune) the DCS to optimize the performance of the units while burning natural gas and co-firing refuse derived fuel (RDF). Emerson's bid proposal allotted (72) days of Technical Direction time, \$14,250 of expenses, and (6) round trips, plus (22) days of Boiler Tuning time, \$10,000 of expenses, and (4) round trips.

Power plant conversions to switch fuels, in the case of coal to natural gas, typically consists of constructing the gas piping infrastructure and installing the control equipment necessary to bring natural gas into the plant, along with changing out the boiler's coal combustion equipment and replacing it with natural gas combustion equipment. The allotted time/expenses in Emerson's bid proposal appeared adequate for this level of work.

However, staff has found that the City's project is much, much more complex than that. As part of our project to convert the City of Ames Steam Electric Plant (Units 7 & 8) from coal to natural gas, the City additionally and concurrently developed and installed a new distributed control system (DCS), built a new control room and DCS equipment room, and retrofitted the turbine-generators with digital controls and excitation systems (plus installed a new steam seal regulating system for Unit 8). In addition to all that, the City took eight (8) other power plant systems controlled by programmable logic controllers

(PLCs) and converted them to be controlled by the DCS. These PLC systems had been developed “in house” and were not well documented; in some cases not at all, and the personnel who either had developed or had key knowledge of the systems were no longer available.

In order to successfully start-up, test, and tune the natural gas delivery system and the boiler combustion equipment, the DCS system and the turbine-generator controls and excitation systems must operate in an integrated and synchronous way with the boiler(s). To get to the point where the boilers, the turbine-generators, the DCS, (along with the other systems), operate well together, requires a tremendous amount of coordinated effort to complete literally thousands of equipment and system checks, including troubleshooting and correcting problems along the way. Adding to this challenge was the testing and tuning to optimize the burning of RDF, which the City’s Steam Electric Plant is believed to be the only Power Plant in the United States to co-fire RDF with natural gas.

As such, an additional \$326,067.31 is needed in this change order to pay for the extra Technical Direction time required to bridge the gap between the DCS system and the 8 systems which were converted. Also, a greater amount of Boiler Tuning time was needed due to the complexities of burning RDF with the natural gas.

CHANGE ORDER HISTORY:

Three change orders have previously been issued for this project.

Change Order No. 1 for \$39,377.00 was for Emerson to provide engineering, hardware, software, and on-site technical direction associated with adding the new Well #3 RTU I/O, the Bottom Ash Operator Workstation, and the RFD Operator Workstation.

Change Order No. 2 for \$12,611 was for Emerson to supply, install, and configure five pulse accumulator modules.

Change Order No. 3 for \$0 was for clarifying that the equipment purchased under this contract is considered personal tangible property, and is therefore exempt from Iowa sales tax.

The total cost of all change orders, including this Change Order (No. 4), is \$378,055.31.

PROJECT COST HISTORY:

The Engineer’s estimate of the cost for this portion of the Power Plant Conversion Project was \$1,161,000. The original contract for this work came in at \$1,543,012. With this change order, the total cost for the Distributed Control System Contract will increase to \$1,973,055.31.

Overall, the total project dollar amount committed to date (inclusive of this Change Order No. 4) is \$18,285,326.33. The current approved Capital Improvements Plan includes \$18,112,011 for the Unit 7 and Unit 8 fuel conversion project.

This Change Order will cause the existing project budget to go negative by \$173,316. To cover this shortfall, and to maintain a small balance to cover a few remaining Change Orders, staff recommends the following utilizing the \$361,000 of replacement funds that were accumulated for a coal dozer, front end loader, and water truck, which are no longer needed due to the conversion of the Power Plant to natural gas. These accumulated funds were recently added to the balance in the Electric Fund and are available for re-appropriation.

Therefore, with the approval of this change order staff is recommending that the \$361,000 be transferred to this project budget. The proposed new project budget starts on page 4 of this Council Action Form.

Going forward, staff anticipates a few additional change orders. Most contracts with the contractors regarding the conversion project are done and awaiting retainage payments or closed completely. There is some work yet to be done in the control room, and some additional tuning of the boiler is needed to improve the boiler operation with RDF. Staff expects the remaining project balance to cover this future work.

ALTERNATIVES:

- 1a. Approve the transfer of \$361,000 from the available balance in the Electric Fund to the Power Plant Conversion project.
- 1b. Approve contract Change Order No. 4 with Emerson Process Management Power & Water Solutions, Inc., Pittsburgh, PA, for the Distributed Control System in the amount of \$326,067.31.
2. Reject contract Change Order No. 4.

MANAGER'S RECOMMENDED ACTION:

The Power Plant's existing Distributed Control System was over 14 years old, and is no longer supported by the manufacturer. An exhaustive study of the Power Plant's DCS system by Sargent & Lundy, our consulting engineering firm for the conversion project, showed that the existing DCS could not be reasonably upgraded and needed to be wholly replaced. This change order with Emerson is needed to extend the technical direction so that the DCS system can properly communicate with the other critical Power Plant systems, and improve the operation of the boiler.

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

POWER PLANT CONVERSION PROJECT BUDGET

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

\$18,112,011	Current Project Budget
	<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
\$326,067.31	DCS Contract Change Order No. 4
	<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
	<u>General Electric International, Inc.</u>
\$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
\$123,893.91	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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\$18,285,326.33	Costs committed to date for conversion
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(\$173,315.67)	Existing Project Balance
\$361,000	Transfer of additional funds from Electric Fund Available Balance
\$187,684.33	New Project Balance to cover miscellaneous equipment and modifications to the power plant needed for the fuel conversion

COUNCIL ACTION FORM

SUBJECT: CITY HALL PARKING LOT RECONSTRUCTION (SOUTH SKUNK RIVER BASIN WATERSHED IMPROVEMENTS) ENGINEERING SERVICES

BACKGROUND:

On January 24, 2017, City Council awarded the City Hall parking lot project to Manatt's Inc., of Ames, Iowa in the amount of \$948,116.35. For the design of the improvements, staff negotiated a contract in the amount of \$34,595.25. Since the original bid and second bid were not acceptable, the project required a third bid which was awarded by City Council at the January 24, 2017 meeting. The original project scope only included one bidding process. After the first bid, staff discussed how to account for the costs of rebidding the project and agreed to wait to determine actual costs. The same discussion was held regarding the third bidding process.

With the successful third bid, the consultant has requested a contract increase of \$19,084.75, bringing total design costs to \$53,680 which is only 6% of the awarded bid, lower than a typical fee in the 10 – 15% range. This additional cost was accounted for in the revenue and expenses reported with the Award of Contract on January 24th.

A recap of the revenue and expenses for the project are shown below:

	Available Revenue	Estimated Expenses
City Hall Parking Lot Reconstruction		\$948,116.35
City Hall Parking Lot Reconstruction Funding	\$500,000	
Savings from City Hall Roof Project*	\$161,400	
IDALS Water Quality Grant	\$100,000	
Iowa DNR SRF Sponsored Project Funding	\$347,250	
15/16 Storm Water Quality Improvement Program	\$100,000	
16/17 Storm Water Quality Improvement Program	\$100,000	
Contingency (5% of Construction)		\$47,400
Engineering & Construction Administration		\$141,000
	\$1,308,650	\$1,136,516.35

*The City Hall roof project was budgeted at \$700,000.
The actual contract plus engineering/inspection will cost \$500,000.

ALTERNATIVES:

1. Approve the change order with Bolton & Menk for engineering services for the City Hall Parking Lot Reconstruction (South Skunk River Basin Watershed Improvements) in the amount of \$19,084.75.
2. Direct staff to pursue other options.

MANAGER'S RECOMMENDED ACTION:

Due to the multiple rebids of the project, these costs are justified for the amount of coordination required to have a successful design and bid.

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

COUNCIL ACTION FORM

SUBJECT: CHANGE ORDER 1 - UNIT #7 PIPING INSPECTION

BACKGROUND:

On February 6, 2017, staff issued a purchase order to M & M Engineering Associates, Inc. (M & M) in the not-to-exceed amount of \$49,700. The initial scope of work was for M & M to perform remote inspection of the Unit 7 Boiler feedwater and main steam piping, via non-destructive examination testing, for areas of thinning and flow accelerated corrosion. This work will provide analysis to staff on the current status of the Unit 7 boiler/feedwater piping and will provide proper recommendations for preventative maintenance countermeasures. The goal is to prevent future leaks and catastrophic failures in plant high pressure piping. These failures/leaks could result in unplanned plant outages, large equipment failures, and leads to large safety concerns.

Staff has determined that the scope of work for M & M needs to increase to include an inspection of the Unit 7 superheat and headers to the boiler feedwater piping. Inspections of these headers will provide information on the condition of the Unit 7 boiler headers for the Unit 7 boiler tube upgrade project scheduled for later this year. (The boiler tube upgrade project is to replace the Unit 7 boiler superheats and boiler tubes which have been deteriorating at an accelerated rate; causing unplanned Unit 7 outages, excessive maintenance and increased financial resources.)

Inspecting the boiler headers will provide the necessary information to determine if the headers are in good working condition or if they should be replaced during the tube replacement project. It is likely that the headers are in good shape; however it would be beneficial to understand the condition of the piping headers at this phase of the project so that they can be incorporated into the Unit 7 boiler tube repair scope of work, if necessary.

This change order will add an additional \$13,200 to the purchase order, bringing the total order amount to \$62,900. Funds for the purchase of this service are available from the approved FY 2016/17 Unit #7 Boiler Tube Repair project which includes \$3,844,850.

ALTERNATIVES:

1. Approve contract Change Order No. 1 to M & M Engineering Associates, Inc., Leander, TX, in the amount of \$13,200 for a total amount of \$62,900, which will include inspection of the Unit 7 boiler tube piping headers.
2. Reject contract Change Order No. 1 and delay this needed service.

MANAGER'S RECOMMENDED ACTION:

The inspection of the Unit 7 boiler tube headers is critical to ensure that the all boiler tube components are considered to be in good condition, for continued reliable operation of the power plant. To ensure success that the boiler tube upgrade project returns the unit 7 boiler to “like-new” condition for reliability, the information gathered from this inspection is important. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

COUNCIL ACTION FORM

**SUBJECT: 2014/15 SANITARY SEWER REHABILITATION
(MANHOLE REHABILITATION – BASINS 1 & 5)**

BACKGROUND:

The ability of the sanitary sewer system to convey wastewater well into the future is dependent on the removal of the current large amount of infiltration and inflow (I&I, or I/I) in the system that occurs during wet weather. In order to minimize the need for costly expansions to the City's Water Pollution Control (WPC) facility, as well as to convey flows from new development as the City grows, the City must work to reduce the overall I/I in the system.

In 2012 the City began a Sanitary Sewer System Evaluation that included a comprehensive and systematic evaluation for identifying the defects that could contribute I/I across the entire, City-wide sanitary sewer system. This evaluation data collection is complete and it is evident that there are over \$25 million worth of immediate structural improvements needed in the sanitary sewer system. Current and future CIP projects for the sanitary sewer system are based on the results of this evaluation. Work includes rehabilitation such as the lining of existing mains or spray lining of existing structures, as well as complete removal and replacement of structures and sanitary sewer mains.

These projects were shown in the CIP beginning in 2014/15. Funding comes from the State Revolving Fund (SRF) in the amount of \$3,470,000 for each year with an annual increase of 5% for inflation. Repayment of the SRF loans will be from revenues generated in the Sanitary Sewer Fund.

A SRF Planning and Design Loan for \$375,000 was approved by City Council in March 2014. This loan was secured in order to hire a consultant to help determine the best action plan for implementation of system repairs, as well as for design services for the first two years of projects. At the September 23, 2014 meeting, City Council approved the engineering services agreement with V&K along with WHKS & Company of Mason City, Iowa to assist in the evaluation of the data.

This was the first project to come out of the study, and was selected to have an immediate impact by removing Inflow & Infiltration (I&I) to regain some capacity in the existing sewer mains. Items of work in the contract included replacement of existing manhole castings and installation of new external seals, chemical grouting of and cementitious lining of existing manholes. These rehabilitation methods reduce the amount of clean water that enters the system, thus reducing the amount of water required to be treated at the plant.

On July 28, 2015, City Council awarded the project to Save Our Sewers of Cedar Rapids, Iowa in the amount of \$1,622,502.06. Change order No. 1 in the amount of \$27,933.39 for manholes that required additional rehabilitation outside of the project's original scope was administratively approved by Staff. Change order No. 2 (balancing) was a deduct of \$25,490.49 to adjust the plan quantities to reflect actual field quantities which brings the total change order amounts to \$2,442.90 and **total construction costs to \$1,624,944.96.**

Project Revenue and Expenses are shown below

	Available Revenue	Estimated Expenses
State Revolving Funds	\$3,270,000	
2014/15 Sanitary Sewer Rehab (Manhole Rehab – Basins 1 & 5) (This Project)		\$1,624,944.96
2014/15 Sanitary Sewer Rehab (Manhole Rehab – Flood Prone Manholes) (Under Contract)		\$1,032,105.23
Engineering/Administration (Est. for Both Projects)		\$ 600,000
	\$3,270,000	\$3,257,050.19

ALTERNATIVES:

1. Approve Change Order No. 2 (balancing) and accept the 2014/15 Sanitary Sewer Rehabilitation (Manhole Rehabilitation – Basin 1 & 5) as completed by Save Our Sewers of Cedar Rapids, Iowa in the amount of \$1,624,944.96.
2. Direct staff to pursue modifications to this project.

MANAGER'S RECOMMENDED ACTION:

This project represents City Council's commitment to improve the sanitary sewer system. This is the first of several large projects which had an immediate impact by removing Inflow & Infiltration to regain valuable capacity in existing sanitary sewer mains. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 1109 E LINCOLN WAY AND 200 SONDROL AVENUE

BACKGROUND:

The City's subdivision regulations in Chapter 23 of the Ames Municipal Code include a process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The regulations also describe the process for combining existing platted lots or conveyance parcels in order to create a parcel for development purposes. A plat of survey is allowed by Section 23.309 for the consolidation of conveyance parcels and for boundary line adjustments.

This proposed plat of survey combine three parcels addressed as 1109 E Lincoln Way, 1109 E Lincoln Way (rear), and 200 Sondrol Avenue. The new parcel will retain the address of 1109 E Lincoln Way. A location map is found in Attachment 1.

All three parcels are legally platted lots and owned by Iowa State Ready-Mix Concrete. The intent is to combine the three lots to facilitate the installation of free-standing solar panels. An earlier application showed the location of the panels as being on the rear lot which has no building. City regulations require them to be located on the same lot as the building which will receive the generated electricity. This consolidation of parcels will correct that. Currently there is no sidewalk along Lincoln Way that triggers completion of sidewalks at the time of the boundary line adjustment. Additionally, the Sondrol frontage is part of a previous subdivision where no sidewalk was required and is not required as part of the boundary line adjustment. Future sidewalks may be required with additions or construction of new principal buildings on the site.

Approval of this plat of survey (Attachment B) will allow the applicant to prepare the official plat of survey and submit it to the Planning and Housing Director for review. The Director will sign the plat of survey confirming that it fully conforms to all conditions of approval. The prepared plat of survey may then be signed by the surveyor, who will submit it for recording in the office of the County Recorder.

ALTERNATIVES:

1. The City Council can adopt the resolution approving the proposed plat of survey.

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

CITY MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed plat of survey satisfies all code requirements for the consolidation of the properties for the boundary line adjustment and has made a preliminary decision of approval. Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolution approving the proposed plat of survey.

ADDENDUM
PLAT OF SURVEY FOR 1109 E LINCOLN WAY AND 200 SONDROL AVENUE

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

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

The site is located at:

Owners: Iowa-State Ready-Mix Concrete

Existing Street Address: 1109 East Lincoln Way
 1109 East Lincoln Way (rear)
 200 Sondrol Avenue

Assessor's Parcel #: 09-01-350-090
 09-01-350-100
 09-01-350-320

Legal Description: Lot 1, Iowa State Ready-Mix Subdivision

and

Outlot 6, Sondrol Subdivision

and

Lot 1, Sondrol's Subdivision, 2nd Addition

Public Improvements:

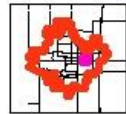
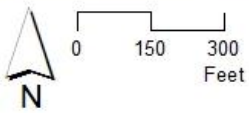
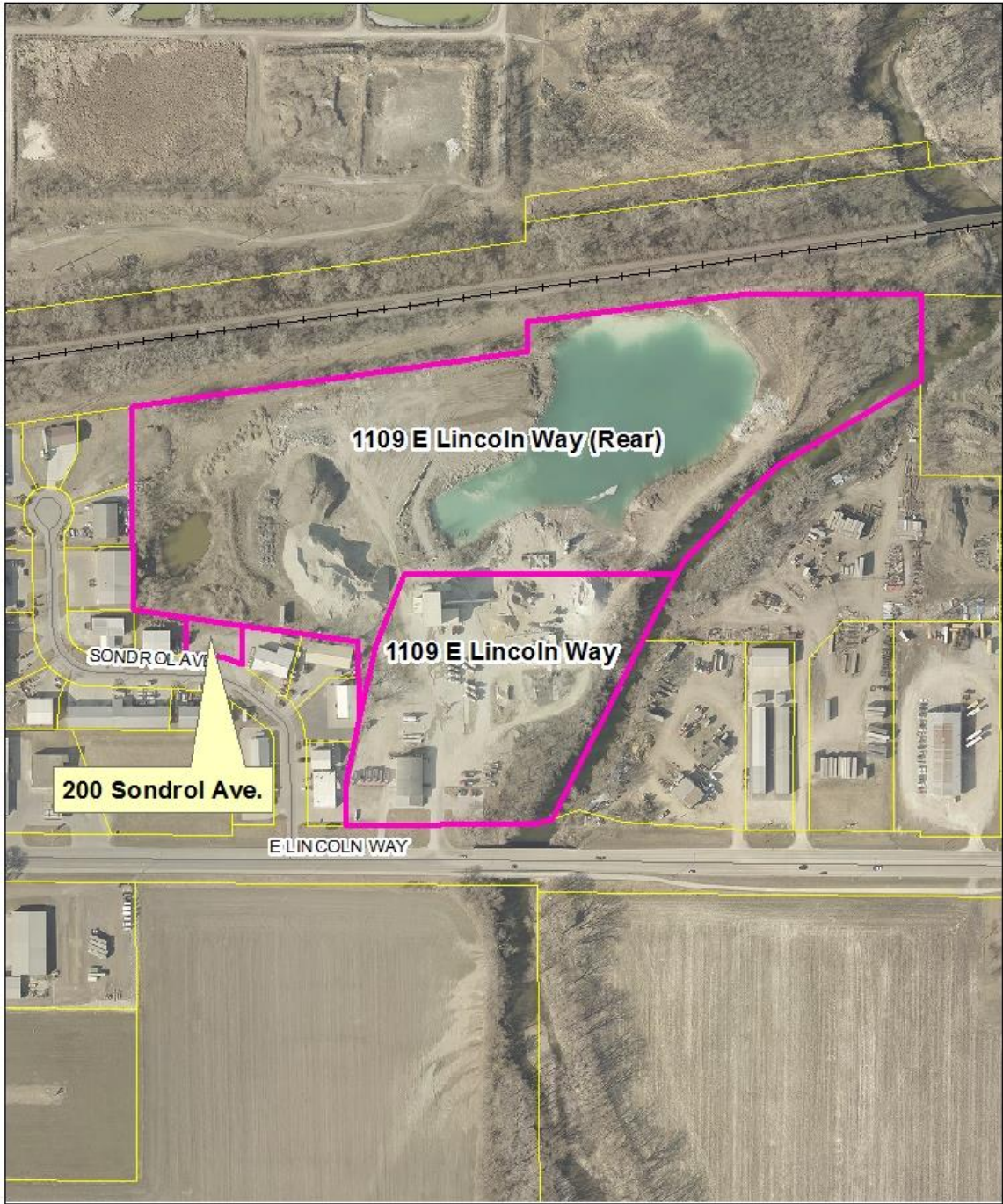
The preliminary decision of the Planning Director finds that approval requires all public improvements associated with and required for the proposed plat of survey be:

- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable. (no additional improvements required as a boundary line adjustment)

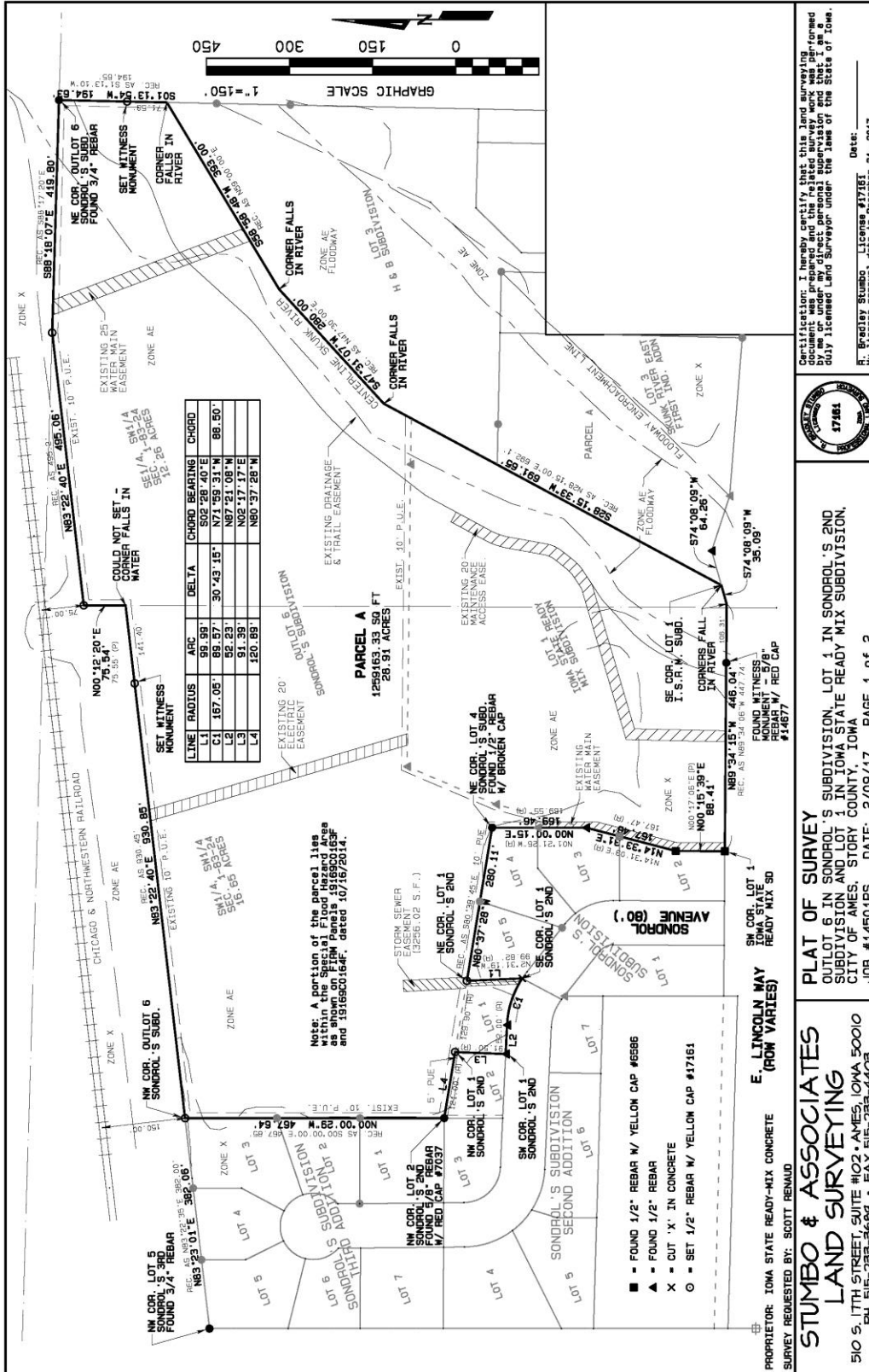
Note: The official plat of survey is not recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with

the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

Attachment A: Location



Attachment B: Plat of Survey [North to Left]



Certification: I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.
 Date: _____
 By: Bradley Stumbo License #27161



PLAT OF SURVEY
 OUTLOT 6 IN SONDRAL'S SUBDIVISION, LOT 1 IN SONDRAL'S 2ND SUBDIVISION AND LOT 1 IN IOWA STATE READY MIX SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA
 JOB #14504PS DATE: 2/09/17 PAGE 1 of 2

STUMBO & ASSOCIATES
LAND SURVEYING
 510 S. 17TH STREET, SUITE #102 • AMES, IOWA 50010
 PH. 515-233-3601 • FAX 515-233-4403

Survey Description-Parcel 'A':

Outlot 6 in Sondrol's Subdivision, as filed in Book 7, Page 149; Lot 1 in the Second Addition to Sondrol's Subdivision, as filed in Book 7, Page 202; and Lot 1 in Iowa State Ready Mix Subdivision, as filed in Slide 43, Page 1; all together being in the South Half of the Southwest Quarter of Section 1, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, and all being more particularly described as follows: Beginning at the Southwest Corner of said Lot 1, Iowa State Ready Mix Subdivision; thence following the west line thereof N00°15'39"E, 88.41 feet; thence N14°33'31"E, 167.48 feet; thence following the east line of said Sondrol's Subdivision N00°00'15"E, 169.46 feet to the Northeast Corner of Lot 4 therein; thence N80°37'28"W, 280.11 feet along the north line of said Sondrol's Subdivision to the Northeast Corner of said Lot 1, Second Addition to Sondrol's Subdivision; thence S02°28'40"E, 99.99 feet to the Southeast Corner of said Lot 1 and a point on a curve concave to the south having a radius of 167.05 feet, a central angle of 30°43'15" and being subtended by a chord which bears N71°59'31"W, 88.50 feet; thence northwesterly and westerly, 89.57 feet along said curve; thence N87°21'08"W, 52.23 feet to the Southwest Corner of said Lot 1; thence N02°17'17"E, 91.39 feet to the Northwest Corner of said Lot 1; thence N80°37'28"W, 120.89 feet to the Northwest Corner of Lot 2 in said Second Addition to Sondrol's Subdivision; thence N00°00'29"W, 467.64 feet along the west line of said Outlot 6 in Sondrol's Subdivision to the Northwest Corner thereof; thence following the north line of said Outlot 6 N83°22'40"E, 930.85 feet; thence N00°12'20"E, 75.54 feet; thence N83°22'40"E, 495.06 feet; thence S88°18'07"E, 419.80 feet to the Northeast Corner of said Outlot 6; thence S01°13'54"W, 194.63 feet to a Southeasterly corner of said Outlot 6 said point being on the centerline of the Skunk River; thence following said centerline S58°58'48"W, 393.00 feet; thence S47°31'07"W, 280.00 feet; thence S28°15'33"W, 691.65 feet to the Southeast Corner of said Lot 1, Iowa State Ready Mix Subdivision; thence following said south line S74°08'09"W, 35.09 feet; thence N89°34'15"W, 446.04 feet to the point of beginning, containing 28.91 acres.

Survey Description-Storm Sewer Easement:

A strip of variable width lying in Lot 1, Sondrol's Subdivision, Second Addition and Outlot 6, Sondrol's Subdivision, all in the City of Ames, Story County, Iowa, being more particularly described as follows: Beginning at the Southeast Corner of said Lot 1; thence following the south line thereof northwesterly, 12.03 feet along a curve having a radius of 167.05 feet, concave to the southwest, a central angle of 4°07'39" and being subtended by a chord which bears N58°41'43"W, 12.03 feet; thence N02°28'40"W, 95.40 feet to the north line of said Lot 1; thence N80°37'28"W, 3.45 feet along said line; thence N03°03'53"W, 111.79 feet; thence N86°56'07"E, 20.00 feet; thence S03°03'53"E, 116.20 feet to the south line of said Outlot 6; thence N80°37'28"W, 6.82 feet along said line to the Northeast Corner of said Lot 1; thence S02°28'40"E, 99.99 feet to the point of beginning, containing 3256.02 s.f.

The Ames City Council approved this Plat of Survey on _____, 2017, with Resolution No. _____. I certify that it conforms to all conditions for approval.

Planning and Housing Director

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 4303 COCHRANE PARKWAY AND 400 SOUTH DAKOTA AVENUE

BACKGROUND:

The City's subdivision regulations in Chapter 23 of the Ames Municipal Code include a process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The regulations also describe the process for combining existing platted lots or conveyance parcels in order to create a parcel for development purposes. A plat of survey is allowed by Section 23.309 for the consolidation of conveyance parcels and for boundary line adjustments.

Mary Greeley Medical Center owns the parcel on which the Israeli Family Hospice House is located at 400 S. Dakota Avenue. The MGMC board was approached by the Dan Buhr, the property owner of 4303 Cochrane Parkway about purchasing a portion of the land at the rear of the MGMC parcel. This proposed plat of survey adjusts the boundary line between the two properties, transferring 29,987 square feet from MGMC to Buhr. The new parcels will retain their current addresses. A location map is found in Attachment 1.

Both parcels are legally platted lots. There is a shared use path within an existing easement between 4217 and 4303 Cochrane Parkway. An easement document has been created and will be placed over the shared use path on the portion of MGMC property that is being transferred to Buhr. The easement ensures continued access by the public and allowing for city maintenance of the trail. The MGMC Board of Trustees is scheduled to approve the sale of the property and the easement at its meeting on February 27th. The closing on the property will not occur until the easement is recorded.

Approval of this plat of survey (Attachment B) will allow the applicant to prepare the official plat of survey and submit it to the Planning and Housing Director for review. The Director will sign the plat of survey confirming that it fully conforms to all conditions of approval. The prepared plat of survey may then be signed by the surveyor, who will submit it for recording in the office of the County Recorder.

ALTERNATIVES:

1. The City Council can adopt the resolution approving the proposed plat of survey, subject to the condition that the easement has been approved by the MGMC and recorded prior to the recording of the plat of survey.

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

CITY MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed plat of survey satisfies all Code requirements for the consolidation of the properties for the boundary line adjustment and has made a preliminary decision of approval. With approval of the easement for access through the area, there are no other conditions needed to meet the standards of the Subdivision Code. Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolution approving the proposed plat of survey.

ADDENDUM
PLAT OF SURVEY FOR 4303 COCHRANE PARKWAY AND 400 S DAKOTA AVE.

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

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

The site is located at:

Owners: City of Ames, dba Mary Greeley Medical Center
Daniel and Angelia Buhr

Existing Street Address: 400 S Dakota Avenue
4303 Cochrane Parkway

Assessor's Parcel #: 09-08-150-005
09-08-154-104

Legal Description: Parcel B in the SW ¼ of NW ¼ of Section 8,
Township 83 North, Range 24 West of the 5th PM,
City of Ames, Story County, Iowa

and

Parcel K of Lot 4 and part of Lot 5 of Estates of
Nature's Crossing Subdivision

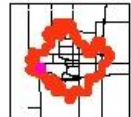
Public Improvements:

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

- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable. (no additional improvements required as a boundary line adjustment)

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

Attachment A: Location

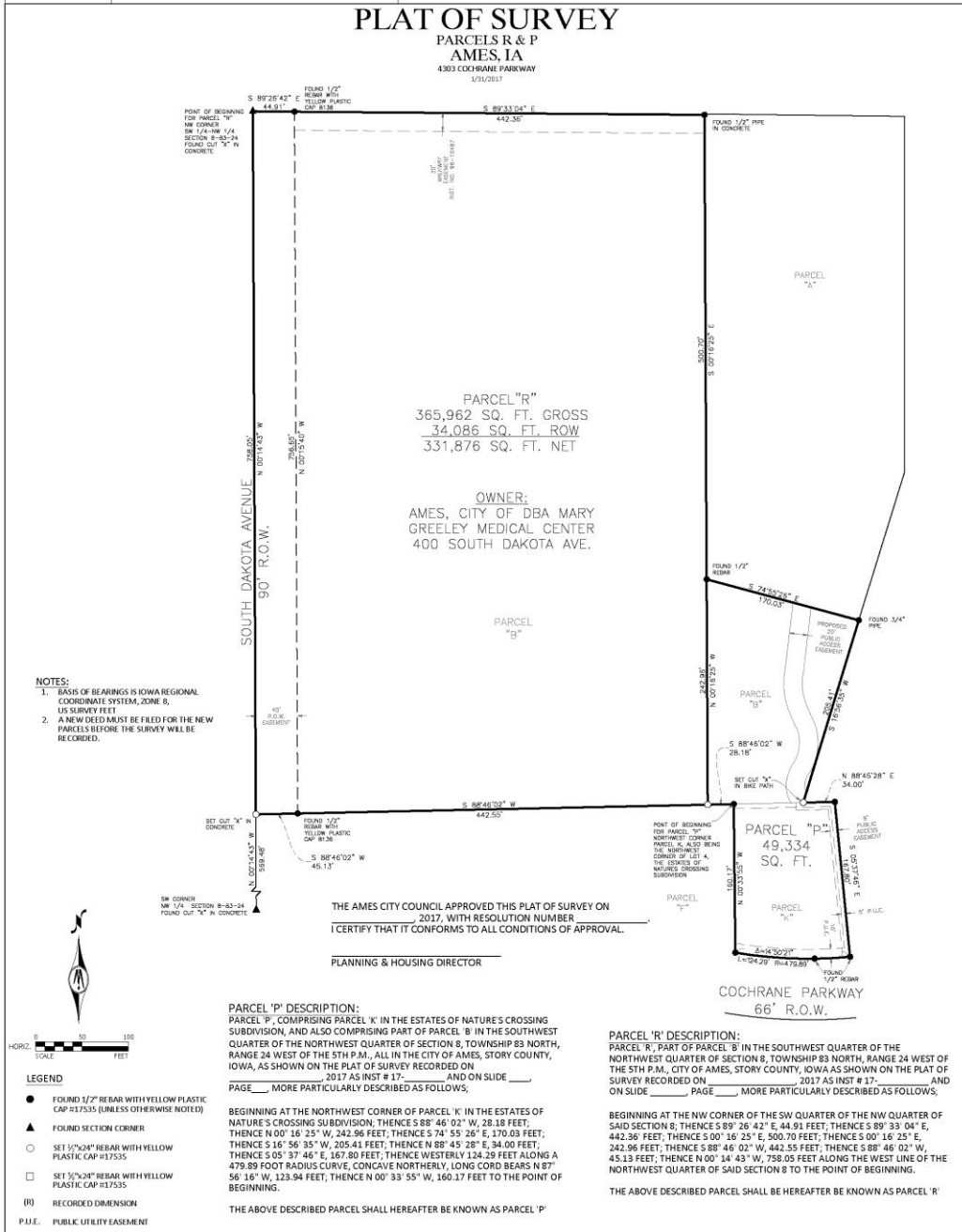


Attachment B: Plat of Survey

INDEX LEGEND	
LOCATION:	400 SOUTH DAKOTA AVE. AMES, IA. 50014 AND 4303 COCHRANE PKWY. AMES, IA. 50014
REQUESTOR:	DANIEL BUHR
PROPRIETOR:	BUHR, DANIEL AND ANGELA 4303 COCHRANE PKWY. AMES, IA. 50014 AMES, CITY OF DBA MARY GREELEY MEDICAL CENTER 400 SOUTH DAKOTA AVE. AMES, IA. 50014
SURVEYOR:	EUGENE DREYER
SURVEYOR COMPANY:	BOLTON & MENK, INC.
RETURN TO:	EUGENE DREYER, BOLTON & MENK, INC. 2730 FORD ST., P.O. BOX 668 AMES, IA. 50010-2338 (430)

PLAT OF SURVEY

PARCELS R & P
AMES, IA
4303 COCHRANE PARKWAY
1/31/2017



	I hereby certify that this land surveying document was prepared by me and the related field work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.	BOLTON & MENK 2730 FORD ST., P.O. BOX 668 AMES, IOWA 50010 Phone: (515) 233-6200 Email: Ames@bolton-and-menk.com www.bolton-and-menk.com	OWNER, PARCEL "P" BUHR, DANIEL AND ANGELA 4303 COCHRANE PARKWAY AMES, IOWA 50014	OWNER, PARCEL "R" AMES, CITY OF DBA MARY GREELEY MEDICAL CENTER 400 SOUTH DAKOTA AVE. AMES, IOWA 50014	SHEET 1 OF 1
	EUGENE R. DREYER, L.S. REG. NO. 17535 DATE _____ MY LICENSE RENEWAL DATE IS: <u>DECEMBER 31, 2019</u> PAGES OR SHEETS COVERED BY THIS SEAL: _____ SURVEYOR SHEETS COVERED: _____				

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 2510-2526 LINCOLN WAY

BACKGROUND:

The City's subdivision regulations are found in Chapter 23 of the Ames Municipal Code. These regulations include the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The regulations also describe the process for combining existing platted lots or conveyance parcels in order to create a parcel for development purposes. A plat of survey is allowed by Section 23.309 as a boundary line adjustment for the purpose of consolidating parcels.

This plat of survey is for a proposed consolidation of four existing tracts for Scott Randall for the purpose of combining four existing lots into one lot (See Attachment A - Location Map). The site includes the property at 2510 Lincoln Way, which includes 350 square feet (0.008 acres), 2512-2514 Lincoln Way, which includes 3,832 square feet (0.088 acres), 2518 Lincoln Way, which includes 2,104 square feet (0.048 acres), and 2522-2526 Lincoln Way, which includes 3,568 square feet (0.082 acres). The four properties together contain 0.23 acres, and are presently occupied by three buildings. All four properties are zoned as Campustown Service Center (CSC) with the West University Impacted District (O-UIW). The existing buildings have a non-conforming rear setback that is unaffected by the proposed consolidation of lots.

