

AGENDA
REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL
SEPTEMBER 14, 2021

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

CALL TO ORDER: 6:00 PM

PROCLAMATION:

1. Proclamation for Suicide Prevention Month, September 2021
2. Proclamation for “Water and Wastewater Workers in Ames Week,” September 19-25, 2021

PRESENTATION:

3. Informative Presentation by Iowa Games staff regarding Ames hosting the State Games of America

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.

4. Motion approving payment of claims
5. Motion approving Minutes of Regular City Council Meeting held August 24, 2021
6. Motion approving Report of Change Orders for period August 16 - 31, 2021
7. Motion setting date of public hearing for September 28, 2021, for approval of Parking Lot P Lease Agreement with Youth and Shelter Services
8. Motion setting date of public hearing for September 28, 2021, to consider vacating a pedestrian easement at 4901 Waller Street (Lot 4, Longview Subdivision, Second Addition)
9. Motion approving ownership update for Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carryout Beer), and Sunday Sales - Kum & Go #0217, 3111 S Duff Avenue
10. Motion approving new 12-Month Class B Liquor License with Outdoor Service and Sunday Sales - Hilton Garden Inn, 1325 Dickinson Avenue
11. Motion approving new 12-Month Class C Liquor License, Outdoor Service and Sunday Sales - Daytime, 127 Dotson Drive
12. Motion approving new 12-Month Class C Liquor License with Sunday Sales - Flip’N Jacks Pancake House & Eatery, 1520 S Dayton Place
13. Motion approving Outdoor Service privilege on existing Class C Liquor License - Es Tas Stanton, 216 Stanton

14. Motion approving new 5-day (October 22-26, 2021) Class C Liquor License for Gateway Hotel & Conference Center, 1800 Christensen Drive
15. Motion approving new 5-day (September 15-19, 2021) Class B Beer Permit - Thirsty Pigs, LLC, 405 5th Street (on September 18)
16. Motion approving new 5-day (September 15-19, 2021) Class B Beer Permit - Thirsty Pigs, LLC, 3600 University Boulevard (on September 19)
17. Motion approving renewal of the following Beer Permits, Wine Permits and Liquor Licenses:
 - a. Class E Liquor License with Class B Wine Permit (Carryout Beer), and Sunday Sales - Kum & Go #0217, 3111 S Duff Avenue
 - b. Class C Liquor License with Catering Privilege and Sunday Sales - Hy-Vee #1 Clubroom, 3800 West Lincoln Way
 - c. Class B Liquor License with Outdoor Service and Sunday Sales - The Love Club, 4625 Reliable Street
 - d. Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carryout Beer), and Sunday Sales - Southgate Expresse, 110 Airport Road
 - e. Class C Beer Permit with Class B Wine Permit and Sunday Sales - Dollar General Store, 3407 Lincoln Way
 - f. Class C Liquor License with Catering Privilege, Outdoor Service, and Sunday Sales - Whiskey River, 132-134 Main Street
 - g. Class C Liquor License with Outdoor Service and Sunday Sales - Wallaby's Grille, 2733 Stange Road
18. Requests from The Mucky Duck for Anniversary Party on September 25, 2021:
 - a. Resolution approving the suspension of parking regulations along the south side of Crystal Street from 110 Crystal Street to Opal Drive from 6:00 a.m. to 11:00 p.m. on September 25
 - b. Motion approving temporary extension for Outdoor Service area for The Mucky Duck, 3100 South Duff Avenue
19. Requests from Iowa State University Department of Landscape Architecture for "Park(ing) Day" parklet project on September 17, 2021:
 - a. Motion approving Temporary Obstruction Permit
 - b. Resolution approving suspension of parking regulations and enforcement
 - c. Resolution approving waiver of fees for 12 metered parking spaces
20. Resolution approving Memorandum of Understanding with IUOE Local 234 for CyRide Shift Premium for Moonlight Express
21. Resolution approving Memorandum of Understanding with Story County regarding Cost-Sharing (costs, liability, operations) of Temporary Traffic Signal at 190th and Hyde/Grant
22. Flood Mitigation - River Flooding (Land Acquisition):
 - a. Resolution approving Purchase Agreements for:
 - i. Parcel 6: Thomas R. Burke - \$572,466.40 (full parcel acquisition)
 - ii. Parcel 7: Jay Brown and Lori B Suvalsky - \$154,778.28 (full parcel acquisition)
 - iii. Parcel 10: B and D Land LC - \$199,572.72 (partial acquisition)
23. Resolution approving Amended and Restated Easements in Baker Subdivision
24. Resolution waiving Purchasing Policies and Procedures competitive bidding process and awarding a sole-source contract for the purchase of GRIDSMART Traffic Intersection Camera System to General Traffic Controls of Spencer, Iowa, in an amount not to exceed \$195,000

25. Resolution awarding contract to Baker Group of Ankeny, Iowa, for the purchase and installation of Variable Frequency Drives for Unit 8 Cooling Tower for the Power Plant in the amount of \$158,467 (inclusive of sales tax)
26. Resolution awarding contract to Wesco Distribution of Des Moines, Iowa, for purchase of Electric Services aluminum cable in accordance with bid in the amount of \$98,868 (inclusive of Iowa sales tax)
27. Resolution rejecting all bids for Auditorium HVAC Replacement and directing staff to re-evaluate the project plans and identify additional funding for a future bid letting
28. Resolution approving contract and bond for 2021/22 Shared Use Path Maintenance
29. 3100 South Riverside Drive:
 - a. Resolution approving waiver of Minor Subdivision Regulations and deferral of sidewalk installation along Aviation Way
 - b. Resolution approving Plat of Survey for division of land into two parcels located southeast of intersection of Airport Road and S. Riverside Drive
30. Resolution approving Minor Final Plat for Compass Subdivision

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

ADMINISTRATION:

31. Staff Report regarding plans for an Inclusive Crosswalk in Campustown:
 - a. Motion directing staff to proceed with design prepared by staff for installation of an inclusive crosswalk at the intersection of Welch Avenue and Chamberlain Street and plan for installation to occur in May 2022 after ISU's Spring Semester ends
 - b. Resolution authorizing funds from the Road Use Tax Fund to finance the project

HEARINGS:

32. Hearing on Proposal to enter into a General Obligation Urban Renewal Loan Agreement (Indoor Aquatic Center):
 - a. Resolution taking additional action on proposal to enter into General Obligation Urban Renewal Loan Agreement
33. Hearing on proposed text amendment to remove all parking requirements for auditoriums, theaters, stadiums, and arenas within the Downtown Service Center and Campustown Service Center Zoning Districts:
 - a. First passage of ordinance
34. Hearing on Integrated Site Plan Amendment for 1409 and 1419 Buckeye Avenue:
 - a. Resolution approving Integrated Site Plan, with conditions
 - b. Resolution approving Final Plat for Southwood Subdivision, 5th Addition, with condition
35. Hearing on CyRide 2022 HVAC Improvements Project
 - a. Motion accepting Report of Bids and delay award to allow for Transit Board approval

36. Hearing on Nuisance Assessments:
 - a. Motion to continue hearing until September 28, 2021, on assessing costs of sidewalk repair/replacement and snow/ice removal and certifying assessments to Story County Treasurer

POLICE:

37. Follow-up from “Policing in Ames” Report:
 - a. Motion approving prioritization of action steps
 - b. First passage of ordinance creating Resident Police Advisory Committee

PARKS & RECREATION:

38. Downtown Plaza Ice-Skating Ribbon:
 - a. Resolution approving proceeding with the design of an ice-skating ribbon utilizing real (natural) ice
 - b. Resolution approving Change Order No. 1 to increase the Confluence contract by \$52,000 for additional design fees associated with designing an ice system utilizing real (natural) ice

ORDINANCES:

39. First passage of ordinance correcting *Ames Municipal Code* Section 6.2(4) regarding terms of office for Mary Greeley Medical Center Board of Trustees (Second and third passages and adoption requested)
40. Proposal to adopt, by reference, the 2021 Edition of the Uniform Plumbing Code and the 2021 Edition of the International Mechanical Code with State and local amendments: (Third passage and adoption requested)
 - a. Second passage of ordinance adopting, by reference, the 2021 Edition of the Uniform Plumbing Code and the 2021 Edition of the International Mechanical Code with State and local amendments, including the movement of the Cross-Connection Control requirements to Chapter 28 of the *Ames Municipal Code*
 - b. Second passage of ordinance inserting a new Section 28.209B to adopt the cross-connection control standards of the 2021 Uniform Plumbing Code along with existing local amendments that are being relocated from Chapter 5
41. Third passage and adoption of ORDINANCE NO. 4445 rezoning property at 525-6th Street from Residential Medium Density (RM) to Special Purpose Government/Airport District (SGA)

DISPOSITION OF COMMUNICATIONS TO COUNCIL:

COUNCIL COMMENTS:

CLOSED SESSION:

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

ADJOURNMENT:

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

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

AUGUST 24, 2021

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:01 p.m. on August 24, 2021, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Gloria Betcher, Bronwyn Beatty-Hansen, Amber Corrieri, Tim Gartin, and Rachel Junck. Council Member David Martin was brought in electronically. *Ex officio* Member Trevor Poundstone was absent.

PROCLAMATION FOR “NATIONAL OVERDOSE AWARENESS DAY,” AUGUST 31, 2021: Mayor Haila proclaimed August 31, 2021, as “National Overdose Awareness Day,” in honor of those whose lives were taken too soon and in the hopes that, by education and access to services, the City may help others get well. Police Commander Jason Tuttle mentioned that the Department has done a lot of work with Natasha Terrones and is thankful for everything Ms. Terrones does to bring attention to the opioid crisis in Ames. Natasha Terrones, a mother who lost her child to overdosing, accepted the Proclamation. Ms. Terrones explained that her daughter, Tashara Torrenes, passed away on December 17, 2016, due to a synthetic opioid drug overdose. At the time of her daughter’s death, police officers in Ames did not carry Narcan in their vehicles. It has been her mission and journey since losing her daughter to make sure each police car has Narcan available. Ms. Terrones stated it has been devastating for her family, but she found her strength in fighting for those that find themselves up against a substance abuse disorder and trying to end the stigma. When she looks at the opioid crisis and overdose in the nation; COVID has overshadowed the opioid crisis. Unfortunately, there was not a decrease in substance abuse, but the numbers sky-rocketed due to COVID. Ms. Torrenes mentioned that she will continue to fight until she takes her last breath. There will be an event on August 28, 2021, at Ada Hayden from 10:00 a.m. to noon. During the event there will be free Narcan training and those who participate will receive a voucher to receive a dose to have on hand.

PROCLAMATION FOR “AMES ART MONTH,” SEPTEMBER 2021: The month of September 2021 was proclaimed as “Ames Art Month” by Mayor Haila. He encouraged all citizens to support the arts in Ames. Accepting the Proclamation was Heather Johnson, Director of the Octagon Center for the Arts. She thanked the following Ames organizations for supporting the Proclamation: Octagon Center for the Arts; ACTORS; Ames Chamber of Commerce; Ames Commission on the Arts; Ames Community Arts Council; Ames History Museum; Ames Main Street, Ames Public Art Commission; Ames Town and Gown, Chamber Music Association; Campustown Action Association; ISU College of Design; Creative Artists’ Studios of Ames; ISU Department of Music and Theater; Iowa Youth Ballet; KHOI Community Radio; Origami Club of Central Iowa; Robert Thomas Dance Center; Royal Scottish Country Dance Society of Central Iowa; Story Theater Company; ISU University Museums; and Wild Rose English Country Dance. Ms. Johnson thanked everyone for acknowledging how much the arts do play in the community. Supporting the arts is investing in the community and can lead to a greater overall growth. There is an undeniable link between the creative industries and the community. She stated that art binds people to a place and to each other, and a recent report from “The Americans for the Art” showed that for every dollar spent on the arts there is a return investment of \$7.00. Ms. Johnson reminded

the public to check the organizations' calendars for upcoming events throughout the year. The Arts Festival will be held September 26, 2021, in Downtown Ames.

CONSENT AGENDA: Council Member Betcher requested to pull, for further discussion, Item No. 10: Resolution approving appointment of the Climate Action Plan Supplemental Input Committee Members.

Moved by Betcher, seconded by Corrieri, to approve the following items on the Consent Agenda.

1. Motion approving payment of claims
2. Motion approving Special City Council meeting held August 3, 2021, and Regular Minutes of August 10, 2021
3. Motion approving Report of Change Orders for period August 1 - 15, 2021
4. Motion approving new 5-day (September 18 - 22, 2021) Class C Liquor License for The Girls Catering Inc., at Reiman Gardens, 1407 University Boulevard
5. Motion approving ownership change for Class C Liquor License with Sunday Sales - Inside Golf, 2801 Grand Ave #1075
6. Motion approving renewal of the following Beer Permits, Wine Permits and Liquor Licenses:
 - a. Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carryout Beer) and Sunday Sales - Cyclone Liquors, 626 Lincoln Way
 - b. Class C Liquor License with Sunday Sales - Inside Golf, 2801 Grand Ave #1075
7. Motion approving request for Fireworks Permits for display from Jack Trice Stadium for ISU Home Football Games on the following dates:
 - a. Saturday, September 4
 - b. Saturday, September 11
 - c. Saturday, October 2
 - d. Saturday, October 23
 - e. Saturday, November 6
 - f. Saturday, November 27
8. Request from Ames High School Homecoming Parade on September 20, 2021:
 - a. Motion approving Blanket Temporary Obstruction Permit
 - b. RESOLUTION NO. 21-451 approving closure of City Parking Lot MM, southern three aisles of City Parking Lot M, and a portion of CBD Lot Z from 5:30 p.m. to 7:30 p.m. for parade staging
 - c. RESOLUTION NO. 21-452 approving closure of 5th Street from Grand Avenue to Pearle Avenue; Pearle Avenue; Main Street from Pearle Avenue to Duff Avenue; Clark Avenue from north of the CBD lot exit to 5th Street; Burnett Avenue from Main Street to 5th Street; and Kellogg Avenue from north of the CBD lot exit to Main Street, from 6:00 p.m. to approximately 7:30 p.m.
 - d. RESOLUTION NO. 21-453 approving waiver of parking meter fees and enforcement from 4:00 p.m. to 6:00 p.m. for 55 metered parking spaces in Lot N
9. Ames Velo Grand Prix:
 - a. Ames Main Street Criterium on Saturday, September 18, 2021:
 - i. Motion approving blanket Temporary Obstruction Permit for the closed area

- ii. RESOLUTION NO. 21-454 approving waiver of Road Race Permit
- iii. RESOLUTION NO. 21-455 approving closure of Main Street from Clark Avenue to Douglas Avenue, Douglas Avenue from Main Street to Sixth Street, Sixth Street from Douglas Avenue to Burnett Avenue, Burnett Avenue from Sixth Street to Main Street, Fifth Street from Douglas Avenue to Clark Avenue, Kellogg Avenue from Main Street to Sixth Street, and Clark Avenue from Fifth Street to Main Street from 3:45 p.m. to 11:00 p.m.
- iv. RESOLUTION NO. 21-456 approving closure of 187 metered parking spaces from 2:30 p.m. to 11:00 p. m. along the race route and approving suspension of parking enforcement
- b. ISU Research Park Circuit Race on Sunday, September 19, 2021:
 - i. Motion approving blanket Temporary Obstruction Permit
 - ii. Motion approving blanket Vending License
 - iii. RESOLUTION NO. 21-457 approving waiver of fee for blanket Vending License
 - iv. RESOLUTION NO. 21-458 approving waiver of Road Race Permit
 - v. RESOLUTION NO. 21-459 approving closure of Collaboration Place, Plaza Loop, University Blvd from Collaboration Place to Airport Road (northbound lane only; southbound lane to remain open to traffic), Airport Road from University Boulevard to South Riverside Drive (one eastbound lane only; the road will remain open to both east - and westbound traffic), and South Riverside Drive (southbound lane only; northbound lane to remain open to traffic) from 8:00 a.m. to 5:00 p.m.
- 10. RESOLUTION NO. 21-461 authorizing Certified Local Government Grant Application to fund an Intensive Survey of Chautauqua Park & Ridgewood Subdivisions
- 11. RESOLUTION NO. 21-462 awarding Contract to Gillig Corporation of Livermore, California, for the purchase of eight 40-foot Heavy-Duty Diesel Buses for CyRide in an amount not to exceed \$4,104,257
- 12. Homewood Slope Stabilization:
 - a. RESOLUTION NO. 21-463 approving Change Order No. 4 in the amount of (\$20,112.67)
 - b. RESOLUTION NO. 21-464 accepting completion
- 13. RESOLUTION NO. 21-465 accepting completion of Ioway Creek Restoration & Flood Mitigation - River Flooding (Tree Clearing)
- 14. RESOLUTION NO. 21-466 accepting completion of 2017/18 Main Street Pavers Project (Clark to Burnett)

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

APPOINTMENT OF THE CLIMATE ACTION PLAN SUPPLEMENTAL INPUT COMMITTEE MEMBERS: Council Member Betcher explained that she had pulled this item from Consent in order to make the community aware that the Climate Action Plan Supplemental Input Committee is diverse when it comes to its make-up. The Committee includes not only adult members

of the community, but also Middle School, High School, and College students. The members all have different experiences in Ames and she felt the Committee is a good representation of different segments of the community. Ms. Betcher hoped that citizens would take advantage of speaking to the Committee Members to give additional input.

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 21-460 approving appointment of the Climate Action Plan Supplemental Input Committee Members.

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

PUBLIC FORUM: Mayor Haila opened Public Forum.

Rick Exner, 1014 Murray Drive, Ames, stated at a recent City Council meeting the proposed work on trails at Brookside Park did not grab his attention, but since then he has heard speculation that the City might be planning something similar to the demolition on Ioway Creek on South Duff. He mentioned that the Ioway Creek is something that the citizens will have to live with now, but because it was preceded by the same technical-sounding spin he has heard about Brookside, he was concerned. He had read about the quote, “native vegetation” that will stabilize the streambank on South Duff. Mr. Exner wondered how many people on the City’s payroll have ever put on gloves to maintain “native vegetation,” let alone in a riparian setting. He stated that the City should expect every spring flood to deliver a new load of seed; Canada thistle, giant ragweed, cocklebur, and burdock to name a few, not to mention trees. Mr. Exner commented that Public Works staff doesn’t have the wherewithal to deal with the invasion of garlic mustard along the sidewalk on Grand Avenue. He anticipates that when South Duff gets sufficiently embarrassing, the City will resort to chemical control, which is adjacent to the waterway. Applying herbicide in the mixed stand of planted trees and native vegetation will be challenging, and one application a year will not control the Canada thistle. He stated that in a process termed succession, the plant populations naturally change over time toward a stable endpoint of so-called climax vegetation. Mr. Exner commented that the City had chosen a much earlier and less stable stage of succession for South Duff than the woodland that was there before. If the Council chose to do something similar to Brookside, the nature along the trails will be ruined. If snags and pools are leveled off in the name of speeding up the stream flow, wildlife habitats will be destroyed. He mentioned that creatures rely on dead trees and fallen logs that may be removed and this would put nature to death.

Rich Ketcham, 2923 Arbor Street, Ames, stated he was present to address the Council about the past weekend’s activities, also known as the “801” party. He wanted to let the Council know that this party resulted in excessive noise, property vandalism, littering, illegal parking (which reduced Arbor Street and Wood Street down to one lane), underage drinking, public intoxication, and the alleys were turned into a public “toilet.” Mr. Ketcham mentioned that he does have some pictures of these circumstances. He had attempted to intervene and asked the students not to utilize the alley as a restroom, but nothing would deter the students. He has lived on Arbor Street for about 35 years and noted that the current methodology for these acts is dispersal of the crowds and parties. Mr. Ketcham stated that those methods are not effective in preventing future occurrences. He invited the City to

explore more effective means and would like to be personally involved in those discussions. He explained that there was insufficient staff to respond to every situation that may arise. Mr. Ketcham had spoken with several police officers and it appeared to him that they were overwhelmed and could not effectively address the situation that had developed. A few ideas were offered to the Council and those were: 1) consider a ticket and tow policy similar to the snow ordinance; 2) stricter enforcement of laws that are already in the “book;” 3) mandatory counseling of noise ordinance that would be given by property owners or management companies that should be given as part of a lease agreement; and 4) to have the City Council consider the acquisition of the properties at Hyland and Lincoln Way with the express idea of moving the Fire Station to that location and establishing an auxiliary police presence in that location.

When no one else came forward to speak, the Mayor closed Public Forum.

HEARING ON DOWNTOWN REINVESTMENT DISTRICT URBAN RENEWAL AREA AND PLAN: Planning and Housing Director Kelly Diekmann explained that tonight the City Council is holding a hearing on the Urban Renewal Plan for the Downtown Reinvestment District Area. About a month ago the Council identified the boundaries coterminous with the application to the State for the Reinvestment District. It is necessary for the City to adopt an Urban Renewal Area and have an Urban Renewal Plan to proceed with the final application for the Reinvestment District, which is due by February 25, 2022. Staff has not received any input, to date, from the consultation meeting or the public regarding the Plan, and there have been no changes since the Plan was presented in July.