Boundary line adjustments do not trigger additional infrastructure improvements, unless partial infrastructure improvements exist and are required to be extended across a property. The proposed parcel meets the requirements of having complete infrastructure along Lincoln Way as outlined in the Subdivision Code and does not trigger further extension of infrastructure.

No additional easements are needed as part of the plat of survey at this time. However, issues of any requested vehicular access or reuse of the site with development over an existing storm sewer that runs under the existing building will have to be addressed prior to any redevelopment. If additional easements or agreements are needed, it will be addressed as part of a site development plan review and it is not necessary to be reviewed as part of the request to consolidate lots lines.

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

ALTERNATIVES:

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

MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed plat of survey satisfies all Code requirements for the consolidation of the properties for the boundary line adjustment and has made a preliminary decision of approval. There will be substantial issue for access and utilities to address before the site could be redeveloped, but it does not affect the proposed consolidation of the properties. Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolution approving the proposed plat of survey.

**ADDENDUM
PLAT OF SURVEY FOR 122 HAYWARD AVENUE**

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

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

The site is located at:

Owners: Scott E. Randall

Existing Street Addresses: 2510-2526 Lincoln Way

Assessor's Parcel #: 0909126100, 0909126090, 0909126080 and 0909126070

New Legal Description: Lot 5 and Lots 6, 7 and 8, except the South 10 feet thereof, all in the Auditor's Plat of Blocks 3, 4, and 5 of Beardshear's Addition and Walter's Subdivision, City of Ames, Story County, Iowa, all together being more particularly described as follows: Beginning at the Northeast Corner of said Lot 5; thence S00°13'52"E, 35.00 feet to the Southeast Corner thereof; thence S89°58'01"W, 10.00 feet to the east line of said Lot 6; thence S00°13'52"E, 45.00 feet along said line; thence S89°58'06"W, 118.71 feet to the west line of said Lot 8; thence N00°17'44"W, 80.00 feet to the Northwest Corner thereof; thence N89°58'04"E, 128.80 feet along the north line of said Lots 8, 7, 6 and 5 to the point of beginning, containing 0.23 acres.

Public Improvements:

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

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

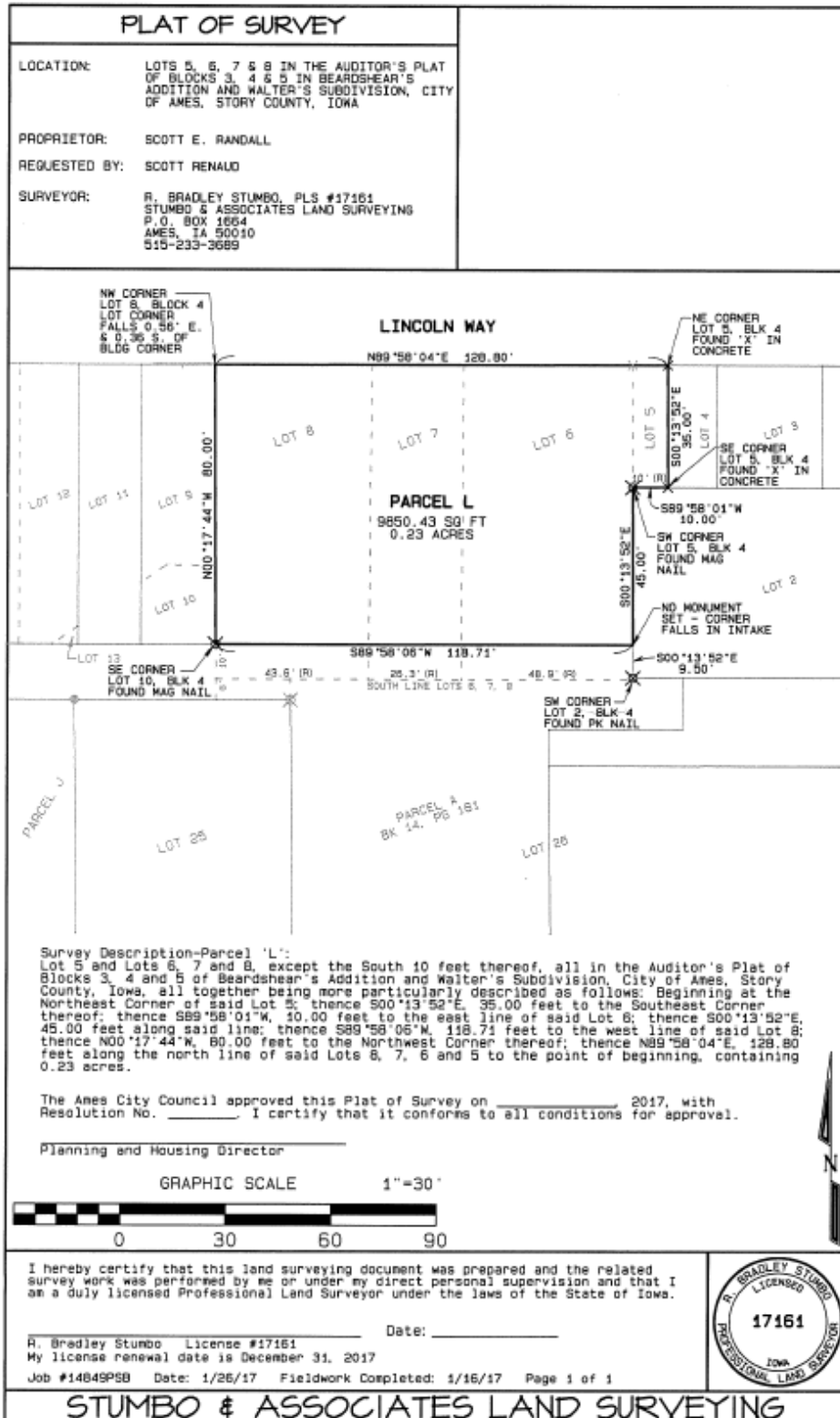
Note: The official plat of survey is not recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

ATTACHMENT A: LOCATION MAP



**Location Map
2512-2526 Lincoln Way**

ATTACHMENT B: PROPOSED PLAT OF SURVEY



COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 114 SOUTH DUFF AVENUE

BACKGROUND:

The City's subdivision regulations are found in Chapter 23 of the Ames Municipal Code. These regulations include the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The regulations also describe the process for combining existing platted lots or conveyance parcels in order to create a parcel for development purposes. A plat of survey is allowed by Section 23.309 as a boundary line adjustment for the purpose of consolidating parcels.

This plat of survey is for a proposed consolidation of two existing platted lots for Quam Family Properties LLC to enable expansion of an existing commercial building for use by a restaurant. (See Attachment A - Location Map). The proposed "Parcel H" includes Lot 5 and Lot 8 of Kingsbury's First Addition, both addressed as 114 South Duff Avenue, with a total of 17,246 square feet (0.40 acres). Lot 5 is the location of an existing vacant commercial building (formerly occupied by Okoboji Grill) that is planned for partial reconstruction, including an addition to the south side of the building. The proposed building expansion crosses the property line between Lots 5 and 8, requiring a Plat of Survey that combines the two existing lots into a single parcel. Both properties are zoned as Highway-Oriented Commercial (HOC).

The current building has a non-conforming front yard and rear yard setback that are unaffected by the consolidation of the two lots. Note that the restaurant use will also require approval of a remote parking agreement for use of an existing parking lot located to the east across the alley. The lots to the east cannot be combined with these lots due to the intervening right-of-way of the alley.

Boundary line adjustments do not trigger additional infrastructure improvements, unless partial infrastructure improvements exist and are required to be extend across a property. **The proposed parcel meets the requirements of having infrastructure in place to serve the proposed development, as outlined in the Subdivision Code, and does not necessitate further extension of public infrastructure.**

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

ALTERNATIVES:

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

MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed plat of survey satisfies all Code requirements for the consolidation of properties at 114 South Duff Avenue, owned by the Quam Family Properties LLC, for the boundary line adjustment, and has made a preliminary decision of approval. Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolution approving the proposed plat of survey.

**ADDENDUM
PLAT OF SURVEY FOR 114 SOUTH DUFF AVENUE**

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

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

The site is located at:

Owners: Quam Family Properties LLC

Existing Street Addresses: 114 South Duff Avenue

Assessor's Parcel #: 0911200105

New Legal Description: See attached Plat of Survey – Parcel 'H'

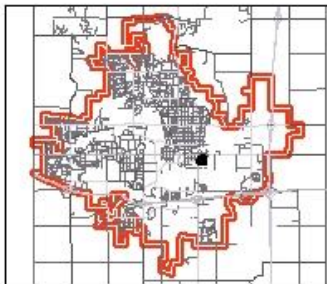
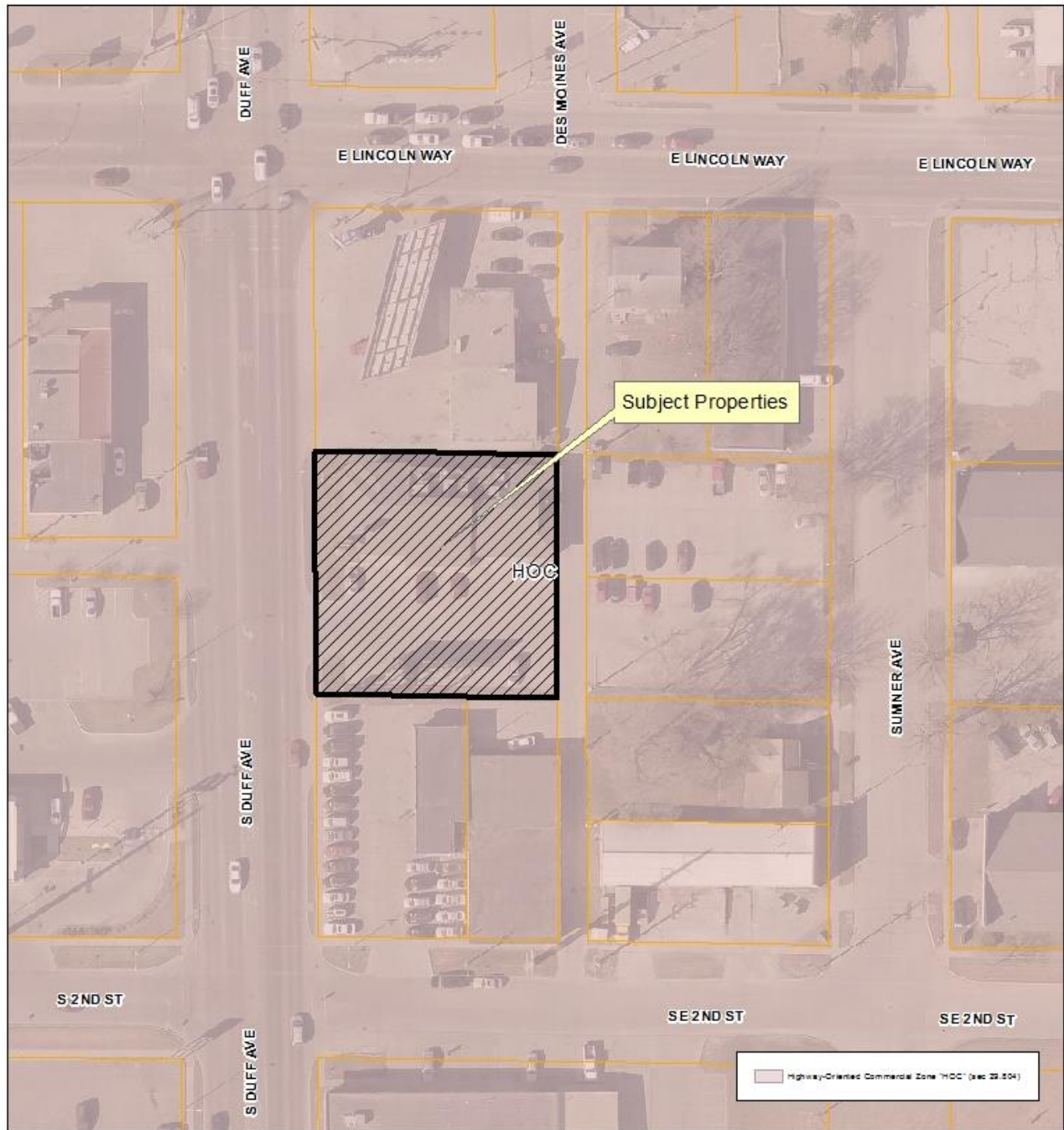
Public Improvements:

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

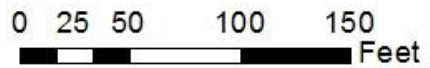
- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable.

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

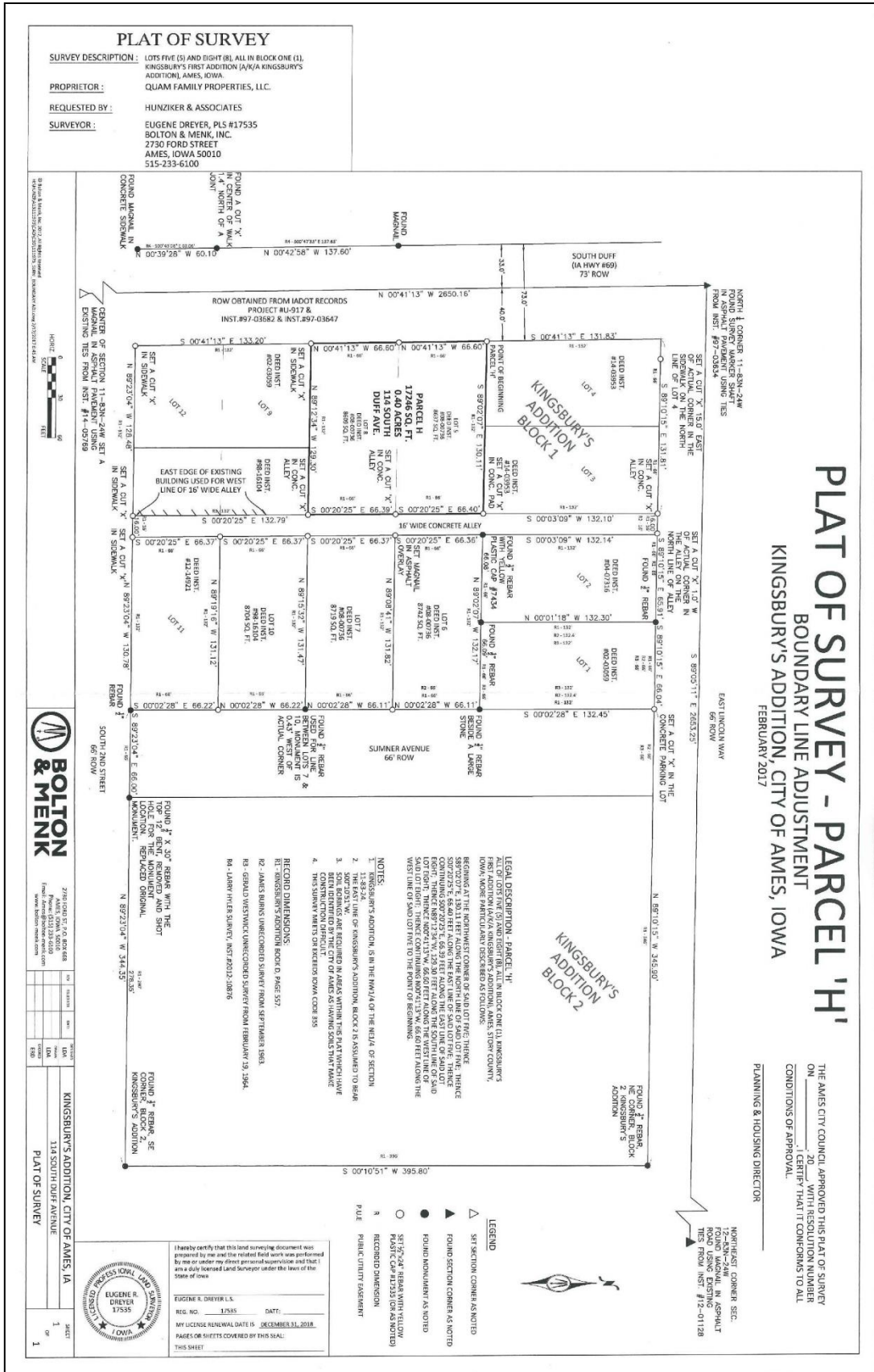
ATTACHMENT A: LOCATION MAP



**Location & Zoning Map
114 South Duff Avenue**



ATTACHMENT B: PROPOSED PLAT OF SURVEY



COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 1712 EAST LINCOLN WAY

BACKGROUND:

The City's subdivision regulations are found in Chapter 23 of the Ames Municipal Code. These regulations include the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The regulations also describe the process for combining existing platted lots or conveyance parcels in order to create a parcel for development purposes. A plat of survey is allowed by Section 23.309 as a boundary line adjustment for the purpose of consolidating parcels.

This plat of survey is for a proposed consolidation of four existing lots for Shaffer's Auto Body Co., Inc., all for the purpose of combining four existing lots into one lot (See Attachment A - Location Map). The site includes the property at 1712 E. Lincoln Way, which includes 12,7659.53 square feet (2.93 acres). The property is zoned as General Industrial (GI).

During the research for the preparation of this plat, the surveyor discovered that there was no record of E. Lincoln Way abutting this property being dedicated to the City. An Acquisition Plat and dedication has been prepared for approval by the City Council. Public sidewalk exists along E. Lincoln Way. No sidewalk installation along Freel Drive will be triggered by the boundary line adjustment because of the lack of existing sidewalk along the west side of Freel Drive. Additionally, there will be no sidewalk required upon the Freel Drive frontage as part of expansion of the existing facility as sidewalks are only required on one side of an industrial street.

Approval of this plat of survey (Attachment C) will allow the applicant to prepare the official plat of survey and submit it to the Planning and Housing Director for review. The Director will sign the plat of survey confirming that it fully conforms to all conditions of approval. The prepared plat of survey may then be signed by the surveyor, who will submit it for recording in the office of the County Recorder.

ALTERNATIVES:

1. The City Council can approve:
 - a. The acquisition plat and dedication of the north 27.50' feet of E Lincoln Way abutting this property.
 - b. The proposed plat of survey.

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

MANAGER'S RECOMMENDED ACTION:

It is unusual that there can be found no record of a street being officially dedicated by easement or fee simple ownership as right-of-way. Therefore, the proper course of action is to, first, accept the dedication by acquisition plat of the north 27.5 feet of E Lincoln Way abutting 1712 E Lincoln Way. The City Council can then approve the plat of survey. The proposed boundary line adjustment conforms to the underlying zoning standards for lot requirements. Staff has determined that the proposed plat of survey for a boundary line adjustment does not trigger City infrastructure requirements as defined within the Subdivision Code. Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1 as described above.

**ADDENDUM
PLAT OF SURVEY FOR 1712 E LINCOLN WAY**

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

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

The site is located at:

Owners: Shaffer's Auto Body Co., Inc.

Existing Street Addresses: 1712 E Lincoln Way

Assessor's Parcel #: 0912200035

New Legal Description: Part of Lots 1 and 2 and all of Lots 5 and 6, all in Woodland Acres, City of Ames, Story County, Iowa, all together being described as follows: Beginning at a point on the east line of said Lot 1 which is 27.50 feet of south of the Northeast Corner thereof, said point being on the south right of way line of Lincoln Way; thence S00°12'11"E, 405.87 feet along the east line of said Lots 1, 5 and 6 to the Southeast Corner of said Lot 6; thence S88°39'05"W, 406.99 feet to the Southwest Corner of said Lot 6; thence N00°22'14"W, 222.92 feet along the West line of said Lots 6 and 5 to the Northwest Corner of said Lot 5, thence N89°31'46"E, 207.67 feet along the north line of said Lot 5 to the Southwest Corner of said Lot 2; thence N00°11'34"W, 192.49 feet along the west line of said Lot 2 to the south right of way line of Lincoln Way; thence S89°31'29"E, 199.88 feet along said line to the point of beginning, containing 2.93 acres.

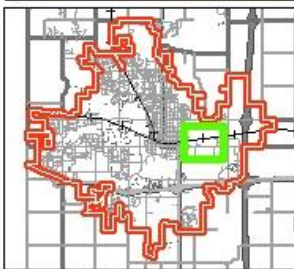
Public Improvements:

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

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

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

ATTACHMENT A: LOCATION MAP

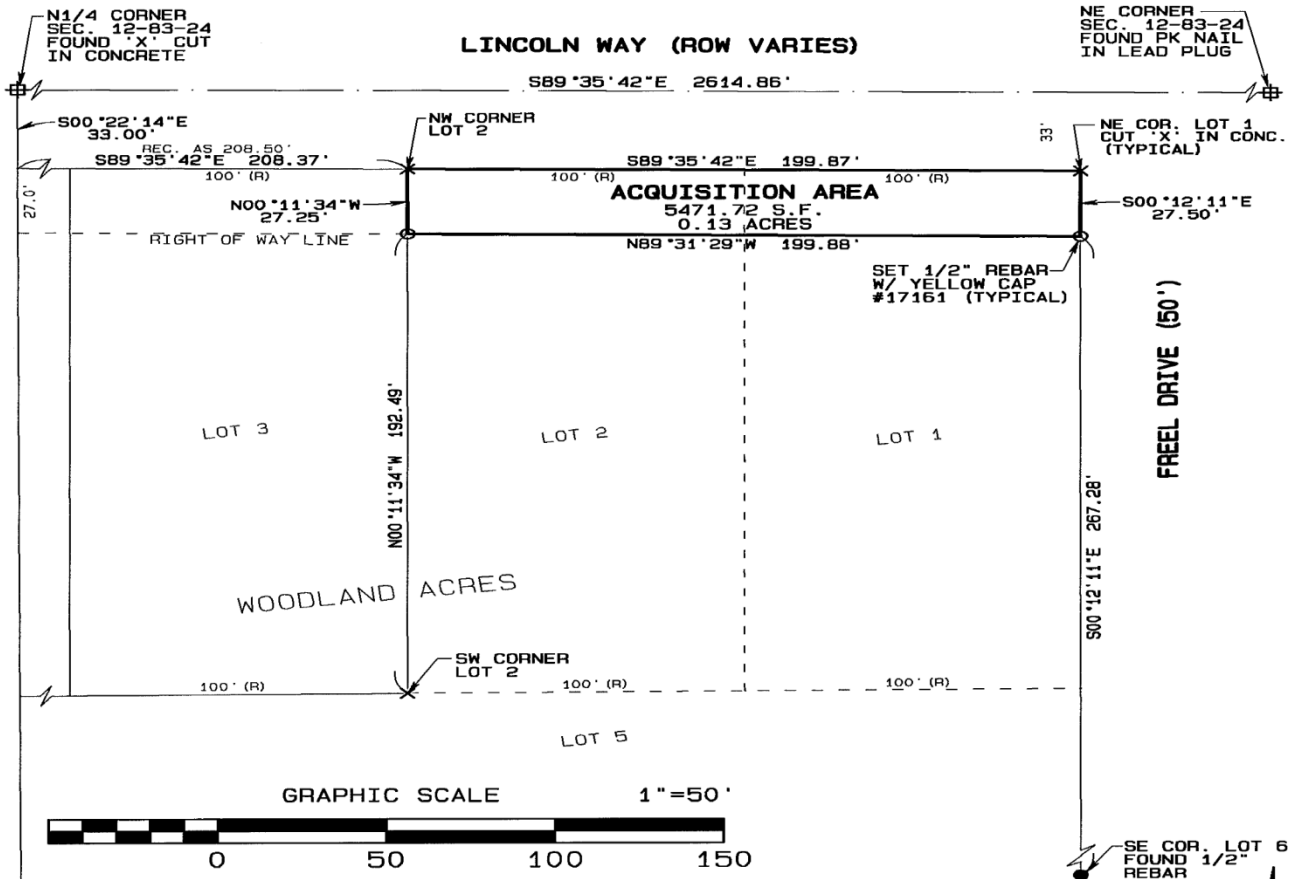


**Location Map
1712 E Lincoln Way**

ATTACHMENT B: ACQUISITION PLAT

ACQUISITION PLAT

LOCATION: IN LOTS 1 & 2 OF WOODLAND ACRES, CITY OF AMES, STORY COUNTY, IOWA
PROPRIETOR: SHAFFER'S AUTO BODY CO., INC.
SURVEYED FOR: DEDICATION OF EXISTING PUBLIC RIGHT OF WAY
SURVEYOR: R. BRADLEY STUMBO, PLS #17161
 STUMBO & ASSOCIATES LAND SURVEYING
 P.O. BOX 1664
 AMES, IA 50010
 515-233-3689



Survey Description-Acquisition Area:
 That part of Lots 1 and 2 in Woodland Acres, City of Ames, Story County, Iowa, previously established as public right of way easement in documents filed in Book 72, Page 473 and Page 571 and listed in a Quit Claim Deed from the Iowa Department of Transportation to the City of Ames, filed in Book 189, Page 133, said part being more particularly described as follows: Beginning at the Northeast Corner of said Lot 1: thence S00°12'11"E, 27.50 feet along the east line of said Lot 1 to the south right of way line of Lincoln Way; thence N89°31'29"W, 199.88 feet along said line to the west line of said Lot 2; thence N00°11'34"W, 27.25 feet to the Northwest Corner of said Lot 2; thence S89°35'42"E, 199.87 feet along the north line of said Lots 2 and 1 to the point of beginning, containing 0.13 acres.

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

DRAFT

Date: _____

R. Bradley Stumbo License #17161
My license renewal date is December 31, 2017

Job # _____ Date: _____ Fieldwork Completed: _____ Page 1 of _____



STUMBO & ASSOCIATES LAND SURVEYING

ATTACHMENT C: PLAT OF SURVEY

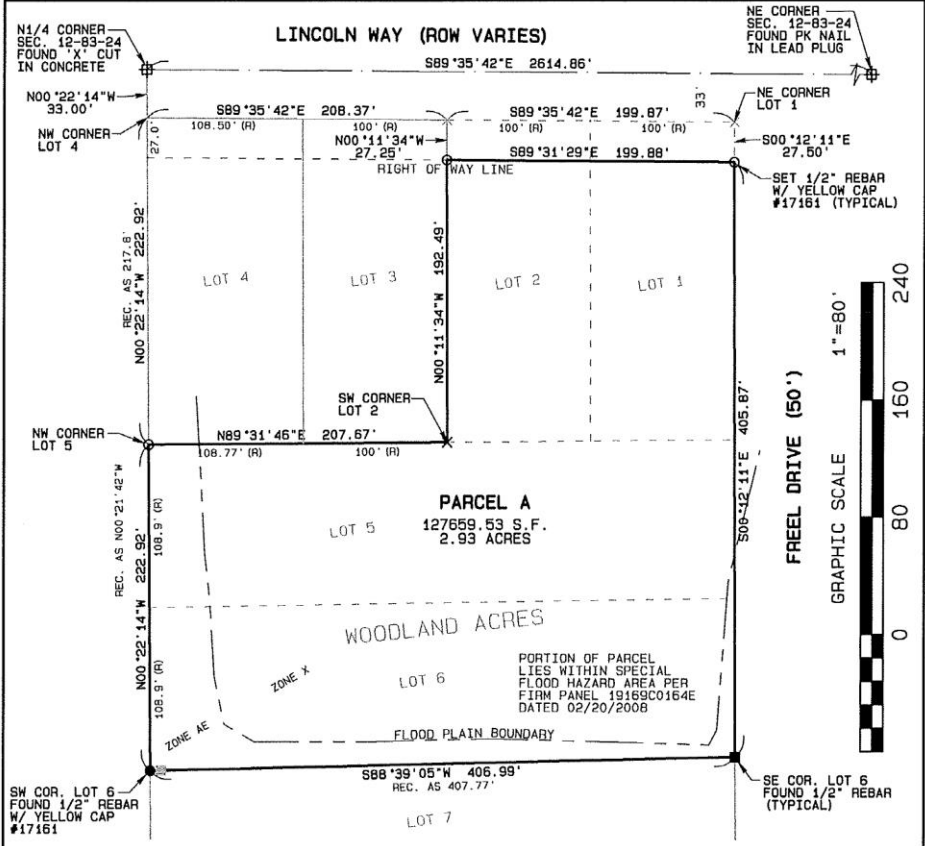
PLAT OF SURVEY

LOCATION: IN LOTS 1, 2, 5 & 6, WOODLAND ACRES, CITY OF AMES, STORY COUNTY, IOWA

PROPRIETOR: SHAFFER'S AUTO BODY CO., INC.

REQUESTED BY: BOB SHAFFER

SURVEYOR: R. BRADLEY STUMBO, PLS #17161
STUMBO & ASSOCIATES LAND SURVEYING
P. O. BOX 1664
AMES, IA 50010
515-233-3689



Survey Description-Parcel 'A':
Part of Lots 1 and 2 and all of Lots 5 and 6, all in Woodland Acres, City of Ames, Story County, Iowa, all together being described as follows: Beginning at a point on the east line of said Lot 1 which is 27.50 feet south of the Northeast Corner thereof, said point being on the south right of way line of Lincoln Way; thence S00°12'11"E, 405.87 feet along the east line of said Lots 1, 5 and 6 to the Southeast Corner of said Lot 6; thence S88°39'05"W, 406.99 feet to the Southwest Corner of said Lot 6; thence N00°22'14"W, 222.92 feet along the west line of said Lots 6 and 5 to the Northwest Corner of said Lot 5; thence N89°31'46"E, 207.67 feet along the north line of said Lot 5 to the Southwest Corner of said Lot 2; thence N00°11'34"W, 192.49 feet along the west line of said Lot 2 to the south right of way line of Lincoln Way; thence S89°31'29"E, 199.88 feet along said line to the point of beginning, containing 2.93 acres.

The Ames City Council approved this Plat of Survey on _____, 2017, with Resolution No. _____. I certify that it conforms to all conditions for approval.

Planning and Housing Director

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

Date: _____

R. Bradley Stumbo License #17161
My license renewal date is December 31, 2017
Job #14653POS Date: 2/15/17 Fieldwork Completed: 1/06/17 Page 1 of 1



STUMBO & ASSOCIATES LAND SURVEYING



To: Mayor and Council

From: Susan Gwiasda, Public Relations Officer

Date: February 23, 2017

Subject: Resident Satisfaction Survey 2017-Policy Questions

The City of Ames is again working with Iowa State University's Institute for Design Research and Outreach to produce, distribute, and analyze the 2017 Resident Satisfaction Survey. This will be the 35th year of the survey, which includes mostly benchmarking questions.

Each year, a small amount of space is reserved in the survey for the City Council to ask policy questions of the citizenry. Most policy questions require some explanation before any question can be asked. Due to the space necessary to set up the question, typically only two to three additional questions fit in the survey. **The Council is welcome to suggest topics, but please note there is no obligation to add to the survey.** (The questions added to the 2016 survey are included on page 2.)

In the last few years, policy questions have examined incentives for economic development, redevelopment projects to pursue (Campustown, Campustown parking ramp, Library renovations, Downtown parking ramp, etc.), rating the attractiveness of entryways into the city, support of City-sponsored "hot spots," support for an indoor aquatics center, unmet human services needs in the community, and use of biking/walking trails.

Our goal with the annual survey is to use feedback from our citizens regarding their satisfaction with City of Ames programs and services, capital improvement projects, and future allocations of funding to guide decision making.

Please consider what issues or policies would be helpful to have public feedback. You do not need to craft the actual questions because our consultants at Iowa State University provide that expertise.

Non-Formulaic Retail Business

A. What are your thoughts about the City of Ames providing financial incentives to attract non-formulaic retail businesses (independent, non-chain) to Ames?

	Strongly Approve	Approve	Disapprove	Strongly Disapprove	Don't Know
1. In Campustown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. In Downtown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Along Lincoln Way	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Use of Public Land for Private Development

A. What are your thoughts about using public property to enhance private, for-profit development in Campustown or Downtown “to further the City Council goal of strengthening Downtown and Campustown by exploring public/private partnerships for improvements to public and private spaces”? Public land could be a parking lot, public plaza, or public right of way.

	Strongly Approve	Approve	Disapprove	Strongly Disapprove	Don't Know
1. Providing public land at no cost for private redevelopment projects with apartments and commercial space to attract young professionals or to construct a private parking ramp with public parking included.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Selling public land to enhance private development projects of apartments and commercial space to attract young professionals. Enhancement might include constructing a private parking ramp with public parking included.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



To: Mayor and City Council
From: Brian Phillips, Assistant City Manager
Date: February 24, 2017
Subject: Request to Hold Firefly Country Night on Friday, September 8

At the February 14th City Council meeting, the City Council moved to direct staff to talk to the Main Street Cultural District (MSCD), requesting that its Firefly Country Night not be held on the Thursday before Cy-Hawk weekend. Since that time, City staff has had discussions with event planners, and has received an application to hold this event on Friday, September 8, the day before the Cy-Hawk football game.

This is the second of two Firefly Country Night events planned for this summer. The event, which was formerly organized directly by the MSCD, has now been turned over to Jess Clyde of London Underground and Bill Malone of Café Diem, who will organize the event and share a portion of the profits with MSCD. The MSCD executive director has endorsed the event. City staff anticipates recommending approval of the first Country Night this summer, which will be held July 14th.

Staff and organizers have held several discussions regarding the September 8th event. City staff has concerns about hosting the event safely, given the large influx of people from out-of-town during the lead-up to the football game. A substantial proportion of those cited and arrested during football game weekends for nuisance and alcohol violations are individuals who live outside Ames. Firefly Country Night tends to draw a crowd both from Ames and elsewhere, as the event talent is nationally known.

On typical Cy-Hawk game weekends, the Police Department has historically begun to see an uptick in call activity in other parts of Ames by Friday. In addition, Ames Police officers will be working mandatory overtime shifts on game day, which makes it difficult to secure additional officers for a special event held the day prior.

To mitigate these issues, organizers have proposed enhancing the event security and adjusting some of the environmental factors, including: 1) shifting the event time earlier so the headliner starts at 7:30 p.m. and the event is over by 9:00 p.m., 2) ending beer sales at 8:00 p.m., 3) limiting total attendance to 1,500, 4) limiting pre-sale ticket sales to 1,000 and reserving 500 tickets for door sales to avoid turning away large numbers at the door who might become disgruntled, 5) hiring a security

firm more experienced with large events and increasing the number of security personnel from eight to fourteen, 6) utilizing security teams who will patrol inside and outside the event area, 7) setting price points that will cater to an older audience. Staff should note that this event has been held successfully in the past, with only a few incidents requiring intervention by security or police.

Staff has learned that the event was proposed for this date because a national act had an opening. Moving the event to another date would not be possible. The organizers have indicated that their deadline to sign the headliner is approaching soon.

It is evident that the organizers have thought through the safety of the event and have worked to mitigate potential issues to a great degree. City staff continues to have reservations about whether those changes will be sufficient to control the crowd, given the potential for significant delays in responding should a problem arise. Staff is not confident that it could recommend approval of this event that week, regardless of what measures are taken to modify it. Of course, if directed by the City Council, staff would make every effort to ensure a safe and successful event.

City staff cannot recall a prior instance where the Council has weighed in regarding an event prior to it occurring, as it did on February 14th. The staff, therefore, assumes there is a concern on the part of the City Council for this event on this particular weekend. However, the motion was in the form of a request. City staff is not clear about whether the Council meant to indicate that it would not entertain a request for this event to be held that week at all, or if it was simply an appeal to organizers to attempt to find an alternative date.

Given the staff concerns and the organizer's efforts to mitigate the safety hazards, City staff would like direction as to whether it should:

- 1) Accept the Special Event Application and work with the organizers to ensure the event is as safe as possible; or
- 2) Reject the Special Event Application and indicate that the event may not be held that week.

If the City Council is not interested in having the event that week, City staff does not wish to spend significant time working through the planning for this event, nor does City staff want the organizers to waste their efforts. If the City Council directed staff to proceed with accepting the application, additional staff time would be required to continue to review and discuss the proposed plans. A Staff Report with the requests would be brought back to the City Council for approval at a future meeting. If the City Council directed staff to reject the Special Event application, no further action would be taken.

COUNCIL ACTION FORM

SUBJECT: **REQUEST FROM BARILLA FOR INCENTIVES
RELATED TO PROPOSED EXPANSION**

BACKGROUND:

Barilla has been a corporate citizen since 1997. Over the years the facility in Ames has been expanded so that it now accommodates six production lines operating three shifts, 24 hours per day. It currently employs 180 people at the Ames plant with a taxable value of approximately \$38,644,000. The company currently is receiving a \$1,960,000 Industrial Tax Abatement on the existing improvements.

The company is now planning for its next major expansion project. This project will include: 1) a building expansion of 71,374 square feet to house two additional processing lines and associated packaging/feeding equipment, 2) a rail yard expansion to accommodate a larger number of train cars, and 3) six new silos to store wheat.

The total investment in this project is estimated to be approximately \$62 million including engineering/design work, construction, machinery, and equipment. When completed, the assessed value of the expansion project is estimated to be \$16,320,000. In addition, 41 new jobs will be added at the Ames site as a result of this expansion project. The plans are for construction to begin in May 2017 with the building completed by the spring of 2018.