The Mayor opened the public hearing.

Hector Arbuckle, 519 Oliver Circle, Ames, stated he had read through the Urban Renewal Area proposal, and he was concerned by the idea that was proposed of the City funding developers to develop projects according to the developers who are not financially feasible without subsidies. Mr. Arbuckle asked, if the projects are not financially feasible, why the City is going to spend money in order to make them financially feasible. He inquired if it would be more optimal for those developers to find a way to make projects that are financially feasible. His other concern was that the City was giving itself the authority to purchase/demolish certain properties that are already financially feasible and replace them with things that are not feasible. Mr. Arbuckle commented that he is uneducated on this topic, but wanted to voice his concerns.

The Mayor closed the public hearing when no one else came forward to speak.

Mayor Haila asked City Manager Steve Schainker to address Mr. Arbuckle’s questions. Mr. Schainker replied that the item before the Council is to establish an Urban Renewal Area; there is not any specific project at this time. He thought Mr. Arbuckle was alluding to the Mixed-Use Building that may come before the Council; it is not uncommon for cities to provide some form of subsidy to developers. What is important to note is that if the Council wants to have efficient growth (infill), it is more costly to do that as opposed to going to the outskirts of Ames where there might be cheaper land. Since it is more costly for infill and redevelopment, the City Council will have to

step forward and add subsidies. Mr. Schainker noted that the City of Ames is very conservative on what it offers. Funding does not come out of taxpayers' money, but is usually done as some kind of abatement. It was explained that redevelopment not only brings in taxes, but the City of Ames is trying to build up its Downtown to be an attractive area for living, working, and entertainment. Director Diekmann stated that in regards to the property acquisition question, Urban Renewal law dictates how a City may acquire property. Mr. Diekmann mentioned that what the City is presenting stated that if the City were going to acquire property for Urban Renewal purposes, the City may acquire land, but it does not indicate which properties.

Moved by Corrieri, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 21-467 adopting the Downtown Reinvestment District Urban Renewal Plan and establishing an Urban Renewal Area. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

City Manager Schainker stated that he had given the Council a new document on the estimated costs of the Indoor Aquatic Center. As promised the City did get a second opinion on the estimated costs for the Indoor Aquatic Center. He reminded the Council that RDG is the consulting firm that developed the concept and RDQ gave an estimate in 2023 dollars of \$31.2 million. The City contracted with Stecker Harmsen for a second opinion. Stecker Harmsen gave the following estimates in 2023 dollars: 1) Two story building: \$30,073,228; 2) One story building: \$25,897,873; and, 3) One story building with addition: \$29,135,279. Mr. Schainker commented that the bottom line was that the project is still estimated to be around \$31.2 million as he wanted to keep the number conservative. The issuance of the General Obligation Renewal Bonds will be in an amount not to exceed \$21,200,000.

Council Member Betcher asked if the "one story with the addition" would be to build the addition at the same time as the main aquatic center and not wait to put on an addition. Mr. Schainker clarified that was correct.

Moved by Beatty-Hansen, seconded by Betcher , to adopt RESOLUTION NO. 21-468 setting the date of public hearing for September 14, 2021, to authorize the issuance of General Obligation Urban Renewal Bonds in an amount not to exceed \$21,200,000 for the Indoor Aquatics Center. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Assistant City Manager Brian Phillips explained that he wanted to review the next steps that will need to be taken to acquire the property for the Indoor Aquatic Center. He noted that this was informational only and no action was needed. Shown was an overview of the existing site at 122 North Oak Avenue, which is currently occupied by the Iowa Department of Transportation (IDOT). Mr. Phillips pointed out there were two occupied structures on the site: The building in the southeast corner of the lot houses a computer and conference space for the IDOT and an office leased to Iowa Workforce Development (IWD). The IDOT's lease with Iowa Workforce Development ends in mid-2023. The larger building is referred as the "North Annex." The IDOT is undertaking a renovation project at its main office south of Lincoln Way, which is expected to be completed in June 2024;

therefore, the building is intended to be used by the IDOT as “flex space” during the renovation project, with move-out completed in Fall 2024. Mr. Phillips mentioned that running east to west are power lines that will need to be addressed at a later time.

A preliminary appraisal of the property was completed last winter by an independent appraiser hired by the IDOT, and the land was appraised at \$2 million. Earlier this month, IDOT staff retained an appraiser to complete a more current appraisal. This appraisal is expected to be completed in September. The IDOT has a specific policy regarding how it can proceed to dispose of property that it no longer needs. The process is different for IDOT property than it is for IDOT right-of-ways. An image was shown that superimposed the potential Indoor Aquatic Center layout over the existing IDOT site. The expectation is the Aquatic Center will fill the southwest portion of the site. A major obstacle would be the existing A/C unit that would be in the middle of the Aquatic Center building, but the two other major buildings on the site are outside the footprint. Mr. Phillips stated that there were two approaches that the City could take; optimally the City would find a way to accommodate the IDOT’s needs for the spaces in some other way and have the IDOT vacate the entire site. If that is not possible then: 1) the footprint may need to be adjusted as to where the Aquatics Center would be located and how the features inside the structure would lay out to make sure it was clear of other structures on the site; 2) the A/C unit would need to be temporarily relocated, which will come at a cost, in order to still provide service to the North Annex building; and 3) sort out some solutions for if DOT staff will continue to use the site; where are they going to park, and how can the City be a good neighbor during construction. He reminded the Council that these issues do not need to be resolved now, but staff wanted to make the Council aware of what was happening.

Assistant City Manager Brian Phillips stated that the next item on the Agenda for this section contains the preliminary expenses for the project. The City is expecting to hire a consulting firm to perform a Phase 1 Environmental Assessment of the site. If there is anything in the Assessment that is of concern, the City may need to take more intensive steps to do sampling or analysis on the site itself.

Council Member Beatty-Hansen mentioned that the second floor of the Indoor Aquatic Center would have a walking track, but there was a suggestion that some money could be saved by moving the walking track to the ground floor. She wanted to know how that would affect the layout. Parks & Recreation Director Keith Abraham explained that if they moved the walking track to the ground floor, it would be added to the east side of the Aquatic Center and the Iowa Workforce Development building would have to be demolished before construction could be started.

Mr. Phillips mentioned that the funding for the items that need to be completed before submitting the application for the Reinvestment District Incentive Program was unbudgeted and will come from the Hotel/Motel Tax Fund. City Manager Schainker pointed out that the first three tasks on the Staff Report were done quickly in order to get the preliminary application completed. The City will need to rehire the development team in order to prepare the final analysis. He reminded the Council that these items were unbudgeted and these funds will be taken out of the Economic Development portion of the available balance of the Hotel/Motel Tax balance.

HEARING ON PROPOSAL TO ADOPT, BY REFERENCE, THE 2021 EDITION OF THE UNIFORM PLUMBING CODE AND THE 2021 EDITION OF THE INTERNATIONAL MECHANICAL CODE WITH STATE AND LOCAL AMENDMENTS: Building Official Sara VanMeeteren stated that, as she had mentioned previously, the State requires these updates to be adopted. The City can have local amendments, but they can not be less restrictive than the State. During the clean-up of the Code, staff had taken many local amendments out as they would have been repeated in the States Amendments. While there is not a change in the local requirement, one revision that was proposed was the movement of the local Cross-Connection Control Amendments as they currently exist from Chapter 5 (Plumbing and other Codes) of the *Ames Municipal Code* to Chapter 28 (Utilities) of the *Ames Municipal Code*, creating a new Section 28.209B.

The public hearing was opened by the Mayor. He closed the hearing after no one asked to speak.

Moved by Corrieri, seconded by Betcher, to pass on first reading an ordinance adopting, by reference, the 2021 Edition of the Uniform Plumbing Code and the 2021 Edition of the International Mechanical Code with State and local amendments, including the movement of the Cross-Connection Control requirements to Chapter 28 of the *Ames Municipal Code*.

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

Moved by Betcher, seconded by Junck, to pass on first reading an ordinance inserting a new Section 28.209B to adopt the Cross-Connection Control standards of the 2021 Uniform Plumbing Code along with existing local amendments that are being relocated from Chapter 5.

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

HEARING ON 2021/22 SHARED USE PATH MAINTENANCE PROJECT: Mayor Haila opened the public hearing and closed it when no one came forward to speak.

Moved by Beatty-Hansen, seconded by Betcher, to adopt RESOLUTION NO. 21-469 approving the final plans and specifications and awarding a contract to Mid-Iowa Enterprises, LLC, from Story City, Iowa, in the amount of \$277,262.

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

ADAPTIVE KAYAK LAUNCH: Parks and Recreation Director Keith Abraham stated that there has been a group that has been pushing for the Adaptive Kayak Launch called Access Ada Hayden (AAH). Director Abraham explained that between staff's research and AAH's they found that the BoardSafe Adaptive Kayak Launch from Northeast Product and Service's met the criteria that everyone was looking for. The group was looking for a company that offered: 1) a boat chute to facilitate the movement of a boat from shore to a transfer point; 2) a transfer bench with a slide-out platform; and, 3) a wide variety of hand holds (grab rails and straps) to assist in transferring.

Council Member Junck asked if the \$54,850 was the exact quote for the Contract. Mr. Abraham

confirmed that was correct. There were three components to the final price: 1) about \$46,000 for the equipment; 2) around \$4,000 for delivery; and, 3) another \$4,000 to have a representative on-site from BoardSafe during the installation to make sure the project is done correctly.

The Mayor opened public input.

David DenHaan, 1804 Maxwell Avenue, Ames, stated that he was speaking in favor of the proposal to go with the BoardSafe project to have access at Ada Hayden. He mentioned that he is with Access Ada Hayden (AAH) and he personally went to Ohio to look at this product. Mr. DenHaan noted that it had all three features that the group was looking for. AAH had advertised the BoardSafe product on its flyer when they were doing their fundraising.

Public Input was closed when no one else came up to speak

Moved by Junck, seconded by Betcher, to adopt RESOLUTION NO. 21-470 waiving the Purchasing Policies and Procedures for the Adaptive Kayak Launch.

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

Moved by Junck, seconded by Betcher, to adopt RESOLUTION NO. 21-471 awarding a sole-source contract to Northeast Products and Services of Fleetwood, Pennsylvania, to purchase a BoardSafe Adaptive Kayak Launch in the amount of \$54,850.

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

AMES PLAN 2040: Planning and Housing Director Kelly Diekmann explained that before the Council was the most up-to-date draft of the Ames Plan 2040. Staff had cleaned up a lot of the formatting, typo issues, updated the consistency of the document, and addressed the Council's comments. Director Diekmann asked for any final adjustments to the draft Ames Plan 2040 before staff moved forward with publishing the Plan for public comment. Once direction has been given to move forward, staff will take all of September to give opportunities for public comment. The Ames Plan 2040 will be posted on the Planning's website where citizens can give public feedback with staff or online. Director Diekmann mentioned that after cataloging the public's comments the draft Plan would be brought before the Council in October for any further adjustments and hopefully begin the final adoption process in November.

Council Member Betcher commented that she had received some questions related to the Hospital/Medical Special Area on page 67 that was added to the draft Plan. She noted she hadn't gotten back to everyone yet, but has been telling the constituents "we will take input from you and to please give us their input on the overlay if that is what you are concerned about." She asked if that was the correct answer to give the constituents. Director Diekmann confirmed that was correct. Ms. Betcher mentioned that one of the questions about the new page was "why isn't there a map associated with it similar to the Land Use Policy Plan (LUPP) that showed the boundaries." She

assumed it was because the boundaries are shown on the main map, and asked if it was possible to reference the map on the page. Director Diekmann stated that everything that is on the pages are on the map and if they added that to this page they would have to do the same throughout the entire document. Ms. Betcher noted that there was one typo on Page 67 under Public Actions that states “This may inquire zoning changes...” and she thought it should say “require” instead of “inquire.” Mr. Diekmann explained that a few other typos were pointed out to staff and they will try to get all of them corrected before the draft Plan is published. Overall Ms. Betcher indicated that she was happy with the changes and felt it was more consistent; she appreciated everyone’s work.

Council Member Martin noted this was a better draft and the draft is in pretty good shape to go out. He had two issues that he wanted to bring up dealing with wording and the meaning of the wording. The issues were on Page 34 of the draft. Under “Planning For Equity,” Council Member Martin wanted to be very careful about appearing to over-promise on issues that are both sensitive and important to Council. Under the Planning and Equity title the current draft states that “Future development will ensure the just and fair inclusion of all residents to participate in the planning process and the benefits of life in Ames,” he was not sure that they want to say “ensure” the outcome, but this is a problem that will require work over the years.

Moved by Martin, seconded by Beatty-Hansen, directing staff to change the word “ensure” to “prioritize” in the statement under the heading for “Planning for Equity” on Page 34.

Director Diekmann stated before the Council votes, he wanted to let them know that staff had looked at this statement and had come up with a different phrase to use; “The City will work to include the diverse voices, opinions, and needs of the range of residents that call Ames home.” Mr. Diekmann explained this statement will imply that the City will reach out to a diverse set in the community and look to include them in the process. Council Member Martin commented that he liked Director Diekmann’s recommendation better than his motion.

Council Member Martin withdrew his motion.

Moved by Junck, seconded by Beatty-Hansen, to support the statement from Director Diekmann to change on Page 34 of the Draft under “Planning For Equity” to say “The City will work to include the diverse voices, opinions, and needs of the range of residents that call Ames home.”

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

Council Member Martin explained that on Page 34 under “Review and Approval Process,” Item G5-5, he was concerned with the claim to be able to provide the part of the claim that states the City will provide “full information about the future use of undeveloped or latter phase sites and future public improvements.” Director Diekmann commented that he would agree that providing full information is not measurable and recommended striking the word “full” as that would be satisfactory for staff’s intent. Mr. Martin agreed that striking the word “full” would work.

Moved by Betcher, seconded by Beatty-Hansen, to strike the word “full” from G5-5, on Page 34,

under “Review and Approval Process” in the draft Ames Plan 2040.
Vote on Motion:6-0. Motion declared carried unanimously.

Mayor Haila asked what the process would be for notifying the citizens of Ames about the draft Ames Plan 2040. Director Diekmann stated that a few ideas that staff had were to send an email to the list of people whom they have in their database, Press Releases, notifications on the City’s website, in-person feedback events, and online meetings.

Moved by Beatty-Hansen, seconded by Betcher, to direct staff to start the public comment period that will go through September for the Ames Plan 2040, as amended.
Vote on Motion: 6-0. Motion declared carried unanimously.

STAFF REPORT REGARDING ZONING TEXT AMENDMENT TO ALLOW FOR AN INCREASE IN LIMITED COMMERCIAL USE IN F-PRD PLANNED RESIDENCE DISTRICT: City Planner Benjamin Campbell mentioned this item comes from Steve Burgason of Ansley Ames Development Group. Mr. Burgason wanted a residential development with a small commercial component. In discussion with staff, it was determined that the Floating Planned Residence District (F-PRD) would be the best way to achieve Mr. Burgason’s goals. Mr. Campbell stated that the F-PRD does have a very limited commercial allowance. If the developer produces a study that shows that the commercial development can be supported by the F-PRD alone, the commercial is allowed. To date this type of study has never been done; therefore, the applicant requested that the City amend the F-PRD.

Staff had proposed four options. Option 1 was to amend the F-PRD Standards to allow for a fixed list of office and trade uses for up to 18,000 square feet. Mr. Campbell indicated that 18,000 is the size that the applicant thought would cover all of the intended uses. If the Council decided to proceed with this option then staff would need to craft language for commercial uses to guide the suitability and compatibility within a F-PRD and to modify the principles to address the uses allowed. This type of change would be applicable to every development with a PRD, not just Ansley. Option 2 was similar to Option 1, but established a different maximum size. It would adopt 35,000 square feet of commercial uses that addresses the Ansley request and allows for a development of a size that is similar to the lower end of expectations within a Convenience Commercial Node, and would be more appropriate for Neighborhood Commercial. Staff believed this option would be the maximum square footage allowance without considering the Commercial Node policies about siting commercial uses that apply throughout the City. Option 3 was to amend the F-PRD Standards to allow for project-by-project commercial uses and individual development standards of up to 35,000 square feet. Option 4 was to amend the PUD Overlay Standards to allow for limited commercial uses and individual development standards of up to 35,000 square feet.

Director Diekmann explained that staff believed that a little more flexibility in the language would be appropriate to address the change in times. He mentioned that staff could support any of the four options, and needed direction from the Council.

Council Member Gartin stated this was a hard type for Council to think through because they are always trying to tease out the law of unintended consequences and worst case scenarios. He asked if there were any risks with any of the four options. Director Diekmann mentioned that staff's first concern was any existing PRD's that are already in place across the City, but that concern can be addressed by how the amendment process is intended to guide someone or at least set up why it wouldn't be appropriate. Mr. Gartin asked how the zoning classification would interface with restrictive covenants that any Subdivision would have in place. Mr. Diekmann stated it would not overrule a private restriction.

Council Member Gartin inquired if staff had looked to see what other peer communities were doing. Director Diekmann stated staff did not review other cities' ordinances to see what they are doing as, traditionally, Ames deals with smaller lots of land.

Mayor Haila wanted to know what the minimum number of acres would be in a PRD. Mr. Diekmann commented that the Code minimum is two acres. The Mayor indicated that if the option was to do a F-PRD for 35,000 square feet and a developer came in with a PRD they could possibly slip in a decent size commercial project on a PRD. Director Diekmann stated that it would be in the high end of floor area ratios and there would have to be housing as well; the only way to do this would be with a Mixed-Use project. Mayor Haila asked if there were any PRDs that were not finished that could be retroactive into this PRD. Mr. Diekmann mentioned that he is only aware of one on Mortensen Road, but even if it was unbuilt the developer could still come forward and ask for an amendment, which would go before the Council as a Major Amendment.

Council Member Betcher asked why staff had initially advised against the PUD option when that seems to be something that is not under development. Director Diekmann stated that it was discussed that a PUD does not address the issue of commercial properties at all, and he didn't think that the first PUD project that the Council saw was to bring up an issue that was never previously discussed. He noted that staff is not opposed to changing the PUD Overlay, but did not want to bring a project before the Council that had never been contemplated possibly being able to be done as a PUD Overlay. There is not a formal Development Plan for Ansley Development and staff felt that if Council approached it through the PUD Overlay, Ansley Development would be find under that Overlay; however, staff had not spent a lot of time looking at that option as they didn't believe the PUD addressed everything the applicant wanted as it is currently written.

Council Member Gartin mentioned that he was leaning towards Option 2 as it offered some control and some certainty that provides the residents that the fixed list of offices and trades provides, but it would be desirable by Council to have a cursory glance at what other communities are doing. Director Diekmann mentioned staff can easily review other Cities PUD Ordinances, but it will be hard to get the full context of all the planning tools and mechanisms, but will do the best they can. Mr. Gartin noted he would defer to staff as to whether that would be a review of a Code or a phone call to a peer in another community.

Council Member Betcher wanted to know if Option 2 would be something that the Council could

choose if they were interested in having a proportion of the PUD that would be allowed to be commercial. She was concerned about having an overbalance of commercial versus residential in some of the possible configurations of the PUD. Director Diekmann stated that if the Council wanted to have scalability, that would apply to any of the four options.

Council Member Martin mentioned that he liked Option 4, and understood why the PUD option was not brought up to Mr. Burgason initially, but felt that the reason the Council pursued the PUD in the first place was to allow for reasonable relaxation to policy in a conscientious way.

Council Member Gartin stated there was some appeal to Option 4 for him, but he was a little worried that if the Council made certain developments contingent upon Council approval that future Council Members may be inconsistent with how they approach the PUD. Mr. Diekmann explained that he believes that developers will want it and most Cities use PUD to allow for flexibility. He noted that between the PRD and PUD, whichever zone the Council chooses to edit, the types of edits are going to be the same as neither of them directly deal with commercial. PRD principles would need to be addressed to deal with some element of commercial and how that relates to housing. The list of uses or the square footage would need to be adjusted, and those same types of edits would have to be placed into the PUD Overlay.

Moved Martin, seconded by Junck, to approve Option 4, which was to direct staff to amend the PUD Overlay Standards to allow for limited commercial uses and individual development standards of up to 35,000 square feet.

The Mayor opened public comment.

Steve Burgason, 3314 Cedar Lane, Ames, stated that with this particular kind of development with pocket neighborhoods, what drove them to consider and request a small commercial area that would be an event center was the limited parking in this kind of development. When looking at graduation parties or wedding receptions, they wanted to look at a space that could accommodate 75-100 people. This is very difficult to put into the size of the lots and accommodate parking. It made sense to them to look at the space along the bike trail and attempt to have a multi-use so it would accommodate the traffic that would come from the bike trail. This change would allow them to add a commissary that could handle food for events or receptions. He noted that they would have some live/work spaces and gave an example of a photographer living upstairs and having a studio on the first floor. Mr. Burgason mentioned that it would be a great space for people to rent to share their wares in a bigger format to allow parking to come in. It is primarily designed to service the development, but also recognizing that it's at the edge of the Resource Park and the bike trail and there will be other people coming in. The concept was to have 9,000 square feet on the first and second floor for a total of 18,000 square feet.