Currently the company is considering two possible sites for this expansion project; Ames, Iowa and Avon, New York, the site of Barilla's other plant in North America. The consultant who is advising Barilla regarding the expansion project has informed City staff that the City of Avon is willing to grant Barilla a 100% tax abatement for ten years on the value of the new additions and a 50% tax abatement on their existing plant value for the same ten year period. They estimate the value of this tax abatement incentive to be \$8,000,000 over a ten year period.

The projected water consumption related to this expansion would be an additional 5,197,300 gallons annually with a daily average of 14,279 gallons. This amount of additional water consumption would be well within our new Water Plant's capacity to accommodate. Because the expansion is simply the addition of new pasta lines which currently pose no wastewater issues, the project should not be a problem for our Water Pollution Control Plant either.

STATE OF IOWA INCENTIVE PACKAGE:

The staff from the Iowa Economic Development Authority is recommending to their Board an incentive package totaling \$1,591,000. The package consists of: 1) \$375,000 in the form of a Forgivable Loan if the 41 jobs are created in a timely manner, 2) \$400,000 for an Investment Tax Credit, and 3) \$816,000 for State Sales Tax Credits.

CITY OF AMES INCENTIVE PACKAGE:

An expansion project like the one being proposed by Barilla would typically qualify for the five year, partial Industrial Tax Abatement Program from the City. Assuming that the assessed value of the expansion project will be \$16,320,000, the value of this tax abatement would be \$1,046,220 for the company.

According to the City's Economic Development Policy, the local incentive package could be increased to include a low interest or forgivable loan depending on how well the project scores on our Economic Development Funding Matrix. A review of the project by the Finance Director yielded enough points to justify a low interest loan, but not a forgivable loan (grant) to the company. One of the factors that contributes to the low score is the fact that only 9 of the 41 new jobs will be above the Ames laborshed pay rate.

WHAT MAKES THE BARILLA EXPANSION UNIQUE?

Staff believes a case can be made that this latest Barilla project is unique and worthy of incentives in excess from what would be traditionally offered similar projects. **The combination of following points would seem to justify some level of extraordinary incentives:**

- The Barilla complex is the second largest property tax contributor in the city.
- The company has made significant investments in our community over the years.
 - This initial project in 1997 included an estimated investment of \$137 million with 150 employees.
 - The latest addition of the gluten-free line in 2015 resulted in an estimated investment of \$26.5 million and 23 additional employees.
- There is sufficient land available on the site to accommodate future expansion beyond the project planned this year.
- This project includes the expansion of the existing rail yard to accommodate a 100 car unit train in 36 hours as compared to the 96 hour turnaround time that now exists with smaller track length. It is possible that this expanded rail capability could be made available to other companies in the area.
- The company will increase their number of manufacturing jobs by 41.

ALTERNATIVES:

- 1) As part of the incentive package to Barilla to entice the company to locate its next expansion project in Ames, the Council could decide to offer **a five year, partial Industrial Tax Abatement incentive**. The value of this incentive based

on an incremental assessed value for the expansion project of \$16,320,000 would be \$1,046,220.

Under this incentive program, the City would be paid \$1,278,714 over this same five year period.

No action is required under this alternative. If the project qualifies for the incentive as determined by the Assessor, this incentive is automatically provided.

- 2) As part of the incentive package to Barilla to entice the company to locate its next expansion project in Ames, the Council could decide to offer a **ten year, partial tax abatement incentive under the Urban Revitalization Program**. The value of this incentive based on an incremental assessed value for the expansion project of \$16,320,000 will be \$2,045.942.

Under this incentive program, the City would be paid \$2,603,926 over this same ten year period.

To accomplish this alternative, the City Council will need to create an Urban Revitalization Plan and area and to adopt a resolution approving the plan and an ordinance approving the area for the Barilla site.

- 3) As part of the incentive package to Barilla to entice the company to locate its next expansion project in Ames, the Council could decide to offer a **Tax Increment Financing (TIF) Rebate incentive to the company for ten years or up to \$3,000,000, whichever comes first**.

Assuming a \$16,320,000 assessed value for the incremental value of the expansion project and that the tax rate and assessed value remains the same over a ten year time frame, \$3 million of tax rebates will be generated for the company in ten years. However, if the tax rate and/or the assessed value increases in the future, \$3 million of tax rebates could be generated sooner for the company.

Under this incentive program, the City would be paid \$491,314 over this same ten year period.

To accomplish this alternative, the City Council must establish an Urban Renewal Area, prepare a developer agreement for the company to sign agreeing to create the 41 new jobs within three years, and create a minimum assessment agreement for the company to sign equal to \$16,320,000 which is the estimated value of the new improvements associated with the expansion project.

CITY MANAGER'S RECOMMENDED ACTION:

Responding to this request for an incentive package is challenging for the City since the request by the company is not based on need. Rather, in making their final decision, the company is attempting to compare the direct and indirect benefits that they have identified from the proposals submitted by Avon/State of New York with Ames/State of Iowa. The staff has been told that the total value of the incentive package that is being offered by Avon is \$12,450,000. This total includes the ten year tax abatement incentive that quite frankly is too generous for most other cities throughout the country to justify.

In this instance, City staff can justify going above and beyond the five year industrial Tax Abatement incentive because, 1) as reflected in the points identified above, this project is unique and a precedent should not be established with this type of response, and 2) an additional investment of this magnitude at the Ames plant should reflect favorably on this site should further expansion possibilities in the future cause a similar competition between Ames and Avon.

In keeping with this reasoning, the City Manager suggested to the company that he could recommend a ten year, partial tax abatement schedule that is available under the Urban Revitalization Program. The value of this incentive would equal \$2,045,942. While company representatives were appreciative of this position, they indicated that if the City would be willing to increase the tax abatement to \$3,000,000, thus bringing the total incentive package being offered by Ames/State of Iowa to approximately \$6 million, they would be prepared to recommend the Ames site over the Avon location to their Board of Directors.

Obviously, there are other benefits to expanding in Ames other than the direct financial incentives being offered by the state and local governments. However, it was indicated that by providing a \$3,000,000 local property tax abatement incentive, the Ames/State of Iowa proposal would meet the company's goal of obtaining 10% of the project funding from incentives.

Assuming the City Council desires to support the expansion of one of our major corporate citizens without establishing a precedent regarding the magnitude of the tax incentive being offered and wants to assure a favorable recommendation from Barilla staff to their Board regarding the siting of the expansion project in Ames, it is the recommendation of the City Manager that the City Council approve Alternative #3. This action will require company officials to enter into a contract with the City agreeing to a minimum assessment of \$16,320,000 for the incremental value of the expansion project so that \$3,000,000 will be rebated to Barilla in ten years or less and to create the 41 new manufacturing jobs within three years.

COUNCIL ACTION FORM

SUBJECT: 321 State Avenue Development Request for Proposals

BACKGROUND:

On January 10th, The City Council provided direction to City staff to proceed with developing a Request for Proposals (RFP) for the development of the 10-acre City owned property at 321 State Avenue. City Council addressed five specific issues on January 10th and provided direction to staff as follows:

1. Prepare a RFP to select a partner developer to design and construct an affordable housing development.
2. Allow for proposals to include detached or attached single-family homes.
3. Require the developer to specify details on any properties that may be made available for rental.
4. Offer financial incentives of land at no cost, up to \$550,000 to assist in construction of infrastructure, down payment assistance for qualified low and moderate income households, and support for the developer to apply for state Workforce Housing Tax Credits.
5. Require that a minimum of 60% of total homes shall be available to qualified low and moderate income households.

The draft RFP is attached to the report. The RFP includes a description of the goals for development of the site, minimum development requirements, submittal requirements, and evaluation and scoring criteria. Staff will hold a predevelopment meeting that is tentatively scheduled for March 23rd and require all proposals to be submitted by April 15th. A scoring committee will evaluate the proposals and provide a recommendation to the City Council at its May 9th meeting. Council will make a final selection on May 9th to enter into negotiations on a development agreement to proceed with development of the project.

Additional details for the project include a description that the site may be developed under either the current Residential Low-Density (RL) zoning standards or the City will consider rezoning the site to Planned Residential Development (PRD) if needed to accommodate an innovative approach to the subdivision layout. The RFP includes an estimated development density of the site as being between 34 and 60 homes. The development details of the RFP also indicate that Tripp Street must be extended through the site, space must be reserved along the north property line for a bicycle facility connection to Arbor Street.

The evaluation criteria are meant to help differentiate proposals in terms housing design and developer experience. Staff has attempted to provide a basic framework to help

guide a development proposal, while at the same time trying to encourage or allow for creative development approaches. **No minimum points will be required as part of the assessment for a proposal to be forwarded to the City Council for final selection.** It is very possible that there could be substantially different proposals for use of the property because of the latitude granted in the RFP process. Very different proposals could be scored very similarly. For example, the City may have to compare a project that has only single-family detached homes to a project that is only attached single-family homes. Because of the flexibility in the RFP, City Council will ultimately need to make the final selection based upon what is viewed as best overall approach to developing the property and capacity of the developer to complete the project in a timely manner.

ALTERNATIVES:

1. The City Council can direct staff to proceed with issuing an RFP consistent with the attached draft RFP.
2. The City Council can make changes to the proposed draft RFP and direct staff to issue a revised RFP.
3. The City Council can refer this item back to staff with further direction.

MANAGER'S RECOMMENDED ACTION:

The draft RFP includes all the requirements that have been stated for development of 321 State Avenue. The RFP establishes a framework to guide proposals as well as the method to evaluate and score the potential wide variety of proposals that could be submitted.

Therefore, it is the recommendation of the City Manager that the City Council direct staff to proceed with issuing the attached RFP for development of 321 State Avenue.



DRAFT

**Request for Proposals
Development of
321 State Avenue**

Ames, Iowa



February 28, 2017

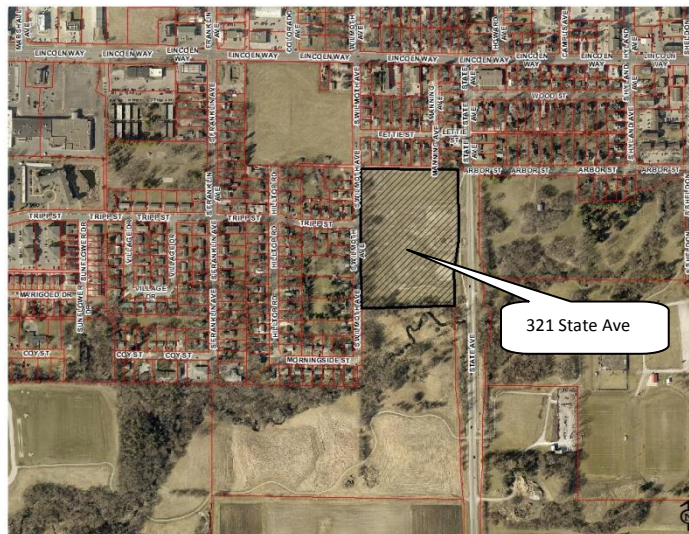


I. Introduction

The City of Ames, Iowa is accepting proposals from qualified experienced housing developers, interested in entering into a partnership with the City of Ames, to construct mixed income housing in the Ames community.

Ames, like many communities across America, has a continuing need for more affordable housing for low and moderate income households. One of the major goals and priorities of the City's Adopted 2014-18 CDBG Five-year Consolidated Strategic Plan was **"To create, expand, and maintain Affordable Housing for Homeless and Low-income persons"**.

Through the use of its Community Development Block Grant (CDBG) funding, the City of Ames has secured ownership of a 10+ acre tract of infill land located at 321 State Avenue in West Ames. The land is the site of the former Ames Middle School. The tract of land is also located in the City's first Neighborhood Revitalization Strategy Area (NRSA), which will allow for a greater flexibility in the development of mixed-income housing units.



The City is particularly interested in proposals that address the following objectives:

1. Creating single-family homeownership opportunities to **low and moderate**-income households (incomes not to exceed 80% of the Ames Metropolitan Statistical Area (MSA)*);
2. Creating single-family homeownership opportunities to **moderate**-income households (incomes at or above 81% of the Ames Metropolitan Statistical Area (MSA)).
3. Creating a variety of housing choices to address the above described households to include: single-family detached or single-family attached building types.
4. If rental homes are included within the proposed developed, creating affordable rental homes for low-income households (incomes equal to or less than 60% of the Ames Metropolitan Statistical Area (MSA)*);
5. **A minimum of 60% of the total units developed must be affordable to households indicated in items 1 and 4 above.**

*See Attachment A

To meet the above objectives, the City is interested in development of the site as a **"single-family"** housing neighborhood that integrates with its surroundings. The property is currently zoned as Residential Low Density, however, the City would consider rezoning the site to a Planned Residential Development if necessary to accommodate innovate housing types and to increase the number of affordable homes developed in the project. The overall development must be consistent with a density of a minimum of 3.75 dwelling units per net acre to a maximum of 7.26 dwelling units per acre.

The City estimates development would include between 34 and 60 houses depending upon the layout and design of the subdivision.

The City of Ames invites and encourages the submission of proposals from developers, builders, and non-profit organizations to construct housing units that are affordable to lower- income families and market-rate families.

Proposals will be evaluated and scored on a competitive basis. Once all projects are scored, the proposals will be forwarded to the City Council for their selection of the most desirable project. The City reserves the right to waive any minor informalities or irregularities, which do not address the heart of the proposal or prejudice other offers, or to reject, any and all proposals. **Proposals, which take exception to the RFP, may be considered non-responsive and may be rejected.**

II. General Information

The following information is provided to assist the developer by summarizing the important facts in regards to the criteria and format by which the Request for Proposal process will proceed.

- A. **The City of Ames reserves the right to accept or reject any and all proposals.**
- B. Time Table of Events:
 - Pre-Proposal Meeting: Thursday, March 23, 2017,
 - Proposal Deadline: Friday, April 14, 2017**
 - Final Selection (Tentative): Tuesday, May 9, 2017
- C. **All proposals must be sealed, postmarked and/or delivered to the City of Ames Purchasing Division (1st Floor) with all supporting documentation no later than 2:00 p.m. on Friday, April 14, 2017. No verbal or faxed submittals will be accepted. Submittals should have a subject line of "321 State Avenue Development Proposal".**
- D. Proposals may be withdrawn only by written request of the developer prior to the opening of the proposals. After the opening of the proposals, all offers shall remain valid and irrevocable for a period of 60 days from the date of the submittal and through negotiations on a final agreement with the selected developer.
- E. Proposals not meeting the minimum requirements or submittal requirements will not be considered.
- F. Copies of the City's Zoning Ordinances, Subdivision Regulations, Storm Water Management, and Building Codes are available at the Department of Planning & Housing, City Hall, 515 Clark Avenue, Room 214, Ames, Iowa or on the City's website at www.cityofames.org search for Municipal Code. **Attachment C (TO BE ATTACHED)** includes specific references to development requirements.
- G. The selected developer will be responsible for the preparation of development plans at their cost, including but not limited to subdivision, grading, stormwater management, public improvements, and site development plans.
- H. If a proposed development concept requires rezoning of the site to a Planned Residential Development (PRD), the City will rezone the site concurrent with the review of the subdivision plans.
- I. The City will make available information pertaining to existing infrastructure for connection of the site to the existing systems.

- J. The successful developer will be responsible for verifying the exact location of the boundary lines in relation to their development proposal as part of the subdivision process.
- K. The City of Ames reserves the right to require additional information at any time during this process to help clarify the intent of the developer or project details.
- L. The selected developer will be responsible to pay for the construction of all infrastructure required for the proposed subdivision, less the amount provided by the City reflected in Article Vb.

III. Project Goals

The City's main goals for this project are to:

- A. Develop mixed-income housing that addressed the housing needs of families.
- B. Encourage creative or innovative design to provide housing variety that is not traditionally constructed with Ames.
- C. Provide for housing that is of a compatible scale and design to the surrounding single-family neighborhoods and includes high quality and durable materials with a design character of traditional single-family home architectural features.
- D. Utilize and leverage Community Development Block Grant (CDBG) funds through the development of a public-private partnership.
- E. Provide for development of the site in a manner that is consistent with the City's Land Use Policy Plan and the needs of the overall development goals of the City of Ames.

IV. Minimum Development Requirements

Proposals submitted shall meet the following minimum unit and site requirements:

The City will remain flexible to allow a developer to progress with an innovative design, however, the following minimum design guidelines will be required for homes.

- A. A development intensity of between 34 and 60 homes that includes both affordable and market-rate housing.

Ineligible Homes Types: Nursing homes, board and care facilities, and supervised living facilities licensed by the State of Iowa or a delegated local Department of Health are not eligible for funding, nor are properties where residents require a 24-hour plan for supervision and/or medical/health care. Rooming or Boarding Houses, Transitional Housing Units, Homeless Shelters or Permanent supportive housing units are also not eligible.
- B. All applicable provisions of the City of Ames Zoning Ordinances, Subdivision Regulations, and Building Codes shall apply.
- C. A minimum of 60% of the TOTAL units developed must be affordable to households with incomes that do not exceed 80% of the Ames Metropolitan Statistical Area (MSA) income limits, as established by HUD (See Attachment A TO BE ATTACHED). Households must meet all HUD qualification requirements to qualify as a low or moderate income household.

- D. Installation of Radon System.
- E. Energy Star Certified Home, including the overall heating and cooling performance of the home with a gas furnace and central air conditioning. This also includes energy star appliances for the dishwasher, refrigerator, washer and dryer.

F. Owner-Occupied Housing

- 1. Home designated as affordable housing must not exceed the HOME purchase price or value limit as designated by the Department of Housing and Urban Development (HUD) (see Attachment B TO BE ATTACHED).
- 2. Homes designated as affordable homes meeting the 60% requirement will include a resale restriction to other first time homebuyers for a minimum time period. The homes will be deed restricted during the period of affordability.
- 3. For the homes designated as affordable, the potential homebuyers must be determined eligible by the City of Ames or its designee.

G. Rental Housing Units

- 1. Any rental units constructed must be for available for households with incomes at 60% or less of the Ames MSA. (The 60% ratio will be rounded up to the next whole number).
- 2. Any approved affordable homes for rental occupancy will include a restriction of 25 years as use as an affordable housing unit through a restrictive covenant and annual verification of income eligibility by the property owner. Properties must be rented to Family households that are consistent with the HUD definition of a family.
- 3. During the affordability period, rent levels must be affordable to the targeted household incomes established by HUD for Ames Metropolitan Statistical Area Section 8 Housing Choice Voucher Program, or Home, Iowa Low Income Tax Credit Program, or the Federal Home Loan Bank program, where applicable.
- 4. Meet any additional requirements of the CDBG program, if applicable (e.g. environmental, etc.).

H. Market Rate Housing

- 1. The remaining 40% of units may be developed for **market rate** homeowner single-family households.

V. Financial Incentives

In support of development of affordable and market rate housing for site, the City will offer of the following incentives to the selected developer.

- A. Offer the land at no cost (\$550,000 approximate value).
- B. The City has budgeted \$392,000 to assist in infrastructure costs and may provide up to \$550,000 for construction of the public improvements (street, water, sewer, sidewalks, etc.) for the site depending on final allocations of CDBG funding for 2017-18.

- C. The City will provide down payment and closing cost assistance funding for eligible low-income families.
- D. The City will support an application to the Iowa Economic Development Authority (IEDA) for the state funded Workforce Housing Tax Credit Program. The developer would be the applicant to the state.

V. Competitive Requirements and Scoring Component

A. Competitive Requirement

The City of Ames is seeking to maximize its development efforts. Developers are urged to create an exciting and imaginative project. Competitive Requirements will be given to those proposals that demonstrate creativity, aesthetic appeal, mix of housing types and styles, competitive pricing and the project's contribution to increasing the affordable housing stock in Ames.

B. Scoring Component

The Scoring Committee will evaluate the elements of the proposal related to design, style, features, costs, timing, in relation to the described criteria.

1. Applicant/Developer Capability and Track Record (including partners).The applicant's track record, including whether the applicant and/or development team has successfully completed and/or operated a similar type project or a project of similar scope and size. Capacity to undertake new or additional projects; ability to secure construction financing; the developer's approach, plan of work, recommended schedules, and suggested responsibility assignments (30 points);
2. Quality of References. Qualification and experience in providing the requested development as exemplified by past projects and client contracts. (including other communities, Iowa Finance Authority, Federal Home Loan Bank and or Iowa Department of Economic Development) (20 points);
3. Price, Number, and Affordability levels of units for low-income families that exceed the minimum requirements (10pts)
4. Housing variety and architectural styles (5pts)
5. Project Design and Amenities for both affordable and market rate homes per unit:
 - a. Floor Plans, lot layout, home features to meet family housing needs of Ames
 - i. 2 bedroom homes (1pt)
 - ii. 3 or more bedroom homes (3pts)
 - iii. 1 and ½ finished bathrooms (2pts)
 - iv. 2 finished Bathrooms (3pts)
 - v. Garage (detached or attached) (2pts)
 - vi. Storage Area (2pts)
 - vii. Covered entry or porch (2pts)
 - viii. Patio or deck space in rear yard (1pt)
 - ix. Eaves with and gutters and downspouts (1pt)
 - x. Window trim (1pt)

Design of homes to allow for future homeowner investments

- xi. Basement with rough plumbing (3pts)
 - xii. Basement egress window (3pts)
 - xiii. Future addition to the home (1pts)
- b. Use of high quality and durable materials on the exterior and interior to reduce ongoing ownership costs. Preferred materials listed below.
- i. Use of composition roof materials with a minimum of 30-year warranty (2pts)
 - ii. Wood siding (2pts)
 - iii. Cement board siding (3pts)
 - iv. Vinyl siding with a minimum thickness of .42mm (1pts)
 - v. Pre-finish composite wood siding (3pts)
- c. Additional design features and amenities (5pts)
- 6. Feasibility (pro-forma including project funding sources) (25 points);**

Additional criteria for rental housing unit proposals:

- 1. Property management experience** – number of units managed; years of experience; the number of affordable units managed and the performance record. Familiarity of the various funding sources for housing development and rental subsidies. (20 points)

VI. Housing Types

The City of Ames will accept proposals for affordable housing where the housing includes one or combinations of any of the following types of housing.

Traditional Built Housing

This type of housing is when home builders, comprised of carpenters, electricians, plumbers, masonry contractors, roofers, insulation contractors, heating and ventilation contractors construct the home on the lot. All construction is to be in compliance with locally modified UBC, NEC, UPC and other applicable codes of the City.

Modular Housing

This type of housing is constructed in an assembly plant off site. The construction consists of pre-determined modules and is then transported to the site for final assembly. This construction is to be in compliance with the State Building Code and all applicable local codes.

VII. Security Requirements

The City of Ames has a performance responsibility to insure that that the affordable housing is constructed consistent with the CDBG program rules and regulations for low income households. As a means to insure that the City's investment in land and infrastructure will truly create various levels of housing, the City will require security in the following forms:

- A. As security for the performance for the construction of all housing units, the City will retain ownership of the Subdivision, and convey by quit claim deed to the Developer as those lots are substantially completed in accordance with this Request for Proposal and the Development Agreement.
- B. The construction of the affordable homes must be commensurate with the construction of the market rate homes.

VIII. Submittal Requirements

Six (6) copies of the All proposals must be sealed, postmarked and/or delivered to the City of Ames Purchasing Division (1st Floor) with all supporting documentation no later than 2:00 p.m. on Friday, April 14, 2017. No verbal or faxed submittals will be accepted. Submittals should have a subject line of "321 State Avenue Development Proposal". All late or incomplete submittals will be rejected.

The following information is provided for guidance to prospective Builders/Developers.

A. Proposals must contain, at a minimum, the following information:

- ____ 1. A development summary statement, drawings, and plans, including the following items:
 - ____ a. Conceptual subdivision and site layout that identifies lot sizes, street improvements and access points, stormwater management, and utility extensions.
 - ____ b. Representative architectural elevations and floor plans for all homes.
 - ____ c. Summary of plan types for total finished square footage, number of bedrooms, number and type of bathrooms, and square footage of any unfinished areas; and
- ____ 2. Include estimated home sale prices and homeowner association fees by house plan.
- ____ 3. A statement reflecting the proposed timing of improvements and the proposed date of completion of these improvements for the subdivision. A description of the approach of how to proceed with construction of the homes.

____ B. The proposal must be signed by an official of the corporation authorized to bind the offer.

____ C. The proposal must contain a statement to the effect that the proposal is firm for a period of not less than 60 days after the closing date of this request.

____ D. **The proposal must be submitted in six (6) copies.**

____ E. The proposal shall contain the full name of the person, firm, or corporation submitting the proposal and the address of the person, firm, or president of the corporation.

____ F. No officer, member, or any other person holding any position with the City of Ames, Iowa, either appointed or elected, shall be or shall become interested directly or indirectly with the person, firm, or corporation submitting a proposal or in any portion of the profits derived by the selected developer from this project. This exclusion does not pertain to persons who are appointed to State-created authorities.

____ G. Project Pro Forma and Estimated Construction Costs. Include which incentives are requested to support the proposed project. *Remember to account for construction estimates with federal Prevailing Wage requirements for any and all subdivision related improvements. Construction of the Single-Family homes themselves is not subject to Davis-Bacon Prevailing Wage.*

____ H. Identify partners and members of the development team.

____ I. Submit a portfolio of successful projects for the development team from the last 10 years, identify any representative examples similar to the scope of the submitted proposal.

____ J. Identify on a separate document areas where the proposal meets each of the selection criteria.

IX. Review Process and Selection Criteria

A. Applications which pass the minimum requirements will be evaluated by as staff review committee. The members of the committee will score each application. An application must be deemed responsive to the RFP to be referred to the City Council.

B. Evaluation of Proposals

Applications will be evaluated on the scoring criteria outlined under Section V. The Scoring Committee will have the option to conduct on site interviews with developers.

C. Evaluation Selection Process

The selection of the preferred developer will utilize the following steps:

After the staff review committee evaluates each proposal, a report will be prepared for City Council that will contain background information and factual data for each proposal, a ranking of the proposals, and a committee recommendation regarding which developer's proposal should be selected as the preferred developer.

The final selection will be on the basis of:

1. The City Council's determination of the best proposal that meets the goals and objectives of the City;
2. A satisfactory agreement between the preferred developer and the City is finalized;
3. A completed verification of the qualifications of the proposed developer;

X. Contract Negotiations:

The City reserves the right to reject any and all proposals and to negotiate the terms of the contract, including the award amount, with the selected developer(s) prior to entering into a written agreement.

X1. Questions/Contact Person:

Questions concerning this proposal, the application, or the review process may be directed to Vanessa Baker-Latimer, Housing Coordinator by mail at City of Ames, Planning & Housing Department, PO Box 811, Ames, IA 50010; by email at vbakerlatimer@cityofames.org; or by phone at 515-239-5400.

VIII.

Definitions

Certain words or phrases in this document are critical to a thorough understanding of the objectives and goals of the City for this project. The following definitions are offered to aid prospective developers in the preparation of this Request for Proposals.

1. Builder/Developer: Any individual, corporation, partnership, non-profit organization or similar entity that has expressed an interest, or has been identified as having an interest, in providing those private services that are necessary in creating housing.
2. City: This means the City of Ames, Iowa, its elected and appointed officials, and all staff persons employed by the City of Ames.
3. Community Development Block Grants (Entitlement). Under this program HUD directly provides annual CDBGs on a formula basis to “entitled” communities (populations over 50,000) to carry out a wide range of community development activities directed toward neighborhood revitalization, economic development, and improved community facilities and services.
5. HUD: The Department of Housing and Urban Development or its designee.
6. Lower-Income Family: A family whose annual income does not exceed 80% of the median income for the Ames Metropolitan Statistical Area (MAS), as determined by HUD.
7. Project: Those activities, whether public or private, that have been determined to be necessary to complete the Housing Development.
8. Restrictive Covenant. A provision in a deed limiting the use of the property and prohibiting certain uses
8. Submittals: Those written and graphic documents prepared by developers that explain the strategy, approach, and specific elements that a developer proposes to use in meeting the City's goals for the affordable housing subdivision.
9. Zoning Ordinance: Is defined as Chapter 29 of the Municipal Code, which is to include all amendments thereto.

Attachment A
2016 Ames Metropolitan Statistical Area Income Limits
(subject to change)

80% of Story County Median (Low Income)	
Family Size	Gross Income Cannot Exceed
1	\$44,550
2	\$50,900
3	\$57,250
4	\$63,600
5	\$68,700
6	\$73,800
7	\$78,900
8	\$84,000

60% of Story County Median	
Family Size	Gross Income Cannot Exceed
1	\$33,420
2	\$38,160
3	\$42,960
4	\$47,700
5	\$51,540
6	\$55,380
7	\$59,160
8	\$63,000

COUNCIL ACTION FORM

SUBJECT: MULTI-MODAL ROADWAY IMPROVEMENTS PROGRAM LOCATIONS

BACKGROUND:

On February 14, 2017, City Council approved the 2017-2022 Capital Improvements Plan (CIP). This included approving the Multi-Modal Pavement Improvements Program with the amendments requested by the Ames Bicycle Coalition (ABC). These amendments included the following changes to the original program that was presented to City Council during the CIP overview on January 17, 2017:

- Delay the on-street improvements along Clark Avenue/S. Walnut Avenue (ON15: S. 3rd St to 6th St) and Wilder Avenue (ON20: Mortensen Road to Lincoln Way) until FY 2020/21.
- Accelerate the on-street improvements along 16th Street & Meadowlane Avenue (ON24: Ridgewood Ave to E. 13th St) to FY 2018/19.
- Add enhanced intersection crossing improvements to improve crossing visibility at Clark Ave/E 13th St to FY 2017/18.
- Delete on-street improvements along Duff Avenue (Lincoln Way to 6th St) and Beach Avenue (Mortensen Parkway to Lincoln Way) from FY 2017/18.

ABC suggested deleting the on-street improvements along Duff because they felt Duff Avenue south of 13th Street is unsafe for biking without substantial physical reconfiguration of the roadway. They felt the on-street improvements along Beach should be deleted because a shared use path already exists in this corridor. These projects are shown in the Ames Area Metropolitan Planning Organization (AAMPO) 2040 Long Range Transportation Program (LRTP), however, considering the input from ABC; they will not be reprogrammed into a future CIP. Input will also be given to AAMPO that these projects can be removed from consideration during the next update to the LRTP, which will get underway in 2018.

ALTERNATIVES:

1. a) Remove on-street improvements along Duff Avenue (Lincoln Way to 6th St) and Beach Avenue (Mortensen Parkway to Lincoln Way) from consideration in future Capital Improvements Plans.

b) Recommend to AAMPO that these projects need not to be considered during the 2045 LRTP update.

2. Re-evaluate these projects pending the results of the 2045 LRTP Update.

MANAGER'S RECOMMENDED ACTION:

Input from the Ames Bicycle Coalition has shown that the on-street improvements contemplated along Duff Avenue (Lincoln Way to 6th St) and Beach Avenue (Mortensen Parkway to Lincoln Way) are either not feasible or not necessary (redundant). Considering this user advocacy input, these projects will be removed from consideration in future CIP's. It can then also be recommended that AAMPO need not consider these projects during the 2045 LRTP update, which gets underway in 2018.

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

TO: Mayor and City Council

FROM: Kelly Diekmann, Planning & Housing Director

DATE: February 22, 2017

SUBJECT: Continued public hearing for Annexation of 36 Acres along West Lincoln Way and S. 500th Ave and Development Agreement for Trinitas

Staff requests that the City Council continue the public hearing for the Trinitas annexation until March 7, 2017. The continuance is to allow for the developer and the City to review the traffic study and to continue working on the terms of the draft development agreement that is meant to accompany the annexation request. City staff and the developer will continue to discuss the terms of the agreement and will have a full staff report and draft development agreement for the March 7 Council meeting.

ITEM #: 43
DATE: 02-28-17

COUNCIL ACTION FORM

SUBJECT: CITY INITIATED REZONING OF EXISTING AND FORMER GOVERNMENT LANDS TO S-GA (GOVERNMENT/AIRPORT) AND RL (RESIDENTIAL LOW DENSITY).

BACKGROUND INFORMATION:

City staff has recently reviewed ownership changes on multiple parcels within the City and determined that rezoning of properties due to acquired ownership by public entities or sale of public land to private holders is needed to align the Zoning Map with current land ownership.

The City's Zoning Ordinance (Chapter 29.1002) includes a special purpose Government/Airport (S-GA) zone which governs "structures and uses related to or owned by federal, state, county, school districts, or municipal governmental authorizes". The S-GA zone does not contain specific regulatory standards, such as use limitations or design standards; rather it exempts publicly owned facilities from local zoning requirements, with the exception of height limitation in the vicinity of any airport. It is expected that public authorities will work with city staff on development standards for public facilities to ensure compatibility with the character of the surrounding area. However, most government facilities are exempt from the City's zoning regulations regardless of the base zoning district.

Seven properties were identified as needing revisions to their base zoning to reflect their current status and have an up to date Zoning Map with the current ownership and intended use of the property. (See Attachment A for a Location Map of the subject properties) The properties included in this rezoning request are noted in the table below. The six properties are owned by Iowa State University, City of Ames, and the Ames Community School District (ACSD) are being requested to be rezoned to the S-GA zone. The remaining property, which was sold to a private property owner by the ACSD in 2012, is being requested to be rezoned to Residential Low Density (RL) to match with surrounding single-family housing type in the area.

Parcel #	Owner	Property Address	Acres	Existing Zoning	Proposed Zoning
0528146000	AMES, CITY OF	2901 HARRISON RD	4.00	FS-RL	S-GA
0903402020	DELANEY, BLAKE & KEIVA	1002 6TH ST	2.69	S-GA	RL
0907407000	AMES COMMUNITY SCHOOL DIST	820 MILLER AVE	10.97	RL	S-GA
0908325010	BOARD OF REGENTS, STATE OF IOWA	601 STATE AVE	28.99	RL	S-GA
0915275005	IOWA STATE UNIVERSITY	925 AIRPORT RD	5.05	HOC	S-GA
1007375040	AMES COMMUNITY SCHOOL DISTRICT	1216 S BELL AVE	7.80	GI	S-GA
0907300105	AMES, CITY OF	900 S. 500th AVE	2.56	A	S-GA

Staff also notes that three additional Ames Community School District properties (former Crawford school, former Edwards school, former maintenance shop) are likely to be disposed of by the ACSD as surplus land in the near future. However, their final disposition is not known at this point and is not included in this request for updating the Zoning Map. Each of those ACSD sites will require a separate request for rezoning in the future.

Further analysis of the proposed rezonings is found in the Addendum.

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission reviewed the rezoning request at the public hearing on February 1, 2017. The Commission voted (6-0) to recommend that the City Council rezone the subject properties to RL and S-GA based on the table provide in this report. There were no comments from the public at the meeting.

ALTERNATIVES:

1. The City Council can approve the request to rezone the subject properties to the S-GA for currently owner government land and RL for one privately owned property, based upon the property identification table in this report and staff's analysis as found in the addendum.
2. The City Council can deny the rezoning of the subject properties.
3. The City Council can defer action on this request and refer it back to City staff for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

The request for rezoning is consistent with the Land Use Policy Plan and Future Land Use Map as described in the addendum, and the change in zoning designation will not create any additional development impacts on infrastructure and City services than would otherwise occur under the existing zoning designations.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with **Alternative #1, which is to approve the rezoning of the subject properties to the S-GA and RL zones.**

ADDENDUM

REZONING BACKGROUND:

A total of seven properties have been identified for a map amendment to the City Zoning Map. Six of the properties have been identified for a map amendment to clean up the current city zoning map for existing and new publically owned properties. One additional property has been identified for rezoning due to a change of ownership from a public entity to a privately owned property. A description of the each site is below:

1. 2901 Harrison: The property is lot 19 of Northridge Heights Subdivision, 15th Addition. The lot was platted and dedicated to the City of Ames with the specific designation of use as a Public Park.
2. 1002 6th Street: was sold in 2012 by the Ames Community School District to Blake and Keiva Delaney. The property is approximately 2.7 acres. The property owner owns the abutting property to the west of this site at the corner of 6th and N. Hazel. The property is designated in the LUPP as Parks and Open Space and currently zoned S-GA due to the previous school district ownership. The surrounding zoning designation for this property is Residential Low Density which would permit the property to be utilized consistent with other single-family residential zoned properties in the surrounding neighborhood. Access to the lot is restricted due to the presence of the grade separation on 6th street. The property could potentially be subdivided under the proposed RL zone; however, staff is not aware of any intention at this time for subdivision of the property for additional home lots. Construction of one single-family home would also require a plat of survey to establish the boundaries of the property as a former conveyance parcel that has not been surveyed.
3. 820 Miller Avenue: is owned by the Ames Community School District and is home of Edwards School which was built in March of 2013. The LUPP designation is Village/Suburban Residential with the current zoning district being Residential Low Density due to the surrounding single-family neighborhood.
4. 601 State Avenue: is owned by Iowa State University after the sale of the property from a private developer in 2015. The LUPP designation of the property was revised in 2014 to Low Density Residential and rezoned from S-GA to Low Density Residential due to the request of the developer at that time to develop the land for residential use. The development of the land fell through and was sold to the current owner, ISU. No development is anticipated at this time for the property.
5. 925 Airport Road: was purchased in 2015 by Iowa State University for a Central Receiving Facility. The property is zoned Highway Oriented Commercial and designate in the LUPP as Highway Oriented Commercial.
6. 1216 Bell Avenue: is owned by the Ames Community School District after purchase of the property in 2015 for the schools Facilities Maintenance and Bus

Storage facility. The property is zoned General Industrial and is designated in the LUPP as General Industrial.