The Mayor closed public comment when no one else came forward to speak.

Council Member Betcher asked if it was assumed with Option 4 that there will be a list of potential uses. Council Member Martin mentioned that Option 4 states "limited commercial uses and

individual development standards.” He stated that during discussion he understood it to be for office and trade uses. Director Diekmann commented that it would be his preference that there is some defined range of commercial if the Council is going to allow them in a PUD.

Mayor Haila asked if the scalability or size of a project negated under Option 4. Director Diekmann stated there is a two-acre minimum threshold for PUD, and if the Council is concerned about any property the scalability would apply. Council Member Junck stated that with Option 4, the uses and development standards would then be determined by Council on a case-by-case approval of the PUD and if the scalability was an issue the Council could say “no.” Director Diekmann confirmed that was correct.

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

Director Diekmann wanted to clarify that under staff comments the intent was that the Amendment would only proceed if Mr. Burgason applied for it with his Development Application and asked if that still stood or did the Council want staff to initiate the amendment to the PUD Overlay Standards as a separate activity. Council Member Betcher inquired how much work would be involved. Mr. Diekmann noted it would take the same amount of time either way, but it was up to Council if they wanted to amend the PUD Overlay in advance because they felt it was of city-wide importance and not for one person or would the Council prefer to wait until someone is authorized to do it. Council Member Gartin commented that generally the Council tries to avoid doing major improvements or changes due to one party; however, if the Council believes in the change, they should move forward with the change regardless if there is an application pending. Council Member Betcher agreed; however, she still wanted to know how much time it would take as she may make a different decision if it is going to “bump” something else from Planning’s priorities. Director Diekmann noted that it is not going to “bump” something else as he is not committing to anything in September as staff is busy with the Ames 2040 Plan and there are no other initiatives that are going to be started until October 2021.

Moved by Betcher, seconded by Corrieri, to direct staff to move forward with the recommended changes even if the Burgason application does not come forward.

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

STAFF REPORT REGARDING REQUEST TO AMEND THE AMES URBAN FRINGE PLAN REGARDING THE NATURAL AREA DESIGNATION RELATED TO THE AREA LOCATED AT 4909 W 190TH STREET: Planning and Housing Director Kelly Diekmann mentioned that the City Council had received a memo from staff in response to the request by the Cackler family to use three of its properties to develop two additional homes. The request as described was vague as the Cacklers had mentioned that they want to do whatever they have to in order to move forward. Director Diekmann noted that it was difficult to gauge what they should be responding to. Mr. Diekmann stated the Staff Report tried to define the core options for the Council. It was noted that the Council had received correspondence earlier today asking to do a boundary line adjustment for the properties, and this was something that staff had not contemplated yet. Staff had been in contact with the County, and even though the properties are within the Fringe Plan, a lot of

the decision will come down to the County as the City will not approve any of the houses. It is a question of Policy and whether Story County wants to follow the Policy. Mr. Diekmann mentioned that at this time this issue is about 98% Story County issues and 2% of the City. It was noted that Option 1 was to designate all three properties as Rural Residential; Option 2 was to do a Text Amendment to modify Policies for the Natural Areas, and Option 3 was to maintain current Policies.

Mayor Haila opened public comment.

Bob Goodwin, 2211 Philadelphia Street, Ames, stated he was the attorney for the Cacklers. Mr. Goodwin handed out to each member of the Council a map of the proposed area. He explained that Mr. Cackler and he had spoken with Amelia Schoeneman and Marcus Amman with the Story County Planning Department. Mr. Goodwin mentioned that Story County explained to them that Parcel 1 and Parcel 2 with a house on Parcel 2 could be developed and be done without having to do an Amendment to the Ames Urban Fringe Plan. It was explained that the Amendment to the Ames Urban Fringe Plan would not go into effect until the Cacklers wanted to develop Parcel 3 with another house. Mr. Goodwin mentioned that City Planner Justin Moore was aware of the idea of doing a boundary line adjustment and was in agreement with the idea. The City would need an application for or a Sketch Plan to do the boundary line adjustment. The Cacklers have decided to pursue the boundary line adjustment, so nothing further needs to be done at this time from the City.

Public comment was closed when no one else came up to speak.

Council Member Gartin asked procedurally what the next step would be. Mr. Diekmann stated this was unique as there was already a formal request on file for the Amendment to the Ames Urban Fringe Plan. He indicated that the Sketch Plan is something that is done administratively. The City and County will both review its Codes and will determine how to proceed. A Plat of Survey will more than likely need to be completed. Director Diekmann indicated that there will still be a Policy that will need to be resolved regarding the Natural Area and this will probably come back before the Council during the boundary line adjustment process. He mentioned that there is not a guarantee that the boundary line adjustment would be approved.

Moved by Beatty-Hansen, seconded by Corrieri, to approve Option 3 to maintain current policies. Vote on Motion: 6-0. Motion declared carried unanimously.

AMENDMENT TO RESTRICTIVE COVENANTS FOR THE AMES COMMUNITY DEVELOPMENT PARK SUBDIVISION, FOURTH ADDITION: The Mayor opened public comment and closed it when no one came forward to speak.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 21-472 approving the Amendment to the Restrictive Covenants for the Ames Community Development Park Subdivision, Fourth Addition.

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

MOTION APPROVING/DENYING RENEWAL OF CLASS C LIQUOR LICENSE WITH SUNDAY SALES - LA FIESTA BAR & GRILL, 823 WHEELER STREET, SUITE 5: Police Commander Jason Tuttle mentioned there were two violations during compliance checks at La Fiesta Bar & Grill. It was noted that it was the same employee that sold alcohol to a minor. Commander Tuttle stated that at this time, the Police Department would not recommend a renewal of La Fiesta Bar & Grill's license for the next year, but would recommend that a six-month license be put in place. He noted that he had spoken with the owner of the establishment and the owner is in contact with the Alcoholic Beverage Division (ABD) about his civil penalty and a one-month suspension of its license.

Commander Tuttle let the Council know that there were six different businesses that had sold alcohol to minors and this exact situation will be coming before the Council again.

Moved by Beatty-Hansen, seconded by Betcher, to deny the renewal of the Class C Liquor License with Sunday Sales for La Fiesta Bar & Grill at 823 Wheeler Street, Suite 5.

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

MOTION APPROVING/DENYING RENEWAL OF CLASS C LIQUOR LICENSE WITH SUNDAY SALES - EL MAGUEY MEXICAN RESTAURANT, 217 S DUFF AVENUE: Police Commander Jason Tuttle mentioned that El Maguey had two violations in April and June, 2021, and at this time, the Police Department would not recommend a renewal of El Maguey Mexican Restaurant's license for the next year.

The Mayor asked if it was known where the breakdown was since it was indicated that there were six businesses that had two violations. He wondered if it was due to lack of training, just being careless, or being overcrowded with people. Commander Tuttle explained that there was a large number of businesses that failed its first compliance check and when they went back several had improved except six businesses. He mentioned that it is up to the employees to take the initiative to check IDs, and there is an App available to help with the process, along with training.

Moved by Beatty-Hansen, seconded by Corrieri, to deny the renewal of the Class C Liquor License with Sunday Sales for El Maguey Mexican Restaurant at 217 S. Duff Avenue.

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

Council Member Gartin asked if the Council was going to be consistent with the other businesses and not approve a yearly renewal could those be put on the Consent Agenda. Commander Tuttle mentioned that the Police Department also looks at other violations for any businesses and a memo will be sent ahead of time, and there could be other issues. Mr. Gartin noted he would refer to staff as to how any future requests are placed on an Agenda.

Council Member Betcher asked what the process was to let the businesses know that they were denied a renewal. Commander Tuttle stated that staff notifies the businesses to let them know if the renewal is denied and to apply for a six-month license, and then the Police Department will help

with education and training during the following six months.

It was the consensus of the Council to leave these types of requests under Police Administration on the Agenda.

FLOOD MITIGATION - RIVER FLOODING (LAND ACQUISITION): Municipal Engineer Tracy Peterson mentioned that before the Council are some of the land acquisitions for the Flood Mitigation Project at South Duff Avenue and Ioway Creek. Overall there are 11 parcels that staff is continuing to negotiate with, plus two tenants. Currently, before the Council there are six full or partial acquisitions that have been completed and signed. Ms. Peterson noted that she had an update on Parcel 3 as they have the signatures from Kenneth and Marjory Howe and are just waiting on the tenant to sign. Staff will continue to negotiate the rest of the land acquisitions and will be before the Council at another time. This project was started several years ago and the project started in 2015/16 with a bond issuance and working on FEMA applications. It was noted that the land acquisition costs had gone up and that is reflective of redevelopment and land sales in the South Duff area. Staff is estimating around \$3 million in construction and there may be about a \$500,000 short-fall. Ms. Peterson noted that earlier tonight the Council approved the completion of the Homewood Slope project and that project had about \$500,000 in savings. The savings from the Homewood Slope project could be used for the Iowa Creek project. As the project goes out for bid, staff will do everything they can to help get better bids.

City Manager Schainker mentioned that some people have asked why all the wood was not removed from the site when the trees were cut down and asked Ms. Peterson to explain. Ms. Peterson stated they will be incorporating some of the trees into the project. The contractors will be given the option to utilize the wood in the project or have the wood removed. She noted that staff is still working on the design for replanting, but there will be some native species planted back into the area. Also being incorporated will be pollinator species that will help with some of the endangered bumble bees that have been spotted throughout town. Ms. Peterson indicated they will have a green and colorful corridor.

Council Member Gartin asked to clarify the trails and access to them in this area. Ms. Peterson stated that in the Capital Improvement Plan (CIP) there is a plan to add benching to the area along the north side and the land acquisition is continuing so a shared use path will get designed and constructed along Ioway Creek once this project is completed.

Mayor Haila noted the construction estimate is \$3.5 million and wanted to know if that included the tree clearing that was already done. Ms. Peterson explained that staff is still in the design phase and trying to figure out the total cost and that is why she had indicated it was an estimate, and with the FEMA Grant, the tree removal was considered part of the construction. The Mayor wanted to know how comfortable the consultant was with the budget considering all the increased costs, and wanted to know what the contingency was if the project came in way over budget. Ms. Peterson stated that this project does not have a lot of materials, and overall the construction timeline will be the biggest issue. The FEMA Agreement had a completion date of June 2022 and with the land acquisition

taking longer Ms. Peterson has been in conversation with FEMA to see about getting an extension due to the need for better pricing. It was asked if there are other avenues to look at to get additional funding. Ms. Peterson noted she could explore some other ideas and other projects and see what they can find.

The Mayor opened public comment. It was then closed when no one came forward to speak.

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 21-573 approving the Purchase Agreements for parcels, as follows:

- Parcel 1: FHS Ames 2, L.P. - \$139,150 (full parcel acquisition)
- Parcel 2: EM Hunziker, LLC. - \$7,150 (partial acquisition)
- Parcel 4: Hyland Heights Apartments, LLC - \$17,650 (partial acquisition)
- Parcel 8: MKTM, LLC - \$564,150 (full parcel acquisition)
- Parcel 9: AMERCO Real Estate Company - \$48,270 (permanent easement)
- Parcel 11: MKTM, LLC - \$13,850 (permanent easement)

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

STAFF REPORT REGARDING COMMUNITY ENGAGEMENT - PHASE 2: City Manager Steve Schainker mentioned that in January 2020, the City Council and Iowa State University's Department of Community and Regional Planning (CRP) agreed to collaborate on tasks that would help the City Council members accomplish one of their goals to "use the best communication engagement techniques and modern technologies to engage the community by reaching people in geographic areas using multiple channels." The next phase will be done by an independent study class who plan to organize and host a festival entitled, "Play Ames: Imagine Your City," on September 25, 2021. The festival approach was selected to be tested based on the assumption that "through playfulness trust and connections are established, and one can discuss more serious topics after or during playful activities designed to engage all residents." The group had designated four locations to hold the festival with different activities planned for each of the sites. The locations are: Reliable Street (Lockwood Café), Franklin Park, East 7th Street, and Downtown. Mr. Schainker commented that ISU students would like the City Council and City staff to be present at all four sites in order to interact with the participants and answer questions about issues of interest to the participants. The students are also requesting to use the City Logo for promoting the event.

Council Member Betcher felt this was a great opportunity to engage more students and has the potential to touch on a lot of things that the City is doing, but along with the fun and the games they want to have the informational component to help make connections with the officials of the City.

Council Member Gartin inquired if there was a rain date. Mr. Schainker commented that there is not one at this time.

Moved by Betcher, seconded by Corrieri, to support the community engagement event and allow Iowa State University's Department of Community and Regional Planning team to use the City Logo

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

ORDINANCE ASSIGNING APPROVED ANNEXED AREAS TO WARDS AND PRECINCTS: City Attorney Mark Lambert stated that following an Annexation, the City needs to assign the newly annexed territory to the appropriate ward and precinct for location election purposes as required by *Code of Iowa* Section 49.8(2). He mentioned that staff was requesting to pass on first reading and to suspend the rules necessary to pass on the second reading, third reading and adoption of the Ordinance pertaining to assigning the approved annexed areas to wards and precincts.

Mayor Haila opened public input and closed it when no one came forward.

Moved by Corrieri, seconded by Betcher, to pass on first reading an ordinance assigning the approved annexed areas to Wards and Precincts.

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

Moved by Corrieri, seconded by Betcher, to suspend the rules necessary for the adoption of an ordinance.

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

Moved by Corrieri, seconded by Beatty-Hansen, to pass on second and third readings and adopt ORDINANCE NO. 4444 assigning the approved annexed areas to Wards and Precincts.

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

ORDINANCE REZONING THE PROPERTY LOCATED AT 525-6TH STREET FROM RESIDENTIAL MEDIUM DENSITY (RM) TO SPECIAL PURPOSE GOVERNMENT/AIRPORT DISTRICT (SGA): Moved by Beatty-Hansen, seconded by Betcher, to pass on second reading an ordinance rezoning the property located at 525-6th Street from Residential Medium Density (RM) to Special Purpose Government/Airport District (SGA).

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

ORDINANCE AMENDING URBAN DEER MANAGEMENT PROGRAM REGARDING REPORTING REQUIREMENT: Moved by Junck, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4443 amending the Urban Deer Management Program regarding reporting requirement.

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

DISPOSITION OF COMMUNICATION TO COUNCIL: The Mayor mentioned there were three items to review. The first item was a letter from Mark H. Tompkins inquiring about the economic conditions for the City of Ames.

Moved by Beatty-Hansen, seconded by Corrieri, to not take an action on Mr. Tompkins letter.

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

The second item was a memo from Mark Lambert, City Attorney, regarding a conflict in the *Ames Municipal Code* for the Mary Greeley Medical Center Board of Trustees terms of office.

Moved by Beatty-Hansen, seconded by Betcher, to direct staff to clean up the language, as appropriate.

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

The last item was a letter from Nancy Carroll, Executive Director of Heartland Senior Services, requesting to address land and building ownership concerns for the property at 205 S. Walnut Avenue.

Moved by Corrieri, seconded by Beatty-Hansen to place the request from Nancy Carroll on a future agenda.

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

COUNCIL COMMENTS: Council Member Betcher mentioned that the City had received some moderately good news about the census. The City did grow a little bit, and she was thankful the City did not lose the many thousands of people that the City thought it would.

Council Member Junck mentioned that this morning a couple of Council Members, City staff, and volunteers worked on repainting the inclusive crosswalk by the Library. She thought it was a great opportunity to have one Downtown and she would like to pursue an inclusive crosswalk for Campustown.

Moved by Junck, seconded by Beatty-Hansen, to direct City staff to work on a plan to have an inclusive crosswalk in Campustown (Welch and Chamberlain) and direct the *ex-officio* to get students involved in the project.

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

ADJOURNMENT: Moved by Betcher to adjourn the meeting at 8:29 p.m.

Amy L. Colwell, Deputy City Clerk

John A. Haila, Mayor

Diane R. Voss, City Clerk



REPORT OF CONTRACT CHANGE ORDERS

Period:	<input type="checkbox"/>	1 st – 15 th
	<input checked="" type="checkbox"/>	16 th – End of Month
Month & Year:	August 2021	
For City Council Date:	September 14, 2021	

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	Lime Sludge Disposal	2	\$381,900.00	Wulfekuhle Injection & Pumping	\$0.00	\$-(40,682.43)	D. Schildroth	MA
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		

COUNCIL ACTION FORM

SUBJECT: YOUTH AND SHELTER SERVICES USE OF MUNICIPAL LOT P

BACKGROUND:

In October 2018, City Council approved a three-year lease extension with Youth and Shelter Services (YSS) for use of Municipal Lot P at 308 5th Street. Lot P was originally leased to YSS as part of the Development Agreement for renovation of the old City Hall at 420 Kellogg Avenue beginning in 1995. The last time the lease was renewed, it was at the lease rate of \$35/space/month.

The current rate for reserved parking space rental in other City lots is \$50/month/space. However, in other parking spaces, the City provides for ongoing maintenance of the lot. YSS is currently responsible for annual maintenance of Lot P; staff values this maintenance at approximately \$15/space/month. It should be noted that the lease agreement requires this maintenance be performed at the lessor's sole expense.

The proposed lease extension would continue the rental rate of \$35/space/month for the first 5-years. For years six to ten, the rental rate would be whatever the current City-wide reserved rental rate minus the \$15/space/month in recognition of YSS conducting the routine maintenance activities. **The lease may be terminated upon a 120-day written notice for any reason, such as if there is ever a different public need for the use of the property.**

Because the lease period is more than three years, a public hearing must be held before the lease can be approved. The current lease agreement expired as of August 31, 2021, therefore staff is requesting that a Public Hearing be set for September 28, 2021, to approve the 10-year parking lease with YSS effective September 1, 2021.

ALTERNATIVES:

1. Set the date of Public Hearing on September 28, 2021, for approval of the final parking lease agreement with Youth and Shelter Services for Municipal Lot P.
2. Modify the draft agreement and then set the date of public hearing.
3. Reject the lease extension and convert the parking stalls to the standard 24-hour Reserved Parking at \$50/space/month.

CITY MANAGER'S RECOMMENDED ACTION:

By maintaining the current arrangement with YSS, the City can ensure the fair application of the policy as well as supporting the goals of maintaining the parking system. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.

Return document to: City Clerk, P.O. Box 811, 515 Clark Ave., Ames, IA 50010

Document prepared by: Victoria A. Feilmeyer, City of Ames Legal Department, 515 Clark Ave., Ames, IA 50010 – 515-239-5146

**AMENDMENT EXTENDING TERM OF PARKING LOT
LEASE BETWEEN THE CITY OF AMES AND YOUTH
AND SHELTER SERVICES, INC.**

THIS IS AN AMENDMENT to a Lease Agreement made by and between the City of Ames, Iowa, and Youth and Shelter Services, Inc., upon the following terms and conditions:

1 DEFINITIONS. When used in this Amendment, unless otherwise required by the context:

- 1.1 “City” means the City of Ames, Iowa, an Iowa Municipal Corporation, the lessor of the property herein.
- 1.2 “YSS” means Youth and Shelter Services, Inc., an Iowa Nonprofit Corporation, the lessee of the property herein.
- 1.3 “Agreement” means the Agreement identified as “LAND LEASE PARKING LOT P” presently in force between the City and YSS dated July 1, 2012, and any amendments thereto, governing the lease by YSS of certain parking spaces from the City located in City parking Lot P.
- 1.4 “Amendment” means this instrument as signed by the City and YSS. The intent of the parties is to extend the existing parking lot lease by ten years starting September 1, 2021, to set the rental rate at \$35.00 per month per leased space for the first five years (until August 31, 2026) and to set the rental rate to an amount equal to the City’s regular reserve rental rate, less a \$15 per space discount to reflect YSS performing routine lot maintenance, per parking space leased by YSS from the City for years six through ten of the Agreement.
- 1.5 “Leased Property” means the property (together with all easements and servient estates appurtenant thereto) situated in Story County, Iowa, identified as 14 parking spaces located in Parking Lot P, at 308 5th Street, Ames, Iowa (*Parcel ID number 09-02-378-045*), upon real property legally described as: Lot 7, except the West 15 feet thereof, and Lots 5 and 6, in the Original Town of Ames, Story County, Iowa.

1.6 "Routine Lot Maintenance" means any regular maintenance activities including, but not limited to, cleaning, paint striping, and snow removal.

2 **AMENDMENT.** The Agreement is amended by deleting therefrom Paragraph 1, in its entirety and by substituting in lieu thereof the following:

The term of this lease shall be for a period commencing upon the expiration of the term contained in the Amendment filed November 15, 2018, as Instrument No. 2018-10020, and terminating without further notice on August 31, 2031. Any extension of this lease beyond the term shall be in writing and shall require the parties to negotiate the terms of the lease agreement.

3 **FURTHER AMENDMENT.** The Agreement is further amended by deleting therefrom Paragraph 2, in its entirety and by substituting in lieu thereof the following:

The parties acknowledge and agree that the City may need Lot P for redevelopment in the area, public parking, or any other purpose during the term of this Agreement. Either party may terminate the lease for any reason, at any time, upon 120 days written notice to the other party.

4 **FURTHER AMENDMENT.** The Agreement is further amended by deleting therefrom Paragraph 3, in its entirety and by substituting in lieu thereof the following:

YSS agrees to pay to the City for the use of said premises herein mentioned the following. \$35.00 per parking space, per month, for each month starting September 1, 2021, and ending August 31, 2026.

YSS agrees to pay the City for the use of said premises herein mentioned the following: The regular City rental rate for reserved parking spaces less the sum of \$15.00 per parking space to reflect YSS performing routine lot maintenance, per month, for each month starting September 1, 2026, and ending August 31, 2031.

5 **FURTHER AMENDMENT.** The Agreement is further amended by deleting therefrom Paragraph 4, in its entirety and by substituting in lieu thereof the following:

All prior maintenance obligations as stated in the original 2012 Lease Agreement shall remain in force with all routine lot maintenance obligations (including, but not limited to: cleaning, paint striping and snow removal), being the obligation of YSS and not the City.

6 **CONTINUED FULL FORCE.** The Agreement shall continue to have full force and effect in accordance with the terms thereof, subject, however, to this Amendment. All prior maintenance obligations as stated in the original Lease and all Amendments thereto shall remain in force.

IN WITNESS WHEREOF, the City and YSS have executed this Amendment on this _____ day of _____, 2021.

Dated _____, 2021.

CITY OF AMES, IOWA

By: _____
John A. Haila, Mayor

Attest
by: _____
Diane R. Voss, City Clerk

STATE OF IOWA, COUNTY OF STORY, SS.:

This instrument was acknowledged before me on _____, 2021, by John A. Haila and Diane R. Voss, as Mayor and City Clerk, respectively, of the City of Ames, Iowa.

NOTARY PUBLIC

Dated _____, 2021.

YOUTH AND SHELTER SERVICES, INC.

By: _____
Andrew Allen, President

STATE OF IOWA, COUNTY OF STORY, SS.:

This instrument was acknowledged before me on _____, 2021, by Andrew Allen, as President of Youth and Shelter Services, Inc.

NOTARY PUBLIC

COUNCIL ACTION FORM

SUBJECT: SET DATE OF PUBLIC HEARING FOR VACATION OF A PEDESTRIAN EASEMENT AT 4901 WALLER STREET (LOT 4, LONGVIEW SUBDIVISION, SECOND ADDITION).

BACKGROUND:

David Hohbach, 4901 Waller Street, has requested that an existing pedestrian easement located along the eastern ten (10) feet of his property, be vacated by the City of Ames. He proposes to pave a drive expansion to the east side of his attached garage that encroaches into the existing pedestrian easement. The proposed parking space is not permitted unless the pedestrian easement is vacated.

The easement was first established as part of the approval of the Final Plat for Longview Subdivision, Second Addition in October 2003. The purpose of the easement was to provide access from the properties along Waller Street to the future Edwards Elementary School at 820 Miller Avenue. **The pedestrian easement has not been paved nor used as an access to Edwards Elementary School since it was first established by the Final Plat. The site plan for the school was approved in March 2013 and includes a stormwater detention basin near the rear property line of Lot 4. The basin obstructs any future pedestrian path from Waller Street to the school building.**

There are two other paved pedestrian easements that provide access to the school site from Poe Avenue to the east. These easements suffice to provide excellent access to the school site in combination with sidewalk and street access from Miller Avenue to the west. Current residents of the homes along Waller Street use sidewalks along Miller Street and Poe Avenue to conveniently access the Edwards Elementary School site.

Because the easement was granted to the City at no cost as part of platting (rather than dedicated as right-of-way), there is no proposed cost associated with vacating the easement.

ALTERNATIVES:

1. Set September 28, 2021, as the public hearing date to consider vacation of the existing pedestrian easement at 4901 Waller Street (Lot 4, Longview Subdivision, Second Addition).
2. Retain the existing pedestrian easement at 4901 Waller Street (Lot 4, Longview Subdivision Second Addition).
3. Refer this item back to City staff for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

The pedestrian easement on Lot 4 serves no useful purpose to the neighborhood residents whose children walk to and from Edwards School. The location of the stormwater detention pond next to the rear property lines of houses along Waller Street makes it impractical to continue reservation of the east ten feet of Lot 4 as a pedestrian easement.

In addition, the easement prevents the property owner at 4901 Waller Street from using the east ten feet of his property in a way that would benefit him as the property owner. Mr. Hohback has expressed a desire to use the area between his garage and the east property line as a paved area to park a vehicle that meets the zoning regulations for off-street parking in a low-density residential area.

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

Cintron, Cesar

From: David Hohbach <david@davidhohbach.com>
Sent: Thursday, August 26, 2021 2:29 PM
To: Anderson, Ray
Cc: Diekmann, Kelly; Cintron, Cesar; Peterson, Tracy
Subject: RE: Vacating of the Pedestrian Easement at 4901 Waller Street
Attachments: 4901_Waller St_Permit File Drawing.pdf

[External Email]

Hello,

I'm asking that the easement on the east side of my property be vacated. It will never be used. Any sidewalk there would lead to the Miller Elementary schools drainage area. It's an area that tends to get quite wet after rain (at times it's a river) and is filled with grass and weeds. It's also usually only mowed a couple of times a year. Any sidewalk that would be placed there would basically just run parallel to the sidewalk by the street.

Instead I would like to put a third parking area for my property. This could be used by family and friends. It would also give me an area to put something like a bike trailer, flatbed trailer, or even a boat. This parking area would be 19x9 ft and not covered. It would connect to the drive roughly at the current drive's midpoint. It would then be an attractive gentle arc that would lead to the new area.

Thanks,
David Hohbach

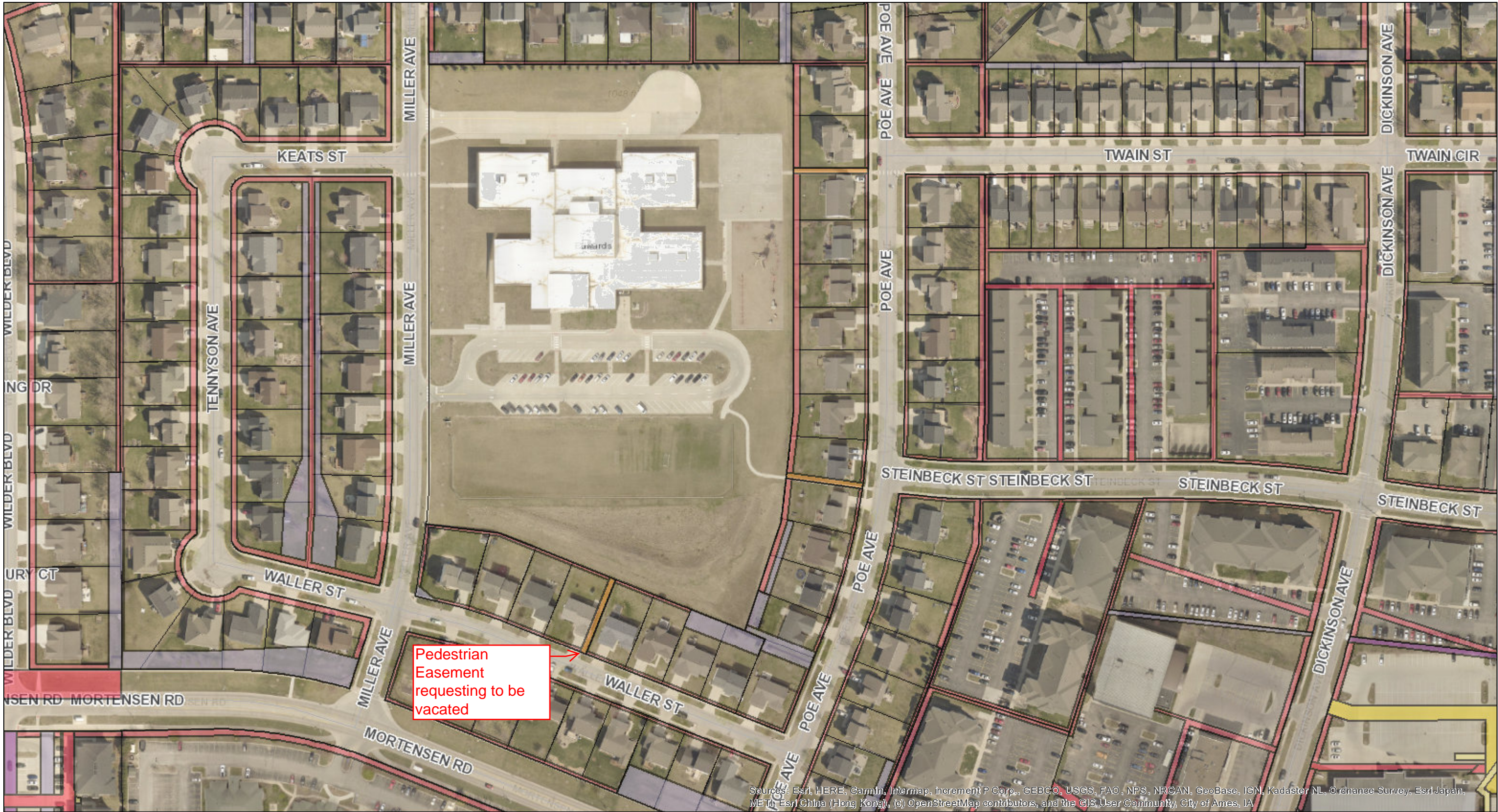
From: Anderson, Ray <ray.anderson@cityofames.org>
Sent: Thursday, August 26, 2021 12:34 PM
To: David Hohbach <david@davidhohbach.com>
Cc: Diekmann, Kelly <kelly.diekmann@cityofames.org>; Cintron, Cesar <cesar.cintron@cityofames.org>; Peterson, Tracy <tracy.peterson@cityofames.org>
Subject: Vacating of the Pedestrian Easement at 4901 Waller Street

David;

This email is a follow-up to our phone conversation this morning. Please respond with an email describing your request for vacation of the pedestrian easement on your property, and why the easement is no longer necessary. In addition, I have attached a drawing from the building permit file at the time your house was built. It shows the footprint of the house, and dimensions of the property and the easement. Please use this drawing to sketch the location of the paved parking space you are proposing next to the garage, and dimension the paved parking space as 19 feet long and 9 feet wide. The parking space must be entirely on the side of the garage, or in the rear yard, but not projecting toward the street closer than the front of the existing garage. Also, please show on the drawing how the parking space will connect to the existing paved driveway. Zoning regulations do not allow for another parking space in the front yard next to the existing driveway.

Once your email is received, the Public Works Department will prepare a report to the City Council with your request for vacation of the pedestrian easement. The City Council will set the date of a public hearing at the first meeting, then conduct the public hearing for vacation of the easement at the next regularly-scheduled City Council meeting.

Please send your email to the following email addresses:



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, City of Ames, IA



ArcGIS Web Map



NORTH

1 inch = 200 feet

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Date: 8/25/2021



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS	
Kum & Go, L.C.	Kum & Go #0217	(515) 457-6000	
ADDRESS OF PREMISES	CITY	COUNTY	ZIP
3111 South Duff Avenue	Ames	Story	50010
MAILING ADDRESS	CITY	STATE	ZIP
1459 Grand Ave	Des Moines	Iowa	50309

Contact Person

NAME	PHONE	EMAIL
Jody Deiter	(515) 457-6249	licenses@kumandgo.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM
LE0003353	Class E Liquor License	12 Month
EFFECTIVE DATE	EXPIRATION DATE	
Oct 9, 2021	Oct 8, 2021	

SUB-PERMITS/PRIVILEGES



State of Iowa

Alcoholic Beverages Division

Status of Business

BUSINESS TYPE

Limited Partnership

Ownership

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Krause Group LTD	Des Moines	Iowa	50309	Owner	100.00	Yes
Tanner Krause	Des Moines	Iowa	50309	President	0.00	Yes
Charles Campbell	Des Moines	Iowa	50309	Secretary	0.00	Yes
Erin Kuhl	Des Moines	Iowa	50309	CFO	0.00	Yes
Reed Rainey	Des Moines	Iowa	50309	COO	0.00	Yes

Insurance Company Information

INSURANCE COMPANY

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS	
PHP AMES LLC	Hilton Garden Inn Ames	(515) 233-8000	
ADDRESS OF PREMISES	CITY	COUNTY	ZIP
1325 Dickinson Avenue	Ames	Story	50014
MAILING ADDRESS	CITY	STATE	ZIP
1888 Sherman StreetNorth Capitol Hill	Denver	Colorado	80203

Contact Person

NAME	PHONE	EMAIL
Isa Marshall	(972) 354-6474	imarshall@bluebonnetconsulting.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM
	Class B Liquor License	12 Month
EFFECTIVE DATE	EXPIRATION DATE	
SUB-PERMITS/PRIVILEGES		

Status of Business



State of Iowa

Alcoholic Beverages Division

BUSINESS TYPE

Limited Liability Company

Ownership

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
David Storm	Littleton	Colorado	80123	Sole Member	100.00	Yes

Insurance Company Information

INSURANCE COMPANY

Secura Insurance Company

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS	
KINSHIP FOOD & BEVERAGE LLC	DayTime	(646) 512-2106	
ADDRESS OF PREMISES	CITY	COUNTY	ZIP
127 Dotson Drive	Ames	Story	50014
MAILING ADDRESS	CITY	STATE	ZIP
3708 Grand Avenue	Ames	Iowa	50010

Contact Person

NAME	PHONE	EMAIL
Ashley Wood-Rivera	(646) 512-2106	daytimediner@gmail.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM
	Class C Liquor License	12 Month
EFFECTIVE DATE	EXPIRATION DATE	
SUB-PERMITS/PRIVILEGES		

Status of Business



State of Iowa

Alcoholic Beverages Division

BUSINESS TYPE

Limited Liability Company

Ownership

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Ashley Wood-Rivera	Ames	Iowa	50010	Sole Member	100.00	Yes

Insurance Company Information

INSURANCE COMPANY

Society Insurance

POLICY EFFECTIVE DATE

Aug 1, 2021

POLICY EXPIRATION DATE

Aug 1, 2022

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS	
COPPER KITCHEN, LLC	Flip'N Jacks Pancake House & Eatery	(641) 216-3990	
ADDRESS OF PREMISES	CITY	COUNTY	ZIP
1520 South Dayton Place	Ames	Story	50010
MAILING ADDRESS	CITY	STATE	ZIP
1955 Andrews Drive	Pleasant Hill	Iowa	50327

Contact Person

NAME	PHONE	EMAIL
Besim Maksutoski	(641) 216-3990	copperkitchenllc18@gmail.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM
	Class C Liquor License	12 Month
EFFECTIVE DATE	EXPIRATION DATE	
SUB-PERMITS/PRIVILEGES		

Status of Business



State of Iowa

Alcoholic Beverages Division

BUSINESS TYPE

Limited Liability Company

Ownership

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Besim Maksutoski	Pleasant Hill	Iowa	50327	owner	100.00	Yes

Insurance Company Information

INSURANCE COMPANY

Society Insurance

POLICY EFFECTIVE DATE

Aug 16, 2021

POLICY EXPIRATION DATE

Aug 16, 2022

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS	
Terry & Andy's Tacos Inc.	Es Tas Stanton	(515) 337-1395	
ADDRESS OF PREMISES	CITY	COUNTY	ZIP
216 Stanton	Ames	Story	50014
MAILING ADDRESS	CITY	STATE	ZIP
216 Stanton	Ames	Iowa	50014

Contact Person

NAME	PHONE	EMAIL
Terrance Cullen	(651) 983-9431	terrancecullen@hotmail.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM
LC0035738	Class C Liquor License	12 Month
EFFECTIVE DATE	EXPIRATION DATE	
Aug 29, 2020	Aug 28, 2021	

SUB-PERMITS/PRIVILEGES



State of Iowa

Alcoholic Beverages Division

Status of Business

BUSINESS TYPE

Privately Held Corporation

Ownership

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Terrance Cullen	Saint Paul	Minnesota	55105	Owner	100.00	Yes

Insurance Company Information

INSURANCE COMPANY

Society Insurance

POLICY EFFECTIVE DATE

Aug 29, 2020

POLICY EXPIRATION DATE

Aug 29, 2021

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

June 21, 2021

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS	
FRIENDS OF ISU HOTEL HOLDINGS, LLC	Gateway Hotel & Conference Center	(515) 268-2209	
ADDRESS OF PREMISES	CITY	COUNTY	ZIP
1800 Christensen Drive	Ames	Story	50011
MAILING ADDRESS	CITY	STATE	ZIP
2100 Green Hills Drive	Ames	Iowa	50014

Contact Person

NAME	PHONE	EMAIL
Brian Osborne	(515) 460-5907	briano@gatewayames.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM
	Class C Liquor License	5 Day
EFFECTIVE DATE	EXPIRATION DATE	
SUB-PERMITS/PRIVILEGES		

Status of Business



State of Iowa

Alcoholic Beverages Division

BUSINESS TYPE

Limited Liability Company

Ownership

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Doug Drees	Waukee	Iowa	50263	ownership	1.00	Yes

Insurance Company Information

INSURANCE COMPANY

Arrowhead General Insurance
Agency

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE
DATE

OUTDOOR SERVICE EXPIRATION
DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE
DATE

TEMP TRANSFER EXPIRATION
DATE



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS	
THIRSTY PIGS LLC	Thirsty Pigs LLC	(515) 203-0773	
ADDRESS OF PREMISES	CITY	COUNTY	ZIP
405 5th Street	Ames	Story	50010
MAILING ADDRESS	CITY	STATE	ZIP
1489 Quill Avenue	Madrid	Iowa	50156

Contact Person

NAME	PHONE	EMAIL
Jay Kennedy	(515) 203-0773	info@thirstypigs.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM
	Class B Beer Permit	5 Day
EFFECTIVE DATE	EXPIRATION DATE	
SUB-PERMITS/PRIVILEGES		

Status of Business



State of Iowa

Alcoholic Beverages Division

BUSINESS TYPE

Limited Liability Company

Ownership

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Jay Kennedy	Madrid	Iowa	50156	Owner	100.00	Yes

Insurance Company Information

INSURANCE COMPANY

Aegis Security Insurance Company

POLICY EFFECTIVE DATE

July 1, 2021

POLICY EXPIRATION DATE

July 1, 2022

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS	
THIRSTY PIGS LLC	Thirsty Pigs LLC	(515) 203-0773	
ADDRESS OF PREMISES	CITY	COUNTY	ZIP
3600 University Boulevard	Ames	Story	50010
MAILING ADDRESS	CITY	STATE	ZIP
1489 Quill Avenue	Madrid	Iowa	50156

Contact Person

NAME	PHONE	EMAIL
Jay Kennedy	(515) 203-0773	info@thirstypigs.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM
	Class B Beer Permit	5 Day
EFFECTIVE DATE	EXPIRATION DATE	
SUB-PERMITS/PRIVILEGES		

Status of Business



State of Iowa

Alcoholic Beverages Division

BUSINESS TYPE

Limited Liability Company

Ownership

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Jay Kennedy	Madrid	Iowa	50156	owner	100.00	Yes

Insurance Company Information

INSURANCE COMPANY

Aegis Security Insurance Company

POLICY EFFECTIVE DATE

July 1, 2021

POLICY EXPIRATION DATE

July 1, 2022

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



MEMO

To: Mayor John Haila and Ames City Council Members
From: Lieutenant Heath Ropp, Ames Police Department
Date: August 30, 2021
Subject: Beer Permits & Liquor License Renewal Reference City Council Agenda

The Council agenda for September 14th, 2021, includes beer permits and liquor license renewals for:

- **Kum & Go #0217** (3111 S Duff Ave) - Class E Liquor License with Class B Wine Permit (Carryout Beer) and Sunday Sales
- **Hy-Vee #1 Clubroom** (3800 West Lincoln Way) - Class C Liquor License with Catering Privilege and Sunday Sales
- **The Love Club** (4625 Reliable Street) - Class B Liquor License with outdoor service and Sunday Sales
- **Southgate Expresse** (110 Airport Rd) - Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carryout Beer) and Sunday Sales
- **Dollar General Store 22303** (3407 Lincoln Way) - Class C Beer Permit with Class B Wine Permit with Sunday Sales

- **Whiskey River** (132-134 Main St) - Class C Liquor License with Catering Privilege, Outdoor Service & Sunday Sales
- **Wallaby's Grille** (2733 Stange Rd) - Class C Liquor License with Outdoor Service & Sunday Sales

A review of police records for the past 12 months found no liquor law violations for any of the above locations. The Ames Police Department recommends renewal of licenses for all the above businesses.

COUNCIL ACTION FORM

SUBJECT: **PARKING REQUEST FROM MUCKY DUCK PUB**

BACKGROUND:

Mucky Duck Pub (3100 S. Duff Avenue) is planning to host a celebration of the Pub's anniversary on Saturday, September 25 from 6:00 a.m. to 11:00 p.m. This event will include an outdoor alcohol service area in the establishment's parking lot with food and music.

In order to facilitate this event, Mucky Duck Pub is requesting an expansion of the existing outdoor service area and suspension of parking regulations along the south side of Crystal Street from 110 Crystal Street to Opal Drive from 6:00 a.m. to 11:00 p.m. The suspension of parking regulations along Crystal Street will allow the Pub's patrons to use that area for parking, since the existing parking lot would be dedicated to the expanded outdoor service area.

Mucky Duck Pub already possesses an alcoholic beverage control license, and an outdoor service privilege for its patio. Both Police and Fire staff have reviewed the emergency action plan prepared by the applicant. Organizers plan to hire a private security firm for the event and will obtain a noise permit from the Police Department.

ALTERNATIVES:

1. Approve the requests to expand the existing outdoor service area and suspend parking regulations to allow parking along the south side of Crystal Street from 110 Crystal Street to Opal Drive from 6:00 a.m. to 11:00 p.m. on September 25.
2. Do not approve the request to expand the existing outdoor service area and to suspend parking regulations.

CITY MANAGER'S RECOMMENDED ACTION:

The applicant for this event already has the appropriate licensing for the event. The requester also has a history of hosting similar activities in the proposed space, and meeting the safety expectations of the Police and Fire Department.

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



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS	
Mucky Duck Pub, L.L.C	The Mucky Duck Pub	(515) 598-5127	
ADDRESS OF PREMISES	CITY	COUNTY	ZIP
3100 S Duff avenue	Ames	Story	50010
MAILING ADDRESS	CITY	STATE	ZIP
3100 S Duff avenue	Ames	Iowa	50010

Contact Person

NAME	PHONE	EMAIL
Marcus Johnson	(515) 450-0566	info@amesbritishfoods.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM
LC0040290	Class C Liquor License	12 Month
EFFECTIVE DATE	EXPIRATION DATE	
Aug 26, 2021	Aug 25, 2022	

SUB-PERMITS/PRIVILEGES



Status of Business

BUSINESS TYPE

Limited Liability Company

Ownership

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Marcus Johnson	Ames	Iowa	50010	Owner	100.00	No
LeAnne Rohrberg-Johnson	Ames	Iowa	50010	Spouse	0.00	Yes

Insurance Company Information

INSURANCE COMPANY

Integrity Insurance

POLICY EFFECTIVE DATE

Sep 25, 2021

POLICY EXPIRATION DATE

Sep 26, 2021

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

Sep 25, 2021

OUTDOOR SERVICE EXPIRATION DATE

Sep 26, 2021

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE

COUNCIL ACTION FORM

SUBJECT: **REQUESTS FOR PARK(ING) DAY**

BACKGROUND:

Faculty from the Iowa State University Department of Landscape Architecture plan to implement a class project related to Park(ing) Day, on Friday, September 17. Park(ing) Day is held in cities across the world on the third Friday of September; on this day, participants repurpose metered parking spaces into public gathering spaces using parklets. The parklets are assembled, enjoyed by the public, and disassembled in one day.

Students in the Landscape Architecture 301: Site Design II class will be organized into six groups. Each group will be assigned a location in the Downtown consisting of two metered parking spaces (one for the parklet itself and one for equipment and supplies required during the assembly process). The groups will prepare designs and present them to a panel of Landscape Architecture practitioners for feedback.

The students have met with representatives from each of the businesses adjacent the closed parking spaces. The parklet designs will be presented to a panel of the adjacent business owners and City staff from Public Works and Inspections. City staff's feedback will focus primarily on traffic safety, stormwater flow at the curb and gutter, and construction integrity/safety.

The proposed locations are indicated in detail on the attached map. Two parking spaces each will be used in front of:

- Ames Public Library
- Evert's Flowers
- Cook's Emporium/Nook& Nest/ZW Mercantile
- Chocolaterie Stam
- Octagon Community Gallery
- Dog-Eared Books

To facilitate this project, organizers have requested a suspension of parking regulations and enforcement and waiver of fees for 12 metered parking spaces in the Downtown on September 17 (estimated \$12 loss to the Parking Fund). A Temporary Obstruction Permit will also be issued.

ALTERNATIVES:

1. Approve the requests for a Temporary Obstruction Permit, suspension of parking regulations and enforcement and waiver of fees for 12 metered parking spaces.
2. Approve the requests but require reimbursement for lost parking meter revenue.
3. Do not approve the requests.

CITY MANAGER'S RECOMMENDED ACTION:

The City has previously hosted parklets designed by ISU students in Downtown and Campustown over a multiple-week display period. These were safe and successful efforts that added to the vibrancy of the community. The proposed project is limited to one day in scope, and will encourage collaboration between students, City staff, and the adjacent businesses whose patrons will have the opportunity to appreciate the temporary parklet spaces.

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



**Park(ing) Day: September 17, 2021
Proposed Parklet Locations**

ITEM#: 20
DATE: 09-14-21

COUNCIL ACTION FORM

SUBJECT: MEMORANDUM OF UNDERSTANDING WITH IUOE LOCAL 234 FOR CYRIDE SHIFT PREMIUM FOR MOONLIGHT EXPRESS

BACKGROUND:

The wages and benefits for CyRide transit drivers are governed by a collective bargaining agreement with the International Union of Operating Engineers (IUOE) Local 234. The current agreement is in effect until June 30, 2022. Transit driver wages are set and paid based upon this contract.

Along with many businesses in Ames and around the country, CyRide is struggling to hire and retain an adequate number of part-time drivers necessary to operate the full academic school year schedule. A particular area of concern are the shifts operating late at night as part of the Moonlight Express (MLX) service, which runs on Friday and Saturday nights from 10:30 p.m. – 3:00 a.m. when ISU is in session. MLX service is utilized by a broad spectrum of individuals needing a safe, free, and easily accessible ride at night.

Currently, CyRide has 50% of the shifts for the MLX service covered by drivers. These shifts are difficult to fill, in large part due to the late hours of operation. The union contract currently has a shift premium of \$0.50 per hour for MLX shifts. With an average MLX shift length of fewer than five hours, the total additional amount of pay is not significant. To help incentivize drivers to choose these shifts, CyRide staff believe adding an additional shift premium of \$1.50 per hour would help increase the shift benefit to a point where drivers would find these shifts more attractive. This would effectively increase the premium to \$2.00 per hour for the 2021/22 academic school year.

Due to the timing of the relevant meetings, this item is being presented for approval to the Ames City Council, subject to formal Transit Board of Trustees approval on September 15. CyRide has received informal approval from the Transit Board. Representatives of the IUOE have been consulted and approved the MOU. The City Attorney's office has also reviewed the MOU in preparation of Council's approval. With City Council approval, subject to final Transit Board approval, this new shift premium would begin on September 16. **The financial impact of the proposed change is estimated to be \$2,500.**

ALTERNATIVES:

1. Approve a Memorandum of Understanding with the International Union of Operating Engineers Local 234, authorizing an additional shift premium in the amount of \$1.50 per hour for CyRide Moonlight Express shifts.
2. Do not approve the Memorandum of Understanding.

CITY MANAGER'S RECOMMENDED ACTION:

CyRide is experiencing issues filling shifts that operate very late at night. By increasing the shift premium to an amount more likely to incentivize additional drivers, and at a low cost to the organization, CyRide is increasing opportunities with covering these shifts.

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

**Memorandum of Understanding
City of Ames
and
International Union of Operating Engineers, Local 234
Blue Collar Unit**

September 16, 2021

Article 11.1 (a)(7) of the July 1, 2019 through June 30, 2022 collective bargaining agreement between the parties contains a shift premium for Transit Drivers working Moonlight Express shifts. The current premium provides for a fifty cents (\$.50) per hour shift premium to Transit Drivers working Moonlight Express shifts. The City of Ames proposes a temporary increase in this shift premium. CyRide has had difficulties attracting drivers to fill these shifts and in order to make these shifts more appealing to Transit Drivers, the parties have agreed to increase the shift premium to two dollars (\$2.00) per hour for the remainder of the contract, ending on June 30, 2022.

This agreement does not affect shift premiums of other classifications or wages. Their premiums will remain as previously agreed upon during contract negotiations. The changes are detailed below:

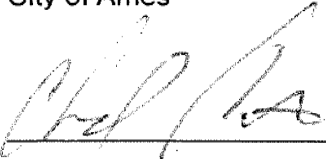
**ARTICLE 11
HOURS OF WORK, PAY RATE AND LEAVES
Effective 9/16/21 – 6/30/22**

(7) A shift premium of two dollars (\$2.00) per hour shall be paid to Transit Drivers working Moonlight Express shifts.

This provision is added to the agreement effective September 16, 2021, shall be on a trial basis, and will not be included in future bargaining agreements unless agreed to by both parties.

For the mutual benefit of the City of Ames and IUOE, both parties agree to incorporate the above-stated change to the terms agreed to in the collective bargaining agreement effective September 16, 2021.

Brian Phillips, Assistant City Manager
City of Ames



Chad Carter
IUOE Local 234 (Blue Collar)

Date



Date

ITEM# 21
DATE: 09-14-21

COUNCIL ACTION FORM

SUBJECT: MEMORANDUM OF UNDERSTANDING FOR 190TH STREET AND HYDE/GRANT AVENUE TEMPORARY TRAFFIC SIGNAL

BACKGROUND:

On August 10, 2021, City Council directed staff to install a temporary traffic signal at the intersection of 190th Street and Hyde/Grant Avenue. This intersection is at the north corporate limits of the City of Ames and is currently served by stop signs on the north and south approaches only. A traffic study is expected for this corridor in the next several years, which may result in a permanent change in the intersection control some time in the future.

At the same meeting, the City Council requested that Story County cover the costs for one-half of the temporary signal project. On August 17, the Story County Board of Supervisors considered the request and directed County staff to prepare a Memorandum of Understanding (MOU) with the City. After consultation between City and County staff, an MOU has been drafted, which was approved by the Story County Board of Supervisors on September 7.

The MOU provides for an equal share in the project's actual installation and rental costs. As a reminder these estimated costs are \$38,200 (50% = \$19,100) for the installation and \$3,000/year for equipment rental (50% = \$1,500). The City would assume any liability arising related to the operation of the signal, but would also retain exclusive control over the maintenance and operations of the signal.

The MOU's term is for six years with an annual option to terminate the agreement upon a 30-day written notice by either the City or County. There are a variety of occurrences that could allow the City to terminate the MOU and remove the signal (including replacement of the signal by a permanent improvement, equipment failure or other events that may render the signal inoperable or unsafe, in the City's opinion).

Once the MOU is approved by the City, staff will arrange for installation of the temporary signal. It is expected to take less than a week to install the signal itself. However, staff recommends that there be one week of public notification before putting the signal into operation. The public outreach will include message boards for east and westbound traffic along 190th Street and notices through the City's website and social media accounts.

ALTERNATIVES:

1. Approve the attached MOU with Story County regarding the costs, liability, and operations of a Temporary Traffic Signal at 190th Street and Hyde/Grant Avenue.
2. Direct staff to modify the MOU and return it to Story County for consideration.
3. Reject the MOU and maintain the current traffic control condition.

CITY MANAGER'S RECOMMENDED ACTION:

By approving this MOU, the City and the County will provide a temporary measure to manage better the significant increase of rural to urban traffic that has occurred in our area. It will provide the needed time for staff to study, design, and budget for a permanent improvement in the future.

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

This Memorandum of Understanding (hereinafter "MOU") is entered into between City of Ames and Story County Iowa.

- I. **AGREEMENT FOR APPROVAL OF A TRAFFIC CONTROL DEVICE.** In recognition that a traffic control device may be necessary to facilitate traffic safety conditions on 190th and Grant Avenue, City of Ames and Story County agree to install and maintain a temporary traffic signal and associated appurtenances. This MOU establishes an agreement between City of Ames and Story County for a division of the installation costs and annual rental costs. In consideration, the following special responsibilities are assumed by the parties:
 - a. **City of Ames Responsibilities.** City of Ames agrees to:
 - i. Pay 50% of the actual cost for installation of the project (estimated to be \$19,100);
 - ii. Submit an invoice to Story County, in an amount not to exceed 50% of the cost for the project (estimated to be \$19,100).
 - iii. Pay 50% of the actual costs for rental of the temporary traffic signal (estimated to be \$1,500 per year).
 - iv. Submit an invoice to Story County, in an amount not to exceed 50% of the actual costs for the rental of the temporary traffic signal (estimated to be \$1,500.00 per year).
 - b. **Story County Responsibilities.** Story County agrees to:
 - i. Pay 50% of the actual installation cost upon receipt of an invoice from City of Ames;
 - ii. Pay 50% of the actual rental costs, every year this MOU is in effect, upon receipt of an invoice from City of Ames.
- II. **TERM.** This MOU shall remain in effect for an original term of six years and shall automatically renew in one-year increments thereafter, unless terminated as provided in this MOU.
- III. **TERMINATION AND AMENDMENT.** This MOU may be terminated upon any of the following (whichever occurs earlier):
 - a. Either party may terminate this MOU at the conclusion of the original term or any renewal term by providing notice in writing to the other party no less than thirty (30) days prior to the conclusion of the current term; or
 - b. This MOU shall terminate upon the commencement of construction of any project which requires the replacement or removal of temporary traffic signal contemplated by this MOU; or
 - c. This MOU shall terminate if City of Ames removes the traffic control device due to equipment failure, damage sustained to the traffic control device due to human-caused or natural disaster, safety concerns, or if removal of the traffic

control device is warranted to maintain orderly flow of traffic. As the party responsible for maintenance and operation of the traffic control device, it shall be in City of Ames' sole discretion whether any of these conditions have been met.

The agreement is subject to revision due to legislation, change in operating practices and policies of the involved parties, or other factors, as agreed to by the involved parties. It may be amended by mutual written agreement of the parties.

- IV. **INDEMNIFICATION.** City of Ames agrees to indemnify, defend, and hold Story County harmless from any action or liability arising out of the design, construction, maintenance, and placement of traffic control devices, inspection, or use of this project. This agreement to indemnify, defend, and hold harmless applies to all aspects of Story County's funding participation. This agreement to indemnify, defend, and hold harmless does not extend to any liability arising as a result of any failure of Story County to abide by the terms of this MOU.
- V. **MISCELLANEOUS.**
- a. City of Ames understands that the traffic control device must comply with the requirements of the current Manual on Uniform Traffic Control Devices.
 - b. City of Ames assumes sole responsibility for the operation of the traffic control device. Story County waives all right to operate, modify, or manage the traffic control device, or to direct City of Ames to do the same.
 - c. City of Ames may, at its sole discretion, modify or remove the traffic control device for reasons of safety, orderly flow of traffic, or damage sustained to the traffic control device or its appurtenances.
 - d. City of Ames assumes all costs for electricity, maintenance, and replacement for the traffic control device; however, it is understood that nothing in this MOU obligates City of Ames to replace or maintain the traffic control device if City of Ames elects to remove the traffic control device for any reason contemplated by this MOU.
- VI. **NOTICES.** All notices related to this MOU shall be addressed as follows:
- a. To: Story Co. Engineer:
Attn: Darren Moon
Story County Engineer's Office
837 N Ave.
Nevada, IA 50201
 - b. To City of Ames:
Attn: John Joiner
Public Works Department
515 Clark Avenue

Ames, IA 50010

IN WITNESS WHEREOF, the parties have here unto set their hand, and the effective date of this agreement is the __ day of _____ 2021.

STORY COUNTY BOARD OF SUPERVISORS
900 6th Street
Nevada, IA 50201

CITY OF AMES

By: _____
Chair, Story County Board of Supervisors

By: _____
Mayor, City of Ames

Date: _____

Date: _____

COUNCIL ACTION FORM

SUBJECT: FLOOD MITIGATION – RIVER FLOODING (LAND ACQUISITION)

BACKGROUND:

On February 11, 2020, City Council approved the FEMA grant funding agreement for the stream bank restoration project providing flood mitigation in the loway Creek channel. A central component includes conveyance improvements within the channel approximately 2,000 feet either side of the South Duff Avenue bridge. The estimated costs and funding are as follows:

Flood Mitigation - River Flooding	Fiscal Year			Total Expenditures
	2015/16	2016/17	2018-2020	
Expenditures				
Design Contract (WHKS)	\$138,000		\$181,200	\$319,200
Land Acquisition Agent (CGA)			\$74,800	\$74,800
Land Acquisition (Est)			\$2,178,000	\$2,178,000
Construction (Est)			\$3,350,000	\$3,350,000
Engineering/Constr Admin (City Staff)			\$122,200	\$122,200
				\$6,044,200
Funding Shown in CIP				Total CIP Funding
20/21 Storm Water Utility Funds			\$500,000	\$500,000
GO Bonds	\$644,000	\$504,000		\$1,148,000
FEMA Hazard Mitigation Grant			\$3,747,450	\$3,747,450
				\$5,395,450
Potential Local Funding Shortfall				\$648,750
Available bond savings				\$650,000

Final design has been submitted with permit applications to the Army Corps of Engineers and Iowa DNR. A permit has been received from Army Corps of Engineers and the Iowa DNR permit is expected in the coming weeks. **The project is moving toward a fall 2021 bid letting.**

In April 2021, appraisals were completed on all the properties. City staff and CGA has made honest, good faith efforts to negotiate with the property owners and have reached reasonable offers for some of the needed land that avoids the need to use eminent domain. The property value negotiated for each parcel are as follows:

- Parcel 6: Thomas R. Burke – \$572,466.40 (full parcel acquisition)

- Parcel 7: Jay Brown and Lori B. Suvalsky – \$154,778.28 (full parcel acquisition)
- Parcel 10: B and D Land LC – \$199,572.72 (partial acquisition)

CGA and City staff are continuing to negotiate and make final offers (before scheduled eminent domain hearings) with the following parcel owners and tenants:

- Parcel 3: Kenneth and Marjory Howe Trust (partial acquisition) (**has signed**)
- Parcel 3: Jim Howe - (tenant compensation) (still under negotiation)
- Parcel 5: RL Enterprises LLC - (partial acquisition) (**has signed**)
- Parcel 5: Red Lobster - (tenant compensation) (still under negotiation)

The felled trees currently stockpiled along loway Creek in this project area are being incorporated into the final design of the overall Flood Mitigation – River Flooding project. The contractor will have options to haul out the trees or incorporate them (mulch/grind) into the erosion control/final stabilization of the project. Re-planting details have been incorporated including a row of native trees and plants that are recommended to benefit threatened and endangered pollinators, some of which have been recently identified and photographed in Ames.

ALTERNATIVES:

1. Adopt resolution approving Purchase Agreement for parcels listed above for Flood Mitigation – River Flooding project.
 - a) Parcel 6: Thomas R. Burke – \$572,466.40
 - b) Parcel 7: Jay Brown and Lori B. Suvalsky – \$154,778.28
 - c) Parcel 10: B and D Land LC – \$199,572.72
2. Direct staff to renegotiate, thereby rejecting specific purchase agreements.

MANAGER’S RECOMMENDED ACTION:

Approval of these agreements is very critical to moving the project toward a fall bid letting. Delay or rejection of these purchase agreements could require redesign and delay the construction.

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

COUNCIL ACTION FORM

**SUBJECT: AMENDED AND RESTATED EASEMENTS FOR BAKER SUBDIVISION
(321 State Avenue)**

BACKGROUND:

The City of Ames is the property owner of a 10.86-acre site located at 321 State Avenue. The property is located on the west side of State Avenue and east of Wilmoth Avenue. The property is currently zoned Residential Low Density (RL) (Attachment A).

The Final Plat approved by City Council at their May 26, 2020 City Council meeting consists of 27 buildable lots: 26 single-family home lots and 1 lot for a future development. There are also three Outlots for purposes of open space, stormwater management, and a future bike trail. (Attachment B) The layout includes the construction of one new public street named Latimer Lane. In conjunction with this approval the City Council approved and reserved certain public utility easements upon the property.

A distributed geothermal well system is being installed to serve the subdivision for heating and cooling as an alternative to natural gas. Ames Electric will own and operate the public portions of the system. Subsequent to Final Plat approval, the Ames Electric Services Department requested additional easements to facilitate the installation and maintenance of geothermal energy for the subdivision. An additional 5' of width is needed along the north side of lots 18, 19 and 20 to accommodate the necessary geothermal well structures. An electrical and geothermal easement is being added to the amended and restated easements to accommodate this need. The changes to these lots will not materially affect the usable area of the rear yard of these lots. (Attachment C)

ALTERNATIVES:

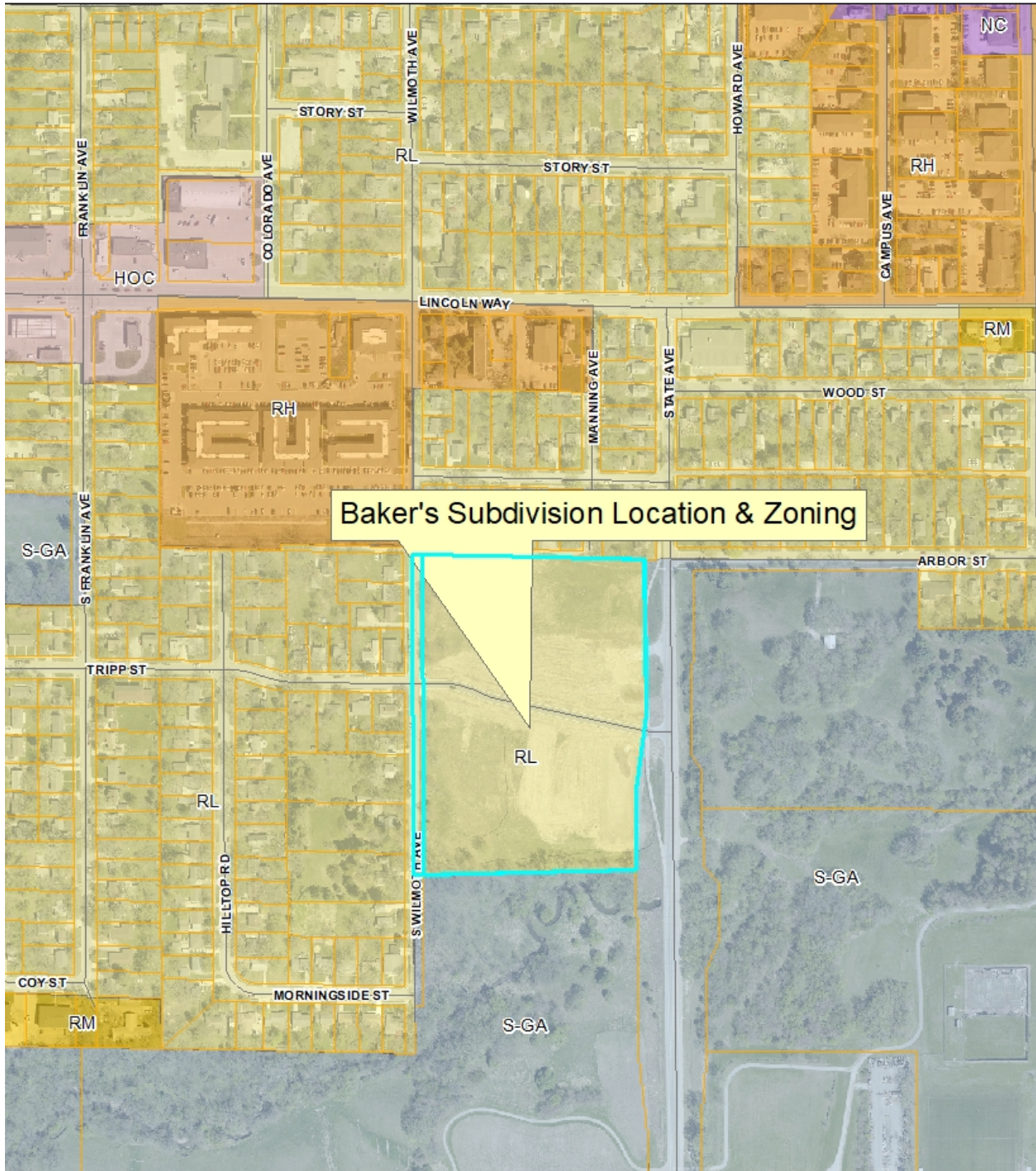
1. Approve the amended and restated easements for Baker Subdivision.
2. Deny the amended and restated easements for Baker Subdivision.
3. Refer this request back to staff for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

The installation of the distributed geothermal well system will provide residents of Baker Subdivision with the ability to heat and cool their homes. The additional 5' of easement width will provide the space needed to accomplish the installation of the geothermal wells. Planning & Housing staff have worked with the Electric Services Department to ensure that the attached easement is adequate to serve the needs for the geothermal well project.

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

Attachment A- Location & Zoning

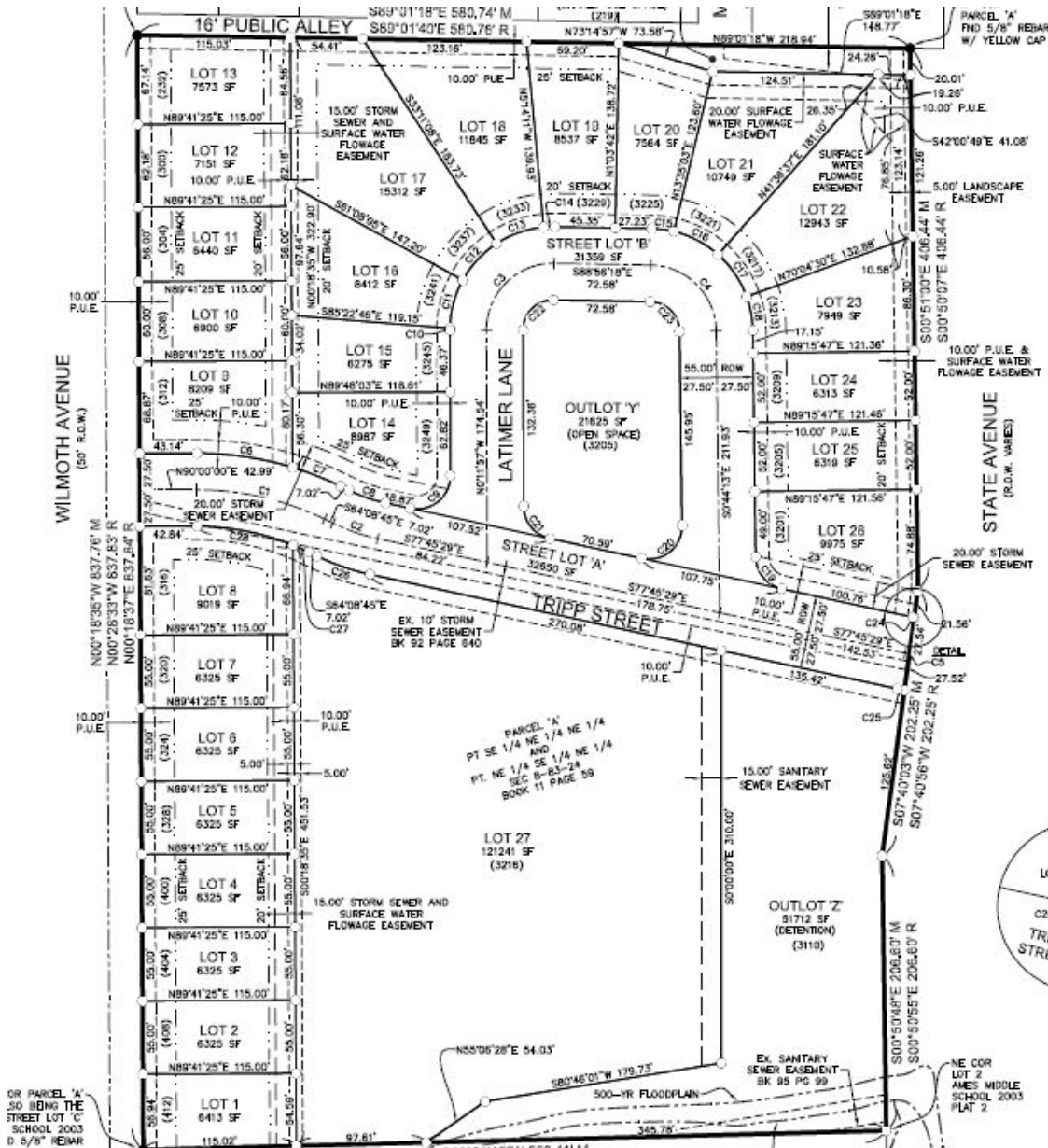


Baker's Subdivision Location & Zoning

Baker's Subdivision Location & Zoning



Attachment B-Baker Subdivision Approved Final Plat



OWNER / DEVELOPER

CITY OF AMES
 CONTACT: JUSTIN MOORE
 515 CLARK AVENUE
 AMES, IA 50010
 PHONE: (515) 239-5289

ENGINEER / SURVEYOR

CIVIL DESIGN ADVANTAGE
 3405 SE CROSSROADS DRIVE, SUITE C
 GRIMES, IOWA 50111

PLAT DESCRIPTION

PARCEL 'A' IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF AMES, STORY COUNTY, IOWA AS SHOWN ON THE RETRACTION PLAT OF SURVEY RECORDED IN INSTRUMENT NUMBER 2013-00001277 AND CONTAINING 10.86 ACRES (473,100 SQUARE FEET).

DATE OF SURVEY

MAY 6, 2020

ZONING

RL - RESIDENTIAL LOW DENSITY ZONE

BULK REGULATIONS

FRONT YARD: 25'
 REAR YARD: 20'
 SIDE YARD: 6'

NOTES

1. ANY SET MONUMENTATION SHOWN ON THIS PLAT WILL BE COMPLETED WITHIN ONE YEAR FROM THE DATE THIS PLAT WAS RECORDED.
2. LOTS MAY BE SUBJECT TO MINIMUM PROTECTION ELEVATIONS AND OTHER ELEVATION RESTRICTIONS NOT SHOWN ON THIS PLAT. REFER TO THE APPROVED PROJECT ENGINEERING DOCUMENTS FOR ANY ELEVATION RESTRICTIONS.
3. SOIL BORINGS ARE REQUIRED IN AREAS WITHIN THIS PLAT WHICH HAVE BEEN IDENTIFIED BY THE CITY OF AMES AS HAVING SOILS THAT MAKE CONSTRUCTION OF BUILDINGS DIFFICULT.
4. STREET LOT 'A', CONTAINING 62,650 SF, IS TO BE DEDICATED TO THE CITY OF AMES FOR STREET PURPOSES.
5. STREET LOT 'B', CONTAINING 31,359 SF, IS TO BE DEDICATED TO THE CITY OF AMES FOR STREET PURPOSES.

Attachment C- New Easement Exhibit

EXHIBIT A

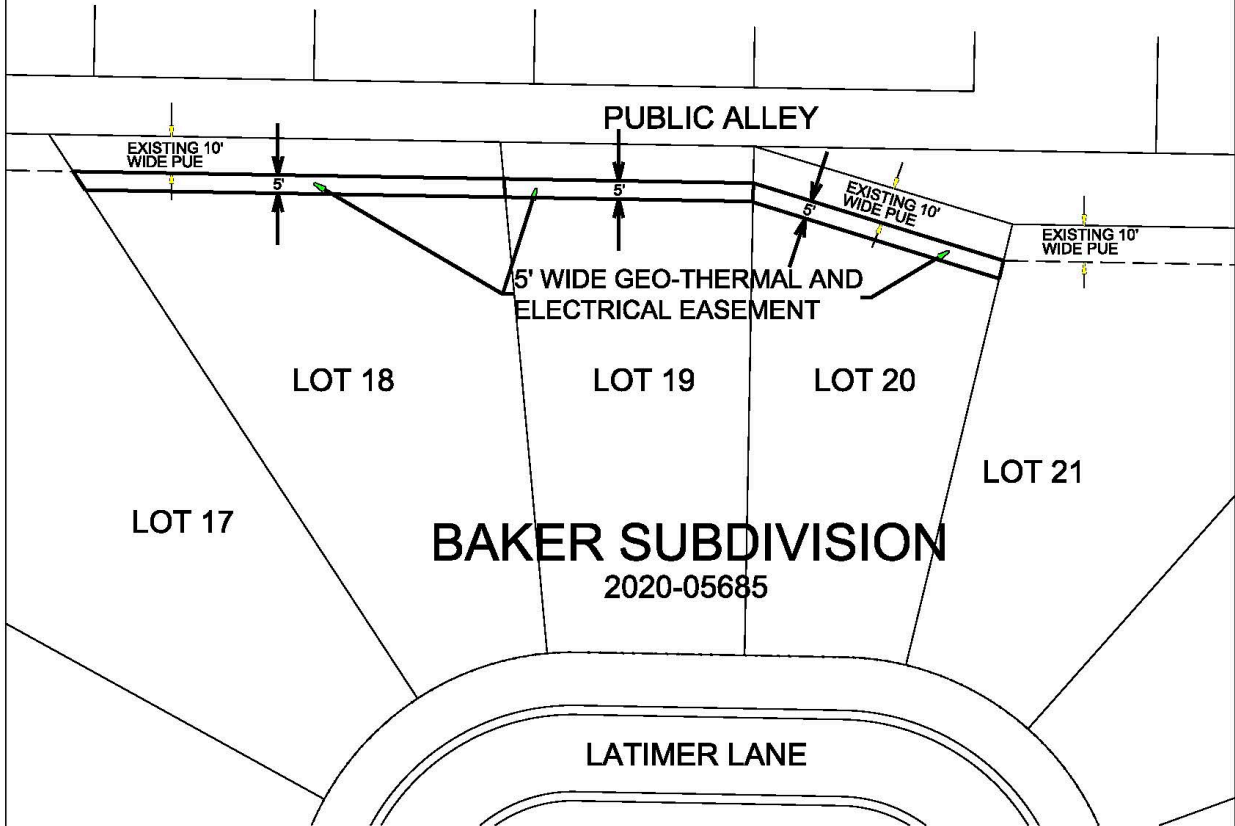
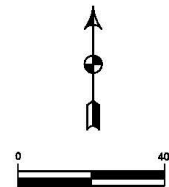


EXHIBIT A

A FIVE (5) WIDE STRIP OF LAND DEDICATED TO GEO-THERMAL AND ELECTRICAL FACILITIES LOCATED IN BAKER SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, DESCRIBED AS FOLLOWS:

THE SOUTH FIVE (5) FEET OF THE NORTH FIFTEEN (15) FEET OF LOTS 18, 19, AND 20 IN BAKER SUBDIVISION, CITY OF AMES, IOWA. SAID EASEMENT RUNS PARALLEL WITH THE NORTH LOT LINES OF SAID LOTS AND TERMINI ON SAID LOTS SIDE LINES.



ITEM#: 24
 DATE: 09-14-21

COUNCIL ACTION FORM

SUBJECT: GRIDSMART TRAFFIC CAMERA SYSTEM SOLE SOURCE PURCHASE

BACKGROUND:

The City utilizes GRIDSMART camera systems at signalized intersections to detect and manage the flow of traffic. At its April 14, 2020 meeting, City Council approved the purchase of GRIDSMART traffic intersection camera systems from General Traffic Controls, Spencer, IA in an amount not to exceed \$271,825 as a sole source purchase to be installed at various locations. To date, \$263,251 in GRIDSMART purchases have been made or are being processed for current projects.

The GRIDSMART camera system provides the best value and will be consistent with the systems that have been installed. Below is a table that summarizes the ongoing and future projects that will require the purchase of a GRIDSMART system. Funding is available in the amounts indicated below from the FY 2020/21 and FY 2021/22 Capital Improvements Plans.

FY 2020/21		
CIP Program/Budget	Location	Estimated Cost*
Grand Avenue Extension	S. 16th & S. Duff	\$ 50,000.00
S. Dayton Improvements	S. 16th & S. Dayton and S. Dayton & HWY 30 North & South Ramps (3 units)	\$ 65,000.00
Multi-Modal Roadway Improvements	Vet Med Trail Crossing @ S. 16th St	\$ 20,000.00
FY 2020/21 Total		\$ 135,000.00
FY 2021/22		
CIP Program/Budget	Location	Cost*
Concrete Pavement Improvements	Stange & 24th Street	\$ 20,000.00
Traffic Signal Program	University Blvd & S. 4th Street	\$ 20,000.00
Traffic Operating Budget	Traffic Inventory	\$ 20,000.00
FY 2021/22 Total		\$ 60,000.00
<p>*The cost of each system is dependent on the size of each intersection and the speed limits of the approaches. Costs have been rounded up to the nearest \$1,000 to account for fluctuations in market costs for the equipment.</p>		

ALTERNATIVES:

- 1.a. Waive the Purchasing Policies & Procedures competitive bidding process.
- 1.b. Award a sole source contract for the purchase of GRIDSMART traffic intersection camera systems to General Traffic Controls, Spencer, IA in an amount not to exceed \$195,000.

2. Do not approve the purchase of traffic camera systems.

CITY MANAGER'S RECOMMENDED ACTION:

Staff has reviewed available options, selected the system best suited to our traffic signal network needs, and negotiated the best price. Funding for these units has already been approved as a part of the adopted CIP process.

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

COUNCIL ACTION FORM

SUBJECT: PURCHASE AND INSTALLATION OF VARIABLE FREQUENCY DRIVES FOR POWER PLANT UNIT 8 COOLING TOWER

BACKGROUND:

The primary purpose of the Power Plant cooling tower is to remove the heat absorbed in the circulating cooling water. Depending on the weather conditions outside, the Power Plant Operator will regularly change the speeds of the cooling tower fans to create the desired water temperature. If the weather is warm, the fans operate at high speeds to encourage evaporation, causing the water to cool. If the temperatures are below freezing, the fans must be cycled in reverse, pushing air down into the tower, picking up heat from the hot water dropping from the top and then melting any ice on the outside louvers as the air exits.

The current equipment on Unit 8 cooling tower fan motors is old and outdated. Plant staff have also struggled with the reliability of the equipment on Unit 7, which was the only operational unit in the past year. This past winter the starter assembly feeding one of the Unit 7 cooling tower fans failed. Plant staff was unable to find replacement parts and the safety and equipment risk of fabricating a new part was too high. Later in the winter, the power cubicle feeding the second Unit 7 cooling tower fan failed. Plant staff had to reduce load on the unit and perform manual de-icing until outside conditions improved.

The FY 2024/25 CIP contains a project that was to replace both Unit 7 and Unit 8 cooling tower fan equipment with Variable Frequency Drives (VFDs). VFDs provide control over a range of speeds, improving reliability and efficiency. **Due to the issues experienced this past winter with Unit 7, staff realized it was critical to accelerate the installation of the VFDs on the Unit 7 colling towers to maintain reliability. Therefore, the VFDs for Unit 7 were installed in summer 2021 at the cost of \$72,565.** Since Unit 8 was returned to service in August 2021, staff has already experienced issues with the Unit 8 cooling tower fan motor equipment. Internal timers have not operated as required and sourcing spare parts has been very challenging.

Due to the issues outlined above, the project to replace the drives on Unit 8 needs to be performed as soon as possible to avoid future operational issues, particularly as extreme cold temperatures approach this winter. Installing them now will complete the existing FY 2024/25 CIP project in the current year rather than as scheduled. The installation of these VFDs can be completed one at a time while the unit remains operational.

Bid documents were issued through the City's electronic bidding system to 132 firms. On July 30, 2021, three bids were received from two bidders as shown below:

Bidder	Lead Time	Total
Baker Group, Ankeny, IA	12-14 weeks	\$158,467
Tri-City Electric Company, Davenport, IA	10-12 weeks	\$161,415
Baker Group**, Ankeny, IA	5-6 weeks	\$168,707

** Alternate bid with a different VFD manufacturer, Schneider Electric

Staff reviewed the bids and concluded that the apparent low bid submitted by Baker Group, Ankeny, IA in the amount of \$158,467 (inclusive of Iowa sales tax) is acceptable.

Funding for these repairs is available from the approved FY 2021/22 operating budget under the Unit 8 and Unit 7 Steam Turbine and Generator Maintenance account. This account contains \$160,000 for cleaning or replacing piping and equipment associated with the cooling tower circulating water. The cleaning or piping and equipment replacement can be deferred to future years in order to cover this project.

By funding the project through this year's operating budget, the planned capital improvement project in FY 2024/25 will be eliminated.

ALTERNATIVES:

1. Award a contract to Baker Group, Ankeny, Iowa for the purchase and installation of the VFDs for Unit 8 Cooling Tower in the amount of \$158,467 (inclusive of sales tax).
2. Award a contract to one of the other bidders.
3. Reject the bids and delay this project.

CITY MANAGER'S RECOMMENDED ACTION:

The replacement of the VFDs for the Unit 8 cooling tower needs to be performed in order to avoid operational issues and maintain reliability. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

COUNCIL ACTION FORM

SUBJECT: AWARD CONTRACT FOR ALUMINUM CABLE FOR 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 August 18, 2021, a Request for Quotation (RFQ) was issued to 112 vendors. The RFQ was advertised on Ames Bids. On September 3, 2021, three bids were received as shown below:

BIDDER	TOTAL COST*
WESCO Distribution, Des Moines, IA	\$ 99,959.40
Border States, Ames, IA	\$144,450
RESCO, Ankeny, IA	\$144,771

***Price inclusive of 6% State of Iowa Sales Taxes Plus 1% Local Tax**

Staff reviewed the bids and concluded that the apparent low bid in the amount of \$99,959.40 (inclusive of Iowa sales tax) submitted by WESCO Distribution, is acceptable.

This cable is a standard Electric Services Department inventory item. Inventory items are purchased from an Electric Department inventory asset account and charged to the appropriate operations expense/project accounts as the materials are taken out of inventory and put into the various work orders.

ALTERNATIVES:

1. Award a contract to Wesco Distribution, Des Moines, IA., for the purchase of Electric Services aluminum cable in accordance with bid in the amount of \$99,959.40 (inclusive of Iowa sales tax).
2. Award the bid to one of the other companies.
3. Reject all bids and attempt to purchase aluminum cable on an as needed basis.

CITY MANAGER'S RECOMMENDED ACTION:

The Electric utility needs a supply of aluminum cable on hand to meet the needs of commercial and residential customers. The low bid for this cable is acceptable to Electric Services.

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

COUNCIL ACTION FORM

SUBJECT: **AUDITORIUM HVAC REPLACEMENT**

BACKGROUND:

The City Auditorium is currently served by a HVAC system that consists of a fan and heating coils from when the building was built in 1938 and a condenser and cooling coils that were added in 1990. Over the last several years there have been ongoing maintenance issues with the system. It was determined that the best course of action would be to replace the system and modernize it for ease of use and maintenance.

A mechanical engineering firm was hired and completed plans and specifications. The plan calls for the removal of the existing fan and coils and replacement with a rooftop unit that would provide the heating and cooling for the Auditorium. A rooftop unit would allow for easier access for maintenance and free up existing space to become needed storage for the Auditorium.

This project was originally bid this past winter. The project at that time only received one bid that was significantly higher than the estimate, and on January 12, 2021, City Council rejected the bids and directed staff to modify the project for a future bid. The consultant talked to local contractors and received responses that the timing of the project was the main issue with receiving bids.

The project plans were modified by removing items related to duct work and access into the Auditorium ceiling and by adding an alternate for removal of the existing system and removing heating and cooling to the stage area. The project was re-bid with the modified scope. On May 12, 2021, the following bids were received for the modified project:

Bidder	Base Bid	Alternate to Remove Existing System
<i>Engineer's Estimate</i>	<i>\$342,870</i>	<i>\$13,572.30</i>
Stein Heating & Cooling, Inc.	\$575,500	\$15,000.00
Woodruff Construction, Inc.	\$589,347	\$23,200.00
Henkel Construction Co.	\$683,000	\$23,500.00

On May 25, 2021, City Council accepted the report of bids, but did not award this project due to a budget shortfall. Engineering and construction administration costs were estimated at \$32,000. With the lowest bid this would bring the total project to \$607,500. The budgeted amount for this project is \$400,000 and comes from one-time savings from the FY 2019/20 budget. After failing to identify 1) changes to the project design that would lower the cost and 2) additional funding to cover the \$207,500 budget shortfall, staff is now proposing to reject the bids. If

in the future additional funding can be identified by staff, plans may return to the City Council in early 2022 for approval of another bid letting.

ALTERNATIVES:

1. A. Reject all bids for the project.

B. Direct staff to re-evaluate the project plans and identify additional funding for a future bid letting.

2. Award the Auditorium HVAC Replacement to Stein Heating & Cooling, Inc. in the amount of \$575,500. This option will require funding from an appropriate fund balance.

CITY MANAGER'S RECOMMENDED ACTION :

The rising costs associated with this project required staff to modify the plans and re-bid it. While that resulted in some reduction of costs and additional bidders, the overall costs remain significantly over budget.

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

COUNCIL ACTION FORM

SUBJECT: WAIVER OF SUBDIVISION REQUIREMENTS FOR THE TYPES OF DIVISIONS WHICH MAY BE APPROVED AS A PLAT OF SURVEY, DEFERRAL OF SIDEWALK INSTALLATION, AND APPROVAL OF A PLAT OF SURVEY FOR THE DIVISION OF LAND INTO TWO PARCELS LOCATED SOUTHEAST OF THE INTERSECTION OF AIRPORT ROAD AND S. RIVERSIDE DRIVE.

BACKGROUND:

The land proposed for platting is located at 3100 S. Riverside Drive (pending address change to Aviation Way) for City property immediately adjacent to the Ames Municipal Airport. The proposed division is at the direction of the City Council in response to the request from Sigler Printing and Publishing to purchase the land they are currently leasing from the City of Ames. Sale of the building and site to Sigler requires approval of the subdivision of the Southeast Quarter of Section 15 in Washington Township into two lots. **However, rather than a Minor Final Plat staff proposes a waiver of subdivision process to allow for approval of a Plat of Survey to create two parcels.**

City staff is requesting that the City Council grant a waiver of the requirements of *Section 23.308(2) of the Municipal Code* which describes the types of divisions that may be approved as a plat of survey. In this instance, the site is City owned property but zoned as General Industrial. The proposed division conforms to Minor Subdivision standards in that no public improvements are required, with the exception of a sidewalk. These circumstances support a determination that the use of the Plat of Survey is adequate to divide the property. See the complete text of Section 23.308 in the Addendum of this report.

The proposed Plat of Survey would establish "Parcel S" (12.75 acres) at 3100 S. Riverside Drive (to be addressed as 1101 Aviation Way with approval of the plat of survey). "Parcel S" would be purchased from the City of Ames by the Sigler Printing and Publishing Company. The second parcel to be established is "Parcel T" (145.87 acres) to be addressed as 816 Airport Road and retained under City of Ames ownership with approval of the plat.

On May 11, 2021, the City Council approved dedication of the right-of-way as Aviation Way at a width of 66 feet to serve proposed "Parcel S", and dedication of the east 40 feet of right-of-way (r.o.w.) for S. Riverside Drive. The west 40 feet of r.o.w. for S. Riverside Drive has already been dedicated to the city.

Neither Riverside Drive nor the new Aviation Way right-of-way have sidewalks. Chapter 23 requires that the division of General Industrial zoned land requires the construction of

a sidewalk on one side of a street as determined through approval of a subdivision, or default to the east and north sides of streets. In this case the City has invested in the construction of the Shared Use Path along the west side of Riverside Drive with the ISU Research Park subdivision and this proposed division would not be required to then have a sidewalk on the Riverside frontage of this site. The Aviation Way frontage does require a sidewalk improvement.

City standards typically allow for a three-year deferral with financial security to make such an improvement. In this case as a City owned property there is no financial security for the improvement, but the sidewalk will be programmed by the City as a future improvement. The sidewalk will need to be designed to City standards and make a connection across Riverside Drive to the existing Shared Use Path and then extend across the full frontage of Parcel T and then across the frontage of Parcel S (Sigler). Since the street dead ends at the edge of airport property, an appropriate terminus of the sidewalk along Parcel S will be determined by staff with the future improvement.

Approval of the plat of survey (*Attachment B*) will allow the Public Works Department 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 City will then record the Plat of Survey to divide the site.

The next step after creating the two parcels will be to move forward with the sale of the property to Sigler.

ALTERNATIVES:

1. Waive the requirements for types of divisions which may be approved as a plat of survey, accept deferral of sidewalk improvements along Aviation Way, and approve the proposed plat of survey.
2. Decline to waive the requirements for types of divisions which may be approved as a plat of survey and require approval of a Minor Subdivision Plat for the proposed subdivision, including the installation of sidewalk along the north side of Aviation Way.
3. Refer the waiver request, back to city staff for additional information.

CITY MANAGER’S RECOMMENDED ACTION:

City staff is requesting a waiver from City Council of the subdivision process to allow the division of City-owned land into two parcels through the approval of a plat of survey. One of the parcels (Parcel S) would be sold to Sigler Printing and Publishing. Ownership of “Parcel T” would remain with the City and available for future development. This is land that has been leased since a building was first constructed on the site for Visionaire in the late 1990’s.

Sigler Printing and Publishing has occupied the building and leased the land from the city in recent years. They submitted a request to purchase the land in September 2019, and the City Council has given direction to proceed with sale of the land. No additional public improvements are needed to serve the site with street access and/or public utilities. Approval of the subdivision through a plat of survey as opposed to approval of a Minor Subdivision (Final Plat) will serve to expedite transfer of the land to the new owner. The City's long-term interests are not compromised in this instance by waiving the subdivision regulations, deferring sidewalk installation, and approving the land division through a plat of survey.

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

It should be emphasized that the final allocation of the responsibilities for the sidewalk improvements along Aviation Way must be included in the purchase agreement. If there is no assignment of these responsibilities, the City as the property owner will be financially obligated for these improvements.

ADDENDUM

“Section 23.308. REVIEW PROCEDURES FOR PLATS OF SURVEY.

(1) Purpose:

The purpose of this Section is to provide a review process to determine if proposed plats of survey as defined in Section 23.201 conform to all subdivision standards of this Chapter, and to all development regulations of Chapter 29, prior to preparation of the official plat of survey, and prior to the submittal of an official plat of survey to the Story or Boone County Recorder’s Office and Story or Boone County Auditor’s Office as specified in the Code of Iowa Section 354.8.

(2) Applicability:

This Section applies to all plats of survey within the City of Ames, and to all plats of survey describing divisions or conveyances of land lying within the unincorporated area extending not more than two (2) miles beyond the Ames City Limits. It does not apply to retracement surveys as defined by this Chapter. The only types of divisions which may be approved as plats of survey are:

- (a) Boundary Line Adjustments.*
- (b) Replats to correct errors as provided in Section 23.311.*
- (c) Auditor’s plats as provided in Code of Iowa Section 354.13.*
- (d) Conveyance divisions occurring prior to August 4, 2009.*
- (e) Minor Subdivisions in areas of the Ames Urban Fringe designated as Agricultural & Farm Service or Rural Residential, including required covenants describe in (g).*
- (f) Divisions of lots within existing single-family subdivisions creating no more than one additional lot, provided that the plat of survey is of the entire lot or parcel being divided. This provision only applies to one-time splits of existing lots of a subdivision and does not apply to repeated divisions.*
- (g) The division of an aliquot part of a section, provided that the division is to separate an existing or former farmstead from the remainder of the aliquot part, and provided that any required covenants pertaining to rural water buyout, assessment for installation of infrastructure, and agreement to future annexation are signed and submitted prior to the City Council’s final action on the plat of survey. This requirement pertaining to covenants applies anywhere in the Fringe except in the Agriculture & Farm Service, and Rural Residential areas.”*

“Section 23.103. WAIVER/MODIFICATION.

- (1) Where, in the case of a particular subdivision, it can be shown that strict compliance with the requirements of the Regulations would result in extraordinary hardship to the Applicant or would provide inconsistent with the purpose of the Regulations because of unusual topography or other conditions, the City Council may modify or waive the requirements of the Regulations so that substantial justice may be done and the public interest secured provided, however, that such modification or waiver shall not have the effect of nullifying the intent and purpose of the Regulations. In no case shall any modification or waiver be more than*

necessary to eliminate the hardship or conform to the purpose of the Regulations. In so granting a modification or waiver, the City Council may impose such additional conditions as are necessary to secure substantially the objectives of the requirements so modified or waived.

- (2) *The requirements of the Regulations for the platting of a Minor Subdivision may be waived by city staff when it is determined by staff that:
 - (a) *A clear and accurate description of the area of land will be provided by means of a plat of survey to be procured by the property owner, and in compliance with Section 23.308.*
 - (b) *With respect to that area of land, all substantive requirements and standards of the Regulations are already met.**

“Section 23.403. STREETS.

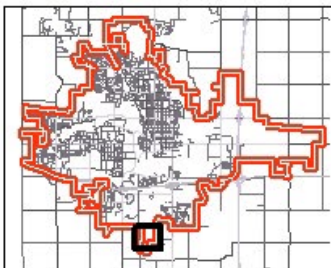
(14) Sidewalks and Walkways.

- (a) *Sidewalks and walkways shall be designed to provide convenient access to all properties and shall connect to the City-wide sidewalk system. A minimum of a five-foot wide concrete sidewalk shall be installed in the public right-of-way along each side of any street in all zoning districts except General Industrial and Planned Industrial. A minimum of a five-foot wide concrete sidewalk shall be installed in the public right-of-way along one side of any street in the General Industrial and Planned Industrial zoning districts. If sidewalks on adjacent property are greater than five feet, the subdivider shall install sidewalks to match. If constraints exist that preclude installation of a sidewalk within the public right-of-way, the subdivider shall install the required sidewalk on adjacent land within a sidewalk easement. All required sidewalks shall connect with any sidewalk within the area to be subdivided and with any existing or proposed sidewalk in any adjacent area.*
- (b) *Exception: For any final plat for which a preliminary plat has been approved prior to January 1, 2015, the following standard shall be met: Sidewalks and walkways shall be designed to provide convenient access to all properties and shall connect to the City-wide sidewalk system. A minimum of a four-foot-wide concrete sidewalk shall be installed in the public right-of-way along each side of any street within residentially and commercially zoned areas and along at least one side of any street within industrially zoned areas. Such a sidewalk shall connect with any sidewalk within the area to be subdivided and with any existing or proposed sidewalk in any adjacent area. Any required sidewalk shall be constructed of concrete and be at least four feet wide.*
- (c) *A deferment for the installation of sidewalks may be granted by the City Council when topographic conditions exist that make the sidewalk installation difficult or when the installation of the sidewalk is premature. Where the installation of a sidewalk is deferred by the City Council, an agreement will be executed between the property owner/developer and the City of Ames that will ensure the future installation of the sidewalk. The*

deferment agreement will be accompanied by a cash escrow, letter of credit, or other form of acceptable financial security to cover the cost of the installation of the sidewalk.

- (d) A pedestrian walkway made of concrete may be required where deemed essential to provide access to schools, parks and playgrounds, commercial areas, transportation, or community facilities. Any such walkway shall be not less than eight feet wide.”*

Attachment A – Location Map

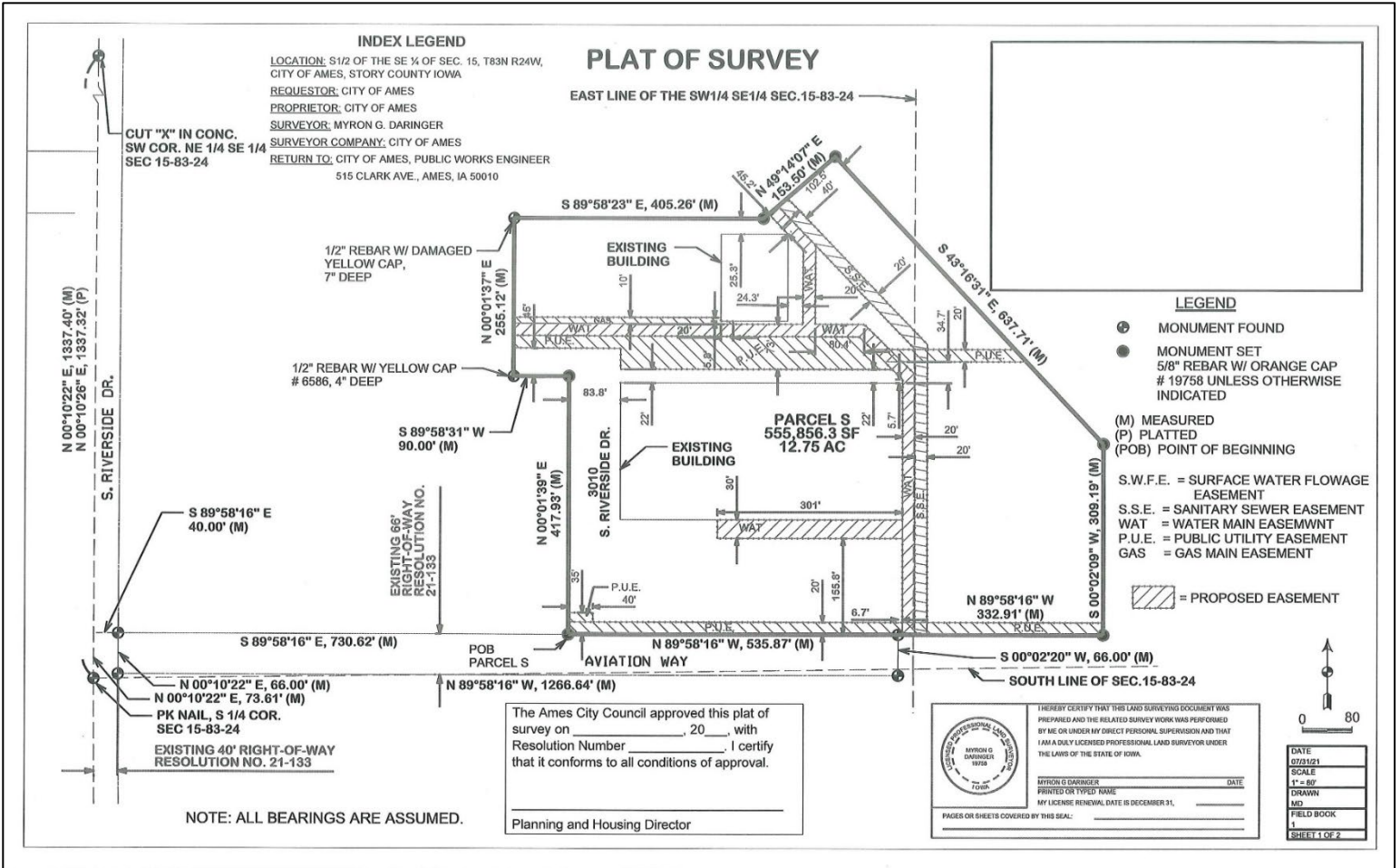


Location Map

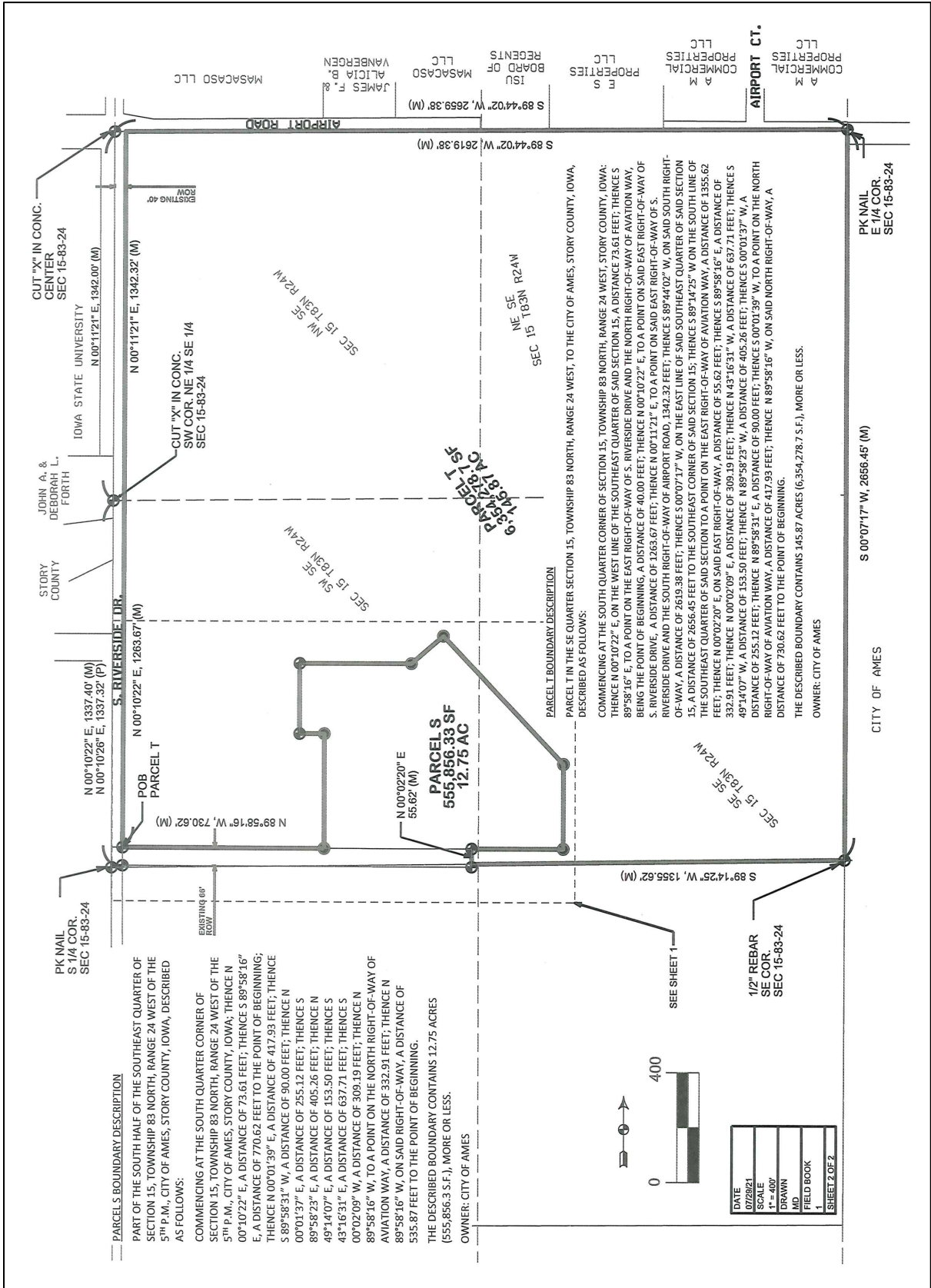
3100 & 3000 S. Riverside Drive &
SE Quarter Section 15, Twnshp 83 N., Range 24 W.



Attachment B – Proposed Plat of Survey (Sheet 1 of 2)



Attachment C – Proposed Plat of Survey (Sheet 2 of 2)



COUNCIL ACTION FORM

SUBJECT: MINOR SUBDIVISION FINAL PLAT FOR COMPASS SUBDIVISION

BACKGROUND:

Douglas P. Ragaller, Regional President of Northwest Bank, is requesting approval of a Final Plat for Compass Subdivision, a minor subdivision that would divide Parcel 'S' into two new lots (*see Attachment B – Proposed Final Plat*). A minor subdivision includes three, or fewer, lots and does not require additional public improvements. A minor subdivision does not require a Preliminary Plat and may be approved by the City Council as a Final Plat, only, subject to the applicant completing the necessary requirements. Following City Council approval, the Final Plat must then be recorded with the County Recorder to become an officially recognized subdivision plat.

Parcel 'S' is bounded by S. Kellogg Avenue, S. 16th Street, and S. Duff Avenue and is addressed as 100 S. 16th Street. It contains approximately 2.51 acres. A Minor Site Development Plans was approved by the Planning & Housing Department for the Northwest Bank facility on June 23, 2021, and construction is currently underway. The division of Parcel 'S' will result in the bank facility being located within Lot 2. Lot 2 includes approximately 1.73 acres and is addressed as 100 S. 16th Street. Lot 1 is currently vacant. Lot 1 includes approximately 0.78 acres and is addressed as 200 S. 16th Street.

Each lot includes one access point and is required to have shared access for the benefit of each lot to S. 16th Street and to S. Kellogg Avenue. The cross-access easement is depicted on the Plat. Lot 1 has frontage on S. Kellogg Avenue and S. 16th Street. Access for Lot 1 will be primarily from S. Kellogg Avenue. Lot 2 has frontage on S 16th Street and S. Duff Avenue. Access for Lot 2 will be primarily from S. 16th Street. No access is allowed from S. Duff Avenue, nor are any additional access points permitted along the other streets.

The proposed subdivision is located within the "HOC" (Highway-Oriented Commercial) zoning district. The proposed subdivision alters the development requirements, as each of the lots must meet zoning requirements for the occupancy and use of its site. As a result, both Lot 1 and Lot 2 were evaluated to determine that each lot as proposed is in full compliance with the requirements of the Zoning Ordinance and the Highway Oriented Commercial District as well as the Subdivision Ordinance. The proposed plat appears to allow for development of the sites in conformance with zoning standards. Adjustments to the Site Plan for the bank are necessary to demonstrate compliance with the newly proposed lot configurations. Since Lot 2 is still under construction and Lot 1 is vacant, any required changes can easily be accommodated prior to Lot 2 receiving a certificate of occupancy.

Public utilities serve both parcels. The owner is required to construct sidewalks as part of the platting procedure; however, street trees are not required for commercially zoned subdivisions. Sidewalks were required as part of the approved plans for Northwest Bank. A 5' sidewalk is included along the S. Kellogg Avenue frontage. The sidewalk along the south side of South 16th Street is to be constructed as part of the South 16th Street improvement project that is a City of Ames Capital Improvement Plan project for reconstructing the intersection. No sidewalk is planned for the S. Duff frontage due to it being highway right-of-way. The applicant has provided required security in the amount of \$4,680 for the Kellogg sidewalk.

ALTERNATIVES:

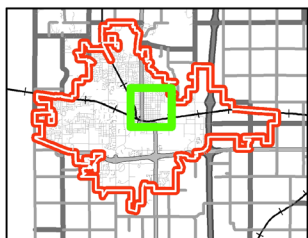
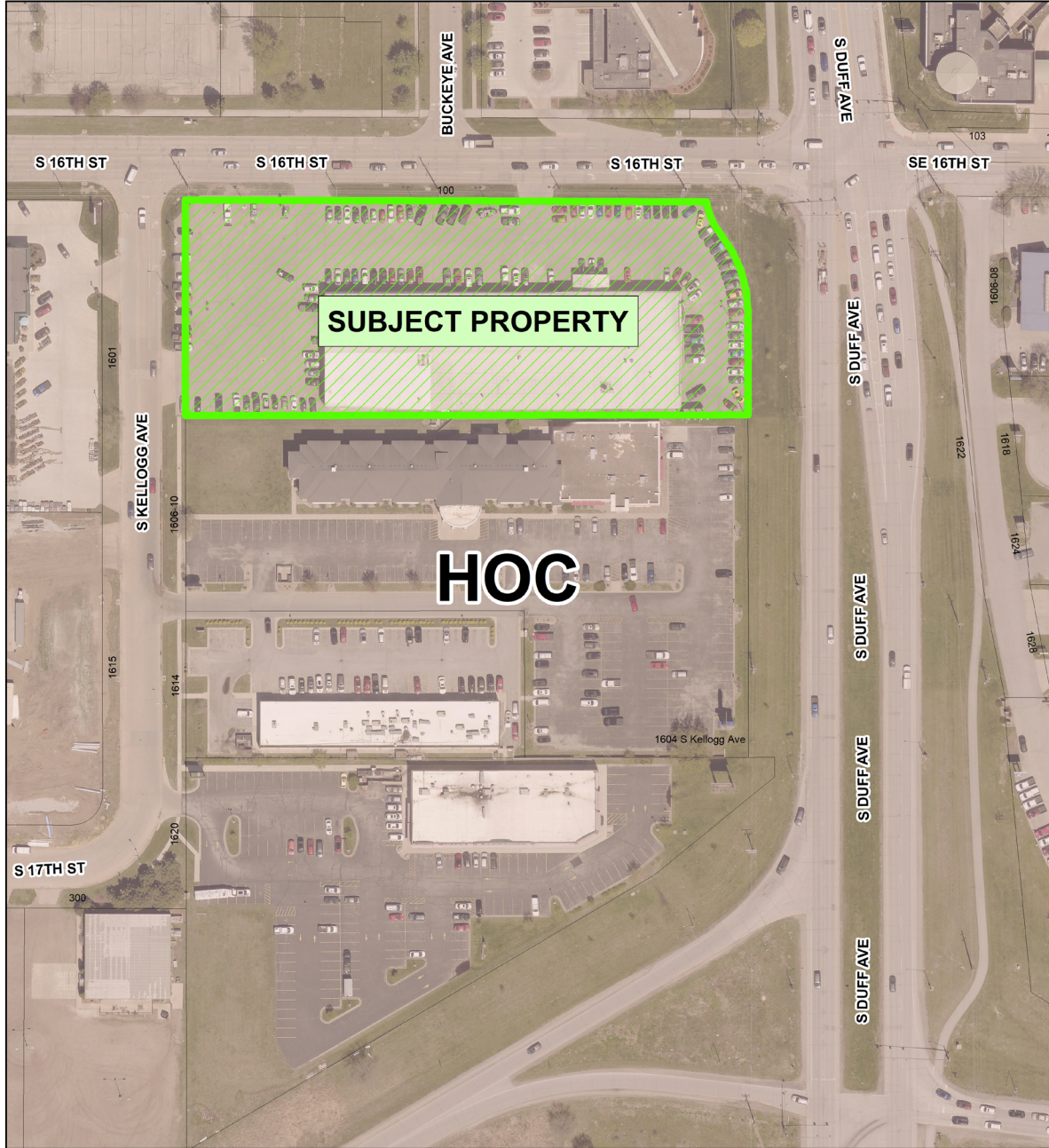
1. The City Council can approve the final plat, with the cross-access easement, for Compass Subdivision, based upon the findings and conclusions stated above.
2. The City Council can deny the final plat for Compass Subdivision, if the City Council finds that the proposed subdivision does not comply with applicable ordinances, standards or plans.
3. The City Council can refer this request back to staff or the applicant for additional information.

CITY MANAGER'S RECOMMENDATION:

The proposed final plat for Compass Subdivision is consistent with the City's existing subdivision and zoning regulations. The provision of the cross-access easement ensures the site meets access limitations upon recording of the final plat and cross-access easement.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1 and its related conditions.

Attachment A Zoning & Location Map

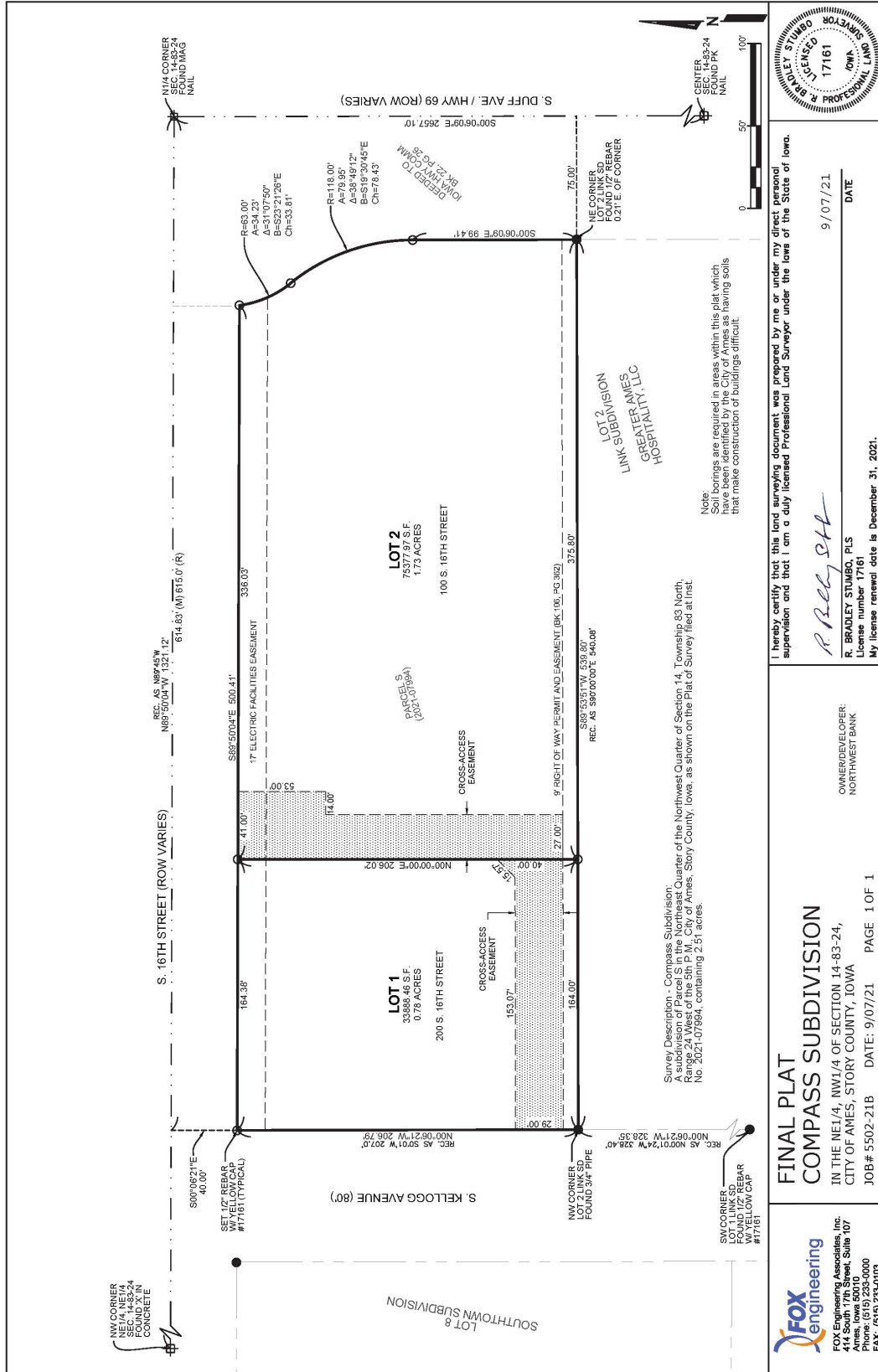


Compass Subdivision Zoning & Location Map



0 75 150 300 Feet

Attachment B Proposed Final Plat of Compass Subdivision



I hereby certify that this land surveying document was prepared 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.

R. Bradley Stumbo
R. BRADLEY STUMBO, PLS
License number 17161
My license renewal date is December 31, 2021.

DATE: 9/07/21

FINAL PLAT
COMPASS SUBDIVISION
IN THE NE1/4, NW1/4 OF SECTION 14-83-24,
CITY OF AMES, STORY COUNTY, IOWA
JOB# 5502-21B DATE: 9/07/21 PAGE 1 OF 1

OWNER/DEVELOPER:
NORTHWEST BANK

FOX Engineering
FOX Engineering Associates, Inc.
414 South 17th Street, Suite 107
Phone: (515) 233-0000
Fax: (515) 233-0103

Attachment C Applicable Laws

The laws applicable to this case file are as follows:

Code of Iowa, Chapter 354.8 states in part:

A proposed subdivision plat lying within the jurisdiction of a governing body shall be submitted to that governing body for review and approval prior to recording. Governing bodies shall apply reasonable standards and conditions in accordance with applicable statutes and ordinances for the review and approval of subdivisions. The governing body, within sixty days of application for final approval of the subdivision plat, shall determine whether the subdivision conforms to its comprehensive plan and shall give consideration to the possible burden on public improvements and to a balance of interests between the proprietor, future purchasers, and the public interest in the subdivision when reviewing the proposed subdivision and when requiring the installation of public improvements in conjunction with approval of a subdivision. The governing body shall not issue final approval of a subdivision plat unless the subdivision plat conforms to sections 354.6, 354.11, and 355.8.

Ames Municipal Code Section 23.303(3) states as follows:

(3) City Council Action on Final Plat for Minor Subdivision:

(a) All proposed subdivision plats shall be submitted to the City Council for review and approval in accordance with Section 354.8 of the Iowa Code, as amended or superseded. Upon receipt of any Final Plat forwarded to it for review and approval, the City Council shall examine the Application Form, the Final Plat, any comments, recommendations or reports examined or made by the Department of Planning and Housing, and such other information as it deems necessary or reasonable to consider.

(b) Based upon such examination, the City Council shall ascertain whether the Final Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan and to the City's other duly adopted plans. If the City Council determines that the proposed subdivision will require the installation or upgrade of any public improvements to provide adequate facilities and services to any lot in the proposed subdivision or to maintain adequate facilities and services to any other lot, parcel or tract, the City Council shall deny the Application for Final Plat Approval of a Minor Subdivision and require the Applicant to file a Preliminary Plat for Major Subdivision.

Staff Report

CAMPUSTOWN INCLUSIVE CROSSWALK

September 14, 2021

BACKGROUND:

At its August 24, 2021 meeting, the City Council directed staff to develop a plan for an inclusive crosswalk at the intersection of Welch Avenue and Chamberlain Street in Campustown and further directed the *ex officio* City Council Liaison to obtain student involvement in the project.

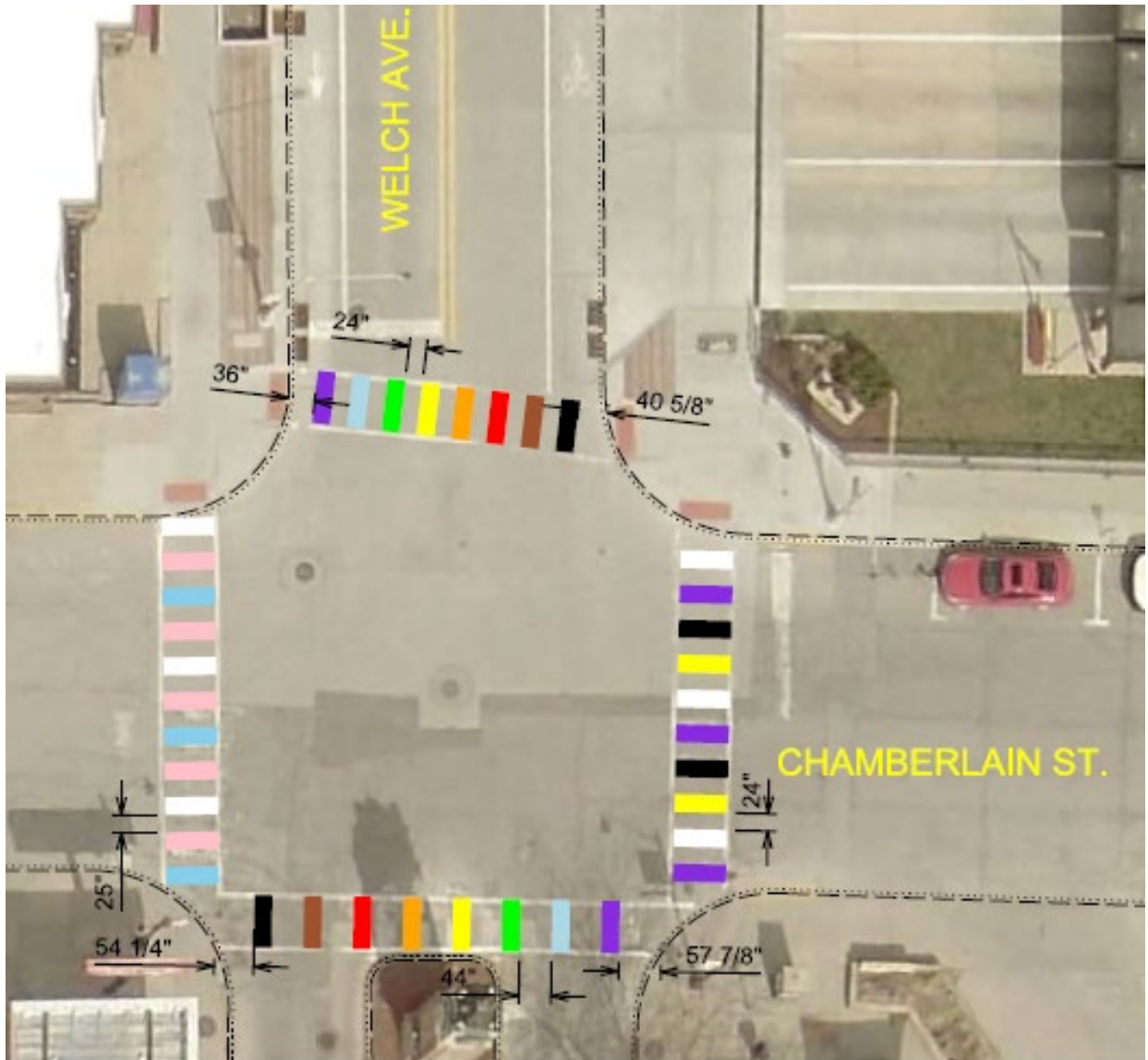
A similar inclusive crosswalk design was installed at the intersection of Fifth Street & Douglas Avenue in 2019 and re-painted in August 2021. The design consists of two-foot by six-foot bars mimicking the “International” crosswalk pattern but installed in various color patterns rather than white. The colored bars are placed within the two parallel six-inch solid white lines that serve as the official crosswalk marking for the intersection, per the Manual on Uniform Traffic Control Devices (MUTCD).

The concept for the installation Downtown was brought to the City’s attention by the ISU Vice President for Diversity and Inclusion, after observing a similar installation in State College, Pennsylvania. The patterns used represent variations of LGBTQ Pride Flag colors in a symbol of the City Council’s commitment to diversity and inclusion. Two of the crossings use the Pride Flag colors plus brown and black to represent racial minorities, one crossing uses blue, pink, and white in a variation of the transgender flag, and the fourth crossing uses white, purple, black, and yellow to represent nonbinary individuals.

Staff has prepared a graphic illustrating the proposed design for the Welch/Chamberlain intersection (see below). **The first question for the City Council is whether the Council approves this proposed design.**

TIMING:

The next major issue to address is the timing of the installation. As with the Downtown installation, staff would intend to use a high-quality household latex paint rather than standard traffic paint. This is primarily due to the lack of availability of traffic paint in the required colors. The drawback to the use of this paint is that it requires a significantly longer drying time. The household paint requires approximately 24 hours to fully cure and protect it from being peeled up by hot vehicle tires driving over it. The installation must occur on a warm, sunny day with no precipitation to be most effective.



Additionally, this intersection experiences significantly more foot traffic, vehicle, and transit buses than the Downtown intersection, making closing the intersection for 24 hours more disruptive. There is also a greater risk of damage to the paint in the overnight hours while the intersection is unattended.

Given the closing window for optimal weather this season, and the need for the paint to cure with minimal disruption overnight, staff recommends that the installation be planned for May 2022 after ISU’s spring semester ends. At that time, temperatures will be suitable for the installation and foot and vehicular traffic will be significantly less.

The Council should be aware that the expected life of the paint is 1-2 years, given the harsh winter conditions experienced in Ames. Additionally, the 200 block of Welch Avenue, including up to the middle of this intersection, is planned to be reconstructed in summer 2024, which will result in the crosswalk being partially removed. **As part of the**

preparation for