7. 900 S. 500th Avenue: was sold to the City of Ames in 2001 for the construction of the City of Ames's water tower that currently exists on the property. The property remained in Story County jurisdiction until annexation of such land in 2015 as part of the Crane Subdivision Annexation. The property is currently designated on the LUPP as Village/Suburban Residential and has remained zoned as Agriculture since annexation in 2015.

Land Use Policy Plan. The Land Use Policy Plan (LUPP) Future Land Use Map identifies the land use designations for the properties proposed for rezoning.

Goal No. 4 of the LUPP states: "It is the goal of Ames to create a greater sense of place and connectivity, physically and psychologically, in building a neighborhood and overall community identity and spirit. It is further the goal of the community to assure a more healthy, safe and attractive environment."

Objective 4C applies to the proposed rezoning and reads as follows: "Ames seeks to psychologically connect the various living/activity areas through closer proximity of residential areas and supporting commercial uses, common design elements, and inclusion of community amenities such as parks and schools. The connections should promote community identity."

The City's Land Use Policy Plan (LUPP) map identifies lands owned by government agencies under the broad titles "Government/Airport" and "University/Affiliated". The City's zoning map identifies these areas as "Government/Airport District". These are areas with land owned by a federal, state, county, school district, or municipal government authority and are therefore not subject to the City's local zoning regulations except for flood regulations and height limitations in the vicinity of the airport. This is an unusual designation in that it is the only designation based solely upon ownership as opposed to allowable land uses.

Findings of Fact. Based upon an analysis of the proposed rezoning and laws pertinent to the proposed map amendment, staff makes the following findings of fact:

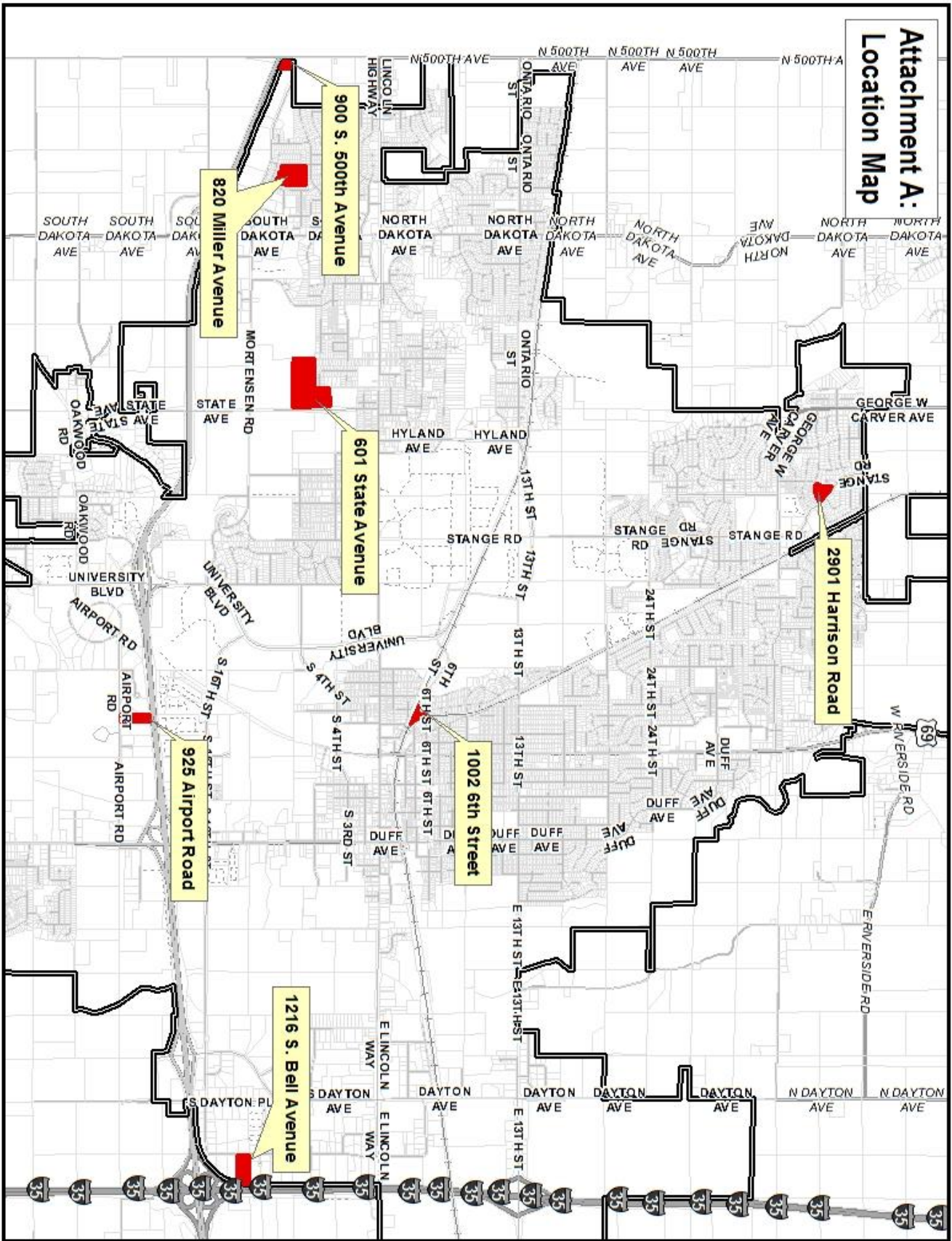
1. Ames Municipal Code Section 29.1507(1) allows the Planning and Zoning Commission to initiate an amendment to the Official Zoning Map and make such a recommendation to the City Council for approval.
2. The stated purpose of the S-GA zoning designation is, in part, to be reserved exclusively for structures and uses related to or owned by federal, state, county, school districts, or municipal government authorities.
3. Six of the subject properties are currently owned by the City of Ames, Ames Community School District, or Iowa State University and are consistent with the regulations of the S-GA zone.

4. The one additional property under private ownership at 1002 6th Street has been designated on the Land Use Policy Plan (LUPP) Future Land Use Map as “Parks and Open Space.” The designation of the property to the RL zone would allow for development of site to be consistent with the surrounding single family residential use types.
5. The uses allowed in the “S-GA” (Government/Airport District) and the “RL” (Residential Low Density District) are described in Chapter 29 of the *Municipal Code*. Staff has reviewed the existing uses of the subject properties and has found no inconsistencies with the existing uses or structures of the sites to be inconsistent with the proposed zoning designations.

Public Notice. The City identified all properties within 200 feet of the seven subject properties and a notice of public hearing was sent prior to the Planning and Zoning Commission meeting in accordance with the notification requirements of Chapter 29. Staff also provided an email notification to a representative of ISU Facilities Planning & Management and to the ACSD superintendent.

Conclusions. Based upon the analysis in this report, staff concludes that the proposed rezoning of properties as identified in this report is consistent with the Goals and Objectives of the City of Ames Land Use Policy Plan.

**Attachment A:
Location Map**



ORDINANCE NO. _____

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

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

Section 1: The Official Zoning Map of the City of Ames, Iowa, as provided for in Section 29.301 of the *Municipal Code* of the City of Ames, Iowa, is amended by changing the boundaries of the districts established and shown on said Map in the manner authorized by Section 29.1507 of the *Municipal Code* of the City of Ames, Iowa, as follows: That the real estate, generally located at:

2901 Harrison Road, is rezoned from Suburban Residential Low Density (FS-RL) to Government/Airport (S-GA);

1002 6th Street, is rezoned from Government/Airport (S-GA) to Residential Low Density (RL);

820 Miller Avenue, is rezoned from Residential Low Density (RL) to Government/Airport (S-GA);

601 State Avenue, is rezoned from Residential Low Density (RL) to Government/Airport (S-GA);

925 Airport Road, is rezoned from Highway-Oriented Commercial (HOC) to Government/Airport (S-GA);

1216 South Bell Avenue, is rezoned from General Industrial (GI) to Government/Airport (S-GA); and,

900 South 500th Avenue, is rezoned from Agricultural (A) to Government/Airport (S-GA).

Real Estate Description:

2901 Harrison Road:

Lot 19 of Northridge Heights Subdivision, Fifteenth Addition, City of Ames, Story County, Iowa;

1002 6th Street:

A part of Block 27, College Park 2nd Addition North to the City of Ames, Iowa, described as follows: "Commencing at the intersection of the south line of 6th Street and the east line of Hazel Avenue; thence S88°54'20"E, along the south line of that land deeded to the City of Ames, for street purposes in 1964, a distance of 229.6 ft., to the point of beginning of the tract herein described; starting at this point of beginning, continuing S88°54'20"E, 185.15 ft.; thence continuing along the south line of said deed land, East, 112.45 ft.; thence southeasterly along the southwesterly R.O.W. line of the C & NW R.R., on a 1004.93 ft. radius curve, concave to the northeast the long chord of which bears S32°00'30"E, a chord distance of 557.1 ft.; thence N65°17'40"W, along the northeasterly R.O.W. line of C & NW R.R., a dist. of 560.1 ft.; thence N61°12'20"W, along the R.O.W. line of said R.R., 125.0 ft.; thence N8°03'30"E, 183.5 ft. to the point of beginning of tract." In the above description the south line of the original 6th Street was taken to be due EastWest. Iron pins were set at points indicated on plat. Tract contains 2.69 acres

820 Miller Avenue:

Parcel 'A': Outlot T, except the West 30.00 feet thereof (aka part of Lot A in Longview Subdivision, First Addition to Ames, Iowa, as deeded to the City of Ames for public right of way) in the First Addition of Dauntless Subdivision, Ames, Story County, Iowa, being more particularly described as follows: Beginning at the Northeast Corner of said Outlot T; thence S89°59'47"W, 589.95 feet along the North line thereof to the East right of way line of Miller Avenue; thence following said line S00°00'00"W, 638.89 feet to the beginning of a curve; thence southerly, 102.57 feet along said curve having a radius of 1030.00 feet, concave to the west, and a central angle of 5°42'20" and being subtended by a chord which bears S02°51'48"W, 102.52 feet to the southerly line of said Outlot T; thence following said line S84°18'35"E, 119.98 feet; thence S67°49'43"E, 428.17 feet to the Southeast Corner of said Outlot T; thence following the easterly line of said Outlot T N18°30'24"E, 184.89 feet; thence N06°18'13"E, 186.46 feet; thence N00°00'04"E, 554.14 feet to the point of beginning, containing 10.97 acres;

601 State Avenue:

Lot 2 of Ames Middle School 2003, Plat 2, City of Ames, Story County, Iowa;

925 Airport Road:

Parcel "H", a part of the Southeast Quarter of the Northeast Quarter of Section 15, Township 83 North, Range 24 West of the 5th P.M. as shown on the Plat of Survey filed in the office of the Recorder of Story County, Iowa on April 13, 1994, in Book 12, Page 45;

1216 Bell Avenue:

Lot 2 of Dayton Park Subdivision, Fifth Addition, a replat of Outlot W Dayton Park Subdivision, Fourth Addition, City of Ames, Story County, Iowa;

900 S. 500th Avenue:

Parcel 'A': Part of the Northwest Fractional Quarter of the Southwest Fractional Quarter of Section 7, Township 83 North, Range 24 West of the 5th P.M., Story County, Iowa, more particularly described as follows: Commencing at the West Quarter Corner of said Section 7; thence N89°35'53"E, 110.00 along the north line of the Southwest Fractional Quarter of said Section 7 to a point on the easterly right of way line of 500th Street; thence following said line S0°44'36"E, 100.30 feet to the point of beginning; thence continuing S00°44'36"E, 204.97 feet to a point on the northerly right of way line of U.S. Highway 30; thence S67°46'53"E, 238.31 feet along said line; thence N00°03'46"E, 296.64 feet; thence S89°35'53"W, 223.60 feet to the point of beginning, containing 1.28 acres.

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 _____, _____.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

COUNCIL ACTION FORM

SUBJECT: 2016/17 CYRIDE ROUTE PAVEMENT IMPROVEMENTS (S. 3RD / 4TH STREET)

BACKGROUND:

This annual program utilizes current repair and reconstruction techniques to make pavement improvements to streets that are or were bus routes. These streets were designed and built for light residential traffic. With these streets now designated as bus routes, accelerated deterioration of the street surface has occurred. Pavement improvements will restore street sections that will carry higher traffic volumes. Improving these streets will reduce maintenance needs for them. This reduction will allow for additional and earlier maintenance of other streets, which will prolong their useful life. **The location for this project is South 3rd Street from Grand Avenue to South Duff Avenue and South 4th Street from Squaw Creek to Grand Avenue.**

Since this project funding sources includes Iowa Department of Transportation (DOT) Surface Transportation Program (STP) funds, the project must follow Iowa DOT letting policies and be let by the Iowa DOT. On February 21, 2017, bids for the project were received as follows:

<i>Bidder</i>	<i>Bid Amount</i>
Engineer's Estimate	\$2,247,020.00
Manatt's, Inc.	\$2,495,582.55

The table on the following page summarizes project expenses and previously identified funding sources for the 2016/17 CyRide Route Pavement Improvements program.

Program Funding Summary

S. 3rd / 4th St.

2016/17 CyRide Route Pavement Improvements	
G.O. Bonds	\$ 525,000.00
STP Funds	\$ 1,292,000.00
Road Use Tax Funds	\$ 555,000.00
2016/17 Accessibility Enhancement Program	
Local Option Sales Tax	\$ 75,000.00
2016/17 Shared Use Path Maintenance	
Local Option Sales Tax	\$ 75,000.00
2016/17 Sanitary Sewer Rehabilitation Program	
Sewer Utility Fund	\$ 100,000.00
2016/17 Storm Sewer Improvement Program	
Storm Sewer Utility Fund	\$ 100,000.00
Total Funding	\$ 2,722,000.00

Program Expense Summary

Engineering & Contract Administration (estimated)	\$ 499,116.51
Construction Costs	\$ 2,495,582.55
Total Expenses	\$ 2,994,699.06

The one bid received puts the project \$272,699 over budget. Staff will need to evaluate funding alternatives, as well as cost-saving changes to the project.

ALTERNATIVES:

1. a. Accept the report of bids for the 2016/17 CyRide Route Pavement Improvements (S. 3rd / 4th Street) and
 - b. Delay action to award or reject until March 7th, 2017.
2. Reject the bids and direct staff to make modifications to the project.
3. Do not proceed with the project at this time.

MANAGER'S RECOMMENDED ACTION:

It is important for the City Council to understand that this project will impact many residents and visitors who typically use this roadway. Because South 3rd Street (S Grand Avenue to S Duff Avenue) and South 4th Street (Squaw Creek to S Grand Avenue) is a major east-west arterial across the community, this reconstruction/rehabilitation project will have an impact on traffic flow.

By reporting the bids and delaying the award for this project, staff will have the needed time to either identify additional available funds for the project or decide on cost-saving changes to the project with the potential to rebid. Staff will bring this project back to the City Council at its March 7th meeting.

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

COUNCIL ACTION FORM

SUBJECT: ADOPTION OF SIDEWALK CAFÉ CODE REVISIONS

BACKGROUND:

At the February 14, 2017 City Council meeting, the City Council directed staff to prepare an ordinance modifying the Sidewalk Café Code. That ordinance is attached, and is presented to the City Council for first passage.

The key changes to the Sidewalk Café Code are as follows:

1. Allows for an offset sidewalk café, which is a type that does not abut the building. Also allows the use of parklets to extend the sidewalk café into a parking space.
2. Alcoholic beverages are allowed, provided:
 - a. The premises are controlled and monitored
 - b. Alcohol may not be sold or served later than 10 p.m.
 - c. The establishment is of the type that is allowed to have minors on the premises (and therefore is more akin to a “restaurant” than a “bar”)
 - i. A “bar” may request an exemption from this requirement, which may be granted by the City Council. The City Council may consider the compliance history, training, and other factors, and may impose additional restrictions if it chooses.
3. Air conditioners, fans, heaters, and speakers are permitted with certain restrictions.
4. Sidewalk café components must be made of commercial quality materials (details of what is acceptable are in the Code). Certain specific materials that would tend to break easily are not acceptable (details are in the Code).
5. Within an hour of the closing time, sidewalk café components must either be removed and stored indoors or secured via chains, cables, locks, etc.
6. Table service at a sidewalk café is permitted, but tables may not be pre-set with utensils; soiled dishes must be bused promptly. Public street furniture and trash receptacles may not be used for sidewalk café operations.

7. The City Manager and any duly sworn peace officer have the power to prohibit the operation of a sidewalk café or require the service of alcohol to cease at any time due to actual or anticipated problems (e.g. nuisances, planned events).
8. The permit revocation, denial, and appeals processes have been modified to align with the process for Vending Licenses.

ALTERNATIVES:

1. Approve on first reading the attached ordinance modifying the Sidewalk Café Code.
2. Direct staff to modify the proposed ordinance.
3. Do not approve the ordinance.

MANAGER’S RECOMMENDED ACTION:

The City Council has provided direction regarding a variety of elements of the Sidewalk Café Code. The proposed language incorporates the suggestions identified by the Campustown Action Association, as well as revisions proposed by City staff to clarify the language and address its implementation. The revision is presented to the City Council with time for it to be approved on third reading and adopted prior to the start of the 2017 sidewalk café season.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving on first reading the attached ordinance modifying the Sidewalk Café Code.

It should be emphasized that even with the passage of this ordinance, establishments seeking to serve alcohol within sidewalk cafes will still need to obtain an “outdoor service area privilege” from the State of Iowa Alcoholic Beverages Division.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING CHAPTER 22, SECTION 22.24A AND ENACTING A NEW DIVISION VII, SECTION 22.32 THEREOF, FOR THE PURPOSE OF MODIFYING THE SIDEWALK CAFÉ CODE ; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Chapter 22, Section 22.24A and enacting a new Division VII, Section 22.32 as follows:

**DIVISION VII
SIDEWALK CAFÉ PERMITS**

Sec. 22.32. SIDEWALK CAFÉ PERMITS.

The purpose of this subsection is to set forth the conditions and requirements under which a sidewalk cafe, as defined, may be permitted to operate by Sidewalk Cafe Permit on a public sidewalk within the City of Ames. The fee for a Sidewalk Cafe Permit is listed in Appendix D.

(a) **Definition.** A sidewalk cafe is any group of tables and/or chairs, and its authorized decorative and accessory devices, situated and maintained upon the public sidewalk for use in connection with ordering, purchasing and consuming food and beverages sold to the public from, or in, an adjoining indoor restaurant. For the purposes of this section, an indoor business selling food for consumption on the premises shall be considered an adjoining indoor restaurant.

(Ord. No. 3537, Sec. 1, 9-28-99)

(b) **Where Permissible.** A sidewalk cafe shall be permitted as follows:

- (1) In zoning districts which allow indoor restaurants, and
- (2) Adjacent to an indoor restaurant, which shall be construed as either:
 - (i) being immediately contiguous to and abutting the indoor restaurant on

the public sidewalk, or

- (ii) being offset from the indoor restaurant, where a clear path of pedestrian travel exists between the indoor restaurant and the sidewalk café. An offset sidewalk café may be created upon the public sidewalk, or by the installation of one or more semi-permanent seating structures or “parklets” in an adjacent on-street parking area, or by a combination of the two. The installation of a seating structure or “parklet” in an on-street parking area is subject to City Council approval, and the City Council may require reimbursement for any lost parking meter revenue, and

- (3) Where the cafe's operation is incidental to and a part of the operation of its adjacent indoor restaurant, and

- (4) Provided the area in which the sidewalk cafe is located extends no farther along the sidewalk's length than the actual sidewalk frontage of the operating indoor restaurant, and all other applicable provisions of this subsection are fulfilled.

(Ord. No. 3537, Sec. 1, 9-28-99)

(c) **Restrictions on Smoking and Alcoholic Beverages.** Permittees shall enforce the following prohibitions or restrictions:

(1) Smoking tobacco or using an electronic smoking device at a sidewalk café is prohibited.

(2) Alcoholic beverages may be served at sidewalk cafes pursuant to a valid liquor control license, and in accordance with state and local alcoholic beverage control laws, provided the following additional requirements are met:

(i) Patron entrance to and egress from the sidewalk café shall be controlled by staff of the establishment, who shall continuously monitor the sidewalk café during times alcoholic beverages are being sold or consumed, and

(ii) No alcoholic beverages may be sold or served to patrons later than 10 p.m., and

(iii) Patrons shall not be permitted to consume any beverages within the sidewalk café that were not purchased on the premises, and

(iv) If the sidewalk café is an offset sidewalk café per Sec. 22.32(b)(ii), the establishment shall ensure that no patron loiters in the clear path of pedestrian travel while in possession of an alcoholic beverage. Patrons may be in possession of an alcoholic beverage in the clear path of pedestrian travel only for the purpose of moving to the sidewalk café from the adjoining indoor restaurant or vice versa, and

(v) Alcoholic beverages shall not be served or dispensed at the sidewalk café of any establishment where minors are prohibited according to Section 17.16, except that establishments permitted to have minors on the premises only during certain hours of the day according to Section 17.16 may serve alcohol at their sidewalk café only during those hours. An establishment which is not permitted to have minors on the premises at any time may request, and the City Council may grant, an exception to this requirement on a case-by-case basis. The City Council shall consider the site conditions, the compliance history of the establishment and its staff, staff training, and any other factors it deems relevant to ensuring the safe and responsible use of City sidewalks. The City Council may impose special conditions in addition to those indicated in this Section on any sidewalk café granted an exception to dispense alcohol.

(d) **Number of Sidewalk Cafes.** An indoor restaurant shall be permitted to operate only one sidewalk cafe, and each sidewalk cafe shall be confined to a single location on the sidewalk. The City may limit the number of permits issued for sidewalk cafes if necessary to maintain adequate pedestrian flow and access to buildings, to safeguard pedestrian and traffic safety, to preserve the aesthetic quality of the surrounding area, or for any other valid public purpose.

(Ord. No. 3537, Sec. 1, 9-28-99)

(e) **Sidewalk Clearances.** A sidewalk café shall be permitted only where the sidewalk is wide enough to adequately accommodate both the usual pedestrian traffic in the area and the operation of the proposed cafe. A sidewalk cafe shall not occupy more than 50 percent of the sidewalk's width at any point as measured from the curb, or measured from the street-side edge of any semi-permanent seating structure installed in an on-street parking space. There shall be a minimum of four (4) feet of sidewalk width clear of obstructions. No part of the sidewalk café or its accessory elements shall obstruct any entrance to or exit from any adjacent structure. No sidewalk café shall be situated within eight (8) feet of any designated bus stop, or within twenty (20) feet of a street intersection, or within eight (8) feet of a fire hydrant or fire sprinkler post indicator valve.

(Ord. No. 3437, Sec. 1, 5-27-97)

(f) **Tables and Chairs, Location and Requirements of Furniture.** All tables and chairs comprising a sidewalk cafe shall be set within the area designated on the sidewalk café permit application and it shall be the responsibility of the permit holder to ensure tables, chairs, and other sidewalk café furniture do not encroach upon any part of the sidewalk not designated on his or her sidewalk café permit.

All outdoor dining furniture, including tables, chairs, umbrellas, barriers, and authorized accessory items, shall be readily movable. "Readily movable" shall mean that no object as stated above, which is part of the sidewalk cafe, shall be leaded, cemented, nailed, bolted, power riveted, screwed-in or affixed, even in a temporary manner, to either the sidewalk on which the sidewalk cafe is placed, to the building, or to any other structure which the sidewalk cafe abuts. Umbrellas must be secured with a minimum base of not less than 60 pounds.

Accessory devices for the comfort of patrons, such as air conditioners, fans, amplified sound, or speakers may be used at a sidewalk café, provided, however, that any such devices, cables, or wiring are installed and operated in a safe and responsible manner in compliance with applicable codes. Any noisemaking devices shall comply with the City's Noise Ordinance. Devices with a heating element may be permitted with the approval of the Fire Inspector.

Sidewalk café components, such as tables and chairs, shall be constructed of commercial quality materials marketed for the use(s) in which they are employed in the sidewalk café. No components of a sidewalk café may be constructed primarily of plastic, plastic resin, or fabric; however, sidewalk café components made of dimensional pieces of high-density polyethylene (HDPE), and umbrellas made of fabric are acceptable.

Within one hour of the close of the sidewalk café for the night, and on days when the sidewalk café is not in operation, tables, chairs, barriers, accessory devices, and all other elements used in the operation of an outdoor café shall be either:

(1) Removed from the sidewalk and stored indoors, or
(2) Orderly secured by means of chains or cables and locks, or other secure means, in a manner that prevents the use of the sidewalk café elements to cause injury to persons or property. Secured elements shall be arranged in such a manner as to not obstruct maintenance of the sidewalk.

(Ord. No. 3537, Sec. 1, 9-28-99)

(g) Signs shall not be allowed at any outdoor café, except for the name of the establishment on an awning or umbrella fringe. Notwithstanding any provision of the Code to the contrary, however, within the Downtown Service Center (DSC), temporary portable signs may be permitted at any outdoor café pursuant to a permit issued as provided in Municipal Code Chapter 21.

(1) A proprietor of a business establishment located within the DSC who holds a valid Sidewalk Cafe Permit issued pursuant to this section and who applies for a permit for a temporary portable sidewalk sign permit for the same location shall be required to pay only one application fee for both permits, the applicable fee being the one, if the fees are different, that is the greater of the two.

(2) A proprietor of a business establishment located within the DSC who holds a valid Sidewalk Cafe Permit issued pursuant to this section and who applies for a permit for a temporary portable sidewalk sign permit for the same location shall be required to maintain on file with the city clerk only one insurance certificate if applicable to both permits.

(h) **Maximum Occupancy.** The maximum occupancy of a sidewalk café shall be the lesser of the number of seating places available to patrons within the sidewalk café area or the occupancy limit of the sidewalk café as established by local building or fire codes adopted by the City.

(i) **Delineating Sidewalk Cafe Area.** The sidewalk cafe shall be delineated by barriers at least forty-two (42) inches in height separating patrons from the pedestrian traffic on the sidewalk and, if applicable, roadway traffic. Barriers may consist of ropes, chains, planters, fencing, or other sturdy material that physically separates the sidewalk café from the adjoining right-of-way. Barriers separating a sidewalk café from roadway traffic must be secured to other barriers or weighted to prevent their encroachment into driving or parking lanes. Barriers shall comply with detectability requirements as set forth in the current version of the Americans with Disabilities Act Accessibility Guidelines. Barriers shall be set within the 50 percent of the sidewalk designated for the sidewalk cafe, to ensure a minimum of four (4) feet of sidewalk width clear of obstructions.

(j) **Food and Beverages.** A sidewalk cafe shall serve only food and beverages prepared, or stocked for sale, at the adjoining indoor restaurant.

(Ord. No. 3537, Sec. 1, 9-28-99)

(k) **Service Requirements.** The outdoor preparation of food is prohibited at sidewalk cafes. Sidewalk café patrons may obtain food and beverages from within the adjoining indoor restaurant, or staff from the adjoining indoor restaurant may provide table service. The presetting of sidewalk café tables with utensils, glasses, napkins, condiments, and the like is prohibited. All tables shall be bused promptly, and soiled tableware shall be taken inside for cleaning. No soiled tableware shall be kept in an outdoor busing station. Public street furniture and waste receptacles shall not be used in the operation of a sidewalk café. Restrooms for the cafe shall be provided in

the adjoining indoor restaurant, and the cafe seating shall be counted in determining the restroom requirements of the indoor restaurant.

(Ord. No. 3537, Sec. 1, 9-28-99)

(l) Trash and refuse storage for the sidewalk cafe shall not be permitted within the outdoor dining area, or on adjacent sidewalk areas, and the permittee shall remove all trash and litter as they accumulate. All exterior surfaces within the sidewalk café, including tables, chairs, barriers, and the sidewalk surface, shall consist of materials that are easily cleaned, and shall at all times be kept in a clean and safe condition.

(m) **Days and Hours of Operation.** Sidewalk cafes may operate on days whenever fair weather would enhance outdoor dining from the dates of April 1, to October 31, of the said given year that the Sidewalk Cafe Permit was issued. The hours of operation are limited to between 7:00 a.m. and 11:00 p.m. No sidewalk café shall be in operation during times when the kitchen of the adjoining restaurant is closed. The City Manager or designee, and any duly sworn peace officer shall have the power to prohibit the operation of a sidewalk cafe or require the service of alcohol to cease at any time because of anticipated or actual problems or conflicts in the use of the sidewalk area. Such problems and conflicts may arise from, but are not limited to, scheduled festivals and similar events, parades or marches, repairs to the street or sidewalk, or from demonstrations or emergencies occurring in the area. To the extent possible, the permittee shall be given prior written notice of any time period during which the operation of the sidewalk cafe will be prohibited by the City, but any failure to give prior written notice shall not affect the right and power of the City to prohibit the cafe's operation at any particular time.

(n) **Findings and Conditions.** In connection with granting approval for any Sidewalk Cafe Permit, the City Manager shall make findings that the proposed operation meets the limitations of this subsection, and the Manager may impose such conditions in granting approval as are needed to assure that the proposed operation will meet the operating requirements and conditions set forth in this article, and to assure that the public safety and welfare will be protected.

(o) **Term and Renewal.** A Sidewalk Cafe Permit shall be approved by the City Manager for a maximum period of one year. Thereafter, the City Manager, if an extension application is filed prior to any expiration date of the Sidewalk Cafe Permit, may extend the permit for additional periods, not to exceed one year each, following review and approval of the cafe's operations. The City Manager may make any renewal of a Sidewalk Cafe Permit subject to additional and revised conditions and requirements. Any renewal granted by the City Manager shall not exceed a period of one year. All applications shall be filed with the City Clerk, who shall refer them to the City Manager. The City Clerk shall maintain the records of permits issued, denied, or revoked.

(p) **Revocation.** The City Manager may revoke or deny a Sidewalk Cafe Permit at any time, without advance notice, for any of the following reasons:

- (1) It is determined by the Chief of Police or Fire Chief that public safety requires such revocation or denial;
- (2) The application is incomplete;
- (3) The application is determined to be fraudulent, to include a misrepresentation, or to contain a false statement;
- (4) The applicant has had a license or permit revoked by the City for any reason within the preceding two (2) years;
- (5) The permittee has an outstanding arrest warrant in this or any other jurisdiction, or is a fugitive from this or from any other jurisdiction;
- (6) The permittee's insurance has been canceled;
- (7) The permittee violates any administrative rules or policies authorized by this division.
- (8) The permittee violates any provision of this ordinance, other City of Ames ordinances, or State or federal laws
- (9) It is determined that a need exists to evaluate or ensure the safety of the community as it pertains to Sidewalk Cafés.

(q) **Appeal Process.** Any party aggrieved by the City Manager's decision to deny, revoke, suspend, or issue a Sidewalk Cafe Permit may appeal the determination to the City Council if, within twenty (20)

working days after the decision, the party files a written notice of appeal with the City Clerk. In such event, a hearing shall be held by the City Council no later than its next regularly scheduled meeting, assuming the appeal is filed in time to allow notice of said appeal in accordance with Chapter 21 of the Iowa Code. Upon such hearing, the City Council may, based upon the standards enumerated herein, reverse, affirm or modify in any regard the City Manager's decision. The City Council's decision is the final decision.

(r) **Insurance.** An insurance certificate naming the City of Ames, its officers, and employees as an additional insured with comprehensive general liability limits in the amount of \$500,000 combined single limit shall be in full force and effect during the life of a Sidewalk Cafe Permit. The coverage shall be at least as broad as the ISO Form Number CG0001 covering commercial general liability written on an occurrence basis only. A copy of the current insurance certificate shall be maintained on file with the City Clerk.

(Ord. No. 3968, 9-9-08; Ord. No. 4064, 05-10-11)."

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

COUNCIL ACTION FORM

SUBJECT: ESTABLISHING A CAMPUS AND COMMUNITY COMMISSION

BACKGROUND:

At the January 24, 2017 City Council meeting, the City Council directed staff to 1) prepare a resolution establishing a Campus and Community Commission, and 2) prepare an ordinance repealing the portion of *Municipal Code* related to the Student Affairs Commission.

A resolution is attached. As directed, it creates an eight-member commission. The Mayor is empowered to appoint and the City Council confirm three representatives, each of whom would serve three-year terms. Two of these members would have shortened initial terms to create staggered terms. Five additional members would be appointed by outside organizations, and their term lengths would be determined by their respective organization.

The details regarding the Commission's charge, as well as the provisions for establishing task forces, are incorporated into the resolution in the manner described during the City Council's last discussion. An additional provision to retain a copy of the resolution in the published copy of the *Municipal Code* has been included, which will allow convenient access to this resolution for those who wish to review its content.

Upon approval, City staff will work with the Mayor to communicate with the outside partners regarding the logistics of appointing members and holding meetings.

Additionally, per the City Council's request, an ordinance has been prepared to repeal Sections 2.31 through 2.35 of *Municipal Code*, which establish the Student Affairs Commission.

ALTERNATIVES:

1. a. Approve the attached resolution establishing the Campus and Community Commission as presented.
- b. Approve first reading of an ordinance repealing Section 2.31 through 2.35 of the Municipal Code relating to the Student Affairs Commission.
2. Do nothing.

MANAGER'S RECOMMENDED ACTION:

The City Council has expressed interest in the creation of a Campus and Community Commission as a mechanism to discuss issues of interest to the City, Iowa State University, students, and residents. The proposed resolution incorporates the City Council's direction regarding the membership, charge, and general operations of the Commission. Additionally, the City council has directed that an ordinance be prepared to repeal the section of the Municipal Code relating to the Student Affairs Commission.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the attached resolution establishing the Campus and Community Commission as presented, and approving first reading of an ordinance repealing Section 2.31 through 2.35 of the Municipal Code relating to the Student Affairs Commission.

RESOLUTION NO. ____

RESOLUTION ESTABLISHING A CAMPUS AND COMMUNITY COMMISSION

WHEREAS, from time to time, issues arise that are of common interest to the City of Ames, Iowa State University, and Iowa State Student Government; and

WHEREAS, it is desired to establish a commission to investigate these issues and provide advice to the City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ames, Iowa:

Section One. **Membership:** There is hereby established a Campus and Community Commission. That Commission shall consist of eight members providing representation as follows:

- | | |
|---|-----------------|
| (1) Business Community Representative | 3 year term |
| (1) Neighborhood Association Representative | 3 year term |
| (1) City At-Large Representative | 3 year term |
| (1) Iowa State University Administration Appointee | Indefinite term |
| (1) Main Street Cultural District Appointee | Indefinite term |
| (1) Campustown Action Association Appointee | Indefinite term |
| (2) Iowa State University Student Government Appointees | Indefinite term |

The Business Community Representative, Neighborhood Association Representative, and City-At Large Representative shall be appointed by the Mayor with the consent of the City Council. For the purpose of staggering the terms of the membership, the Mayor shall choose one initial mayoral appointee to serve a two-year term and one to serve a one-year term. Appointees may serve two consecutive terms.

The Iowa State University Administration Appointee, Campustown Action Association Appointee, and Iowa State University Student Government Appointees shall be appointed by their respective organizations.

Section Two. **Charge:** It shall be the mission of the Campus and Community Commission to:

- (1) Provide a public forum to facilitate discussion of issues of common interest to the City of Ames, Iowa State University, and Iowa State University Student Government;

- (2) Offer an opinion or recommendation to the Council regarding issues brought forward to the Commission by the Council that are of common interest to the City of Ames, Iowa State University, and Iowa State University Student Government;
- (3) Subject to City Council approval, investigate issues of common interest to the City of Ames, Iowa State University, and Iowa State University Student Government which are brought forward to the Commission and currently not being considered by the Council;
- (4) Prepare and transmit to the Mayor and City Council from time to time, but not less often than once each year, reports describing its proceedings and other activities of the Commission.

Section Three. Task Forces: Subject to City Council approval, the Campus and Community Commission may appoint and take input from appointed task forces on issues of common interest to the City of Ames, Iowa State University, and Iowa State University Student Government that are not being dealt with by City staff or another City commission. Any such task forces created shall be conducted as follows:

- (1) Task forces shall be comprised of representatives from the Ames and Iowa State University communities appointed by the Campus and Community Commission. Task force membership shall be as large as necessary to address the task force's charge. Each task force shall be chaired by a member selected by the Campus and Community Commission. A member of City staff shall be assigned to each task force by the City Manager to provide advice and to ensure that task force activities comply with the charge given by the Commission and with Chapter 21 of the Code of Iowa (Iowa Open Meetings Law).
- (2) Each task force may adopt such rules of procedure and conduct for its meetings and other activities as it shall deem useful and appropriate, within the limits of the charge from the Commission. Task force meetings shall be open to the public and shall conform to the requirements of Chapter 21 of the Code of Iowa (Iowa Open Meetings Law). Meetings of each task force shall typically be held at City Hall or on the Iowa State University campus, but meetings may be held in alternate locations to provide more convenient access for special public forums.
- (3) Upon completion of its charge, each task force shall submit copies of its final report to the Campus and Community Commission. The Commission will present the report results to Council and gain Council approval if further action is necessary. If either Council or the Commission decides that no further action is required, the task force shall dissolve

AND BE IT FURTHER RESOLVED that a copy of this resolution be published in the appendix of the *Municipal Code* of the City of Ames, Iowa.

Adopted this _____ day of _____, 2017

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING CHAPTER 2, SECTIONS 2.31 THROUGH 2.35 THEREOF, FOR THE PURPOSE OF ABOLISHING THE STUDENT AFFAIRS COMMISSION; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing from Chapter 2 Sections 2.31 through 2.35.

Section Two. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Three. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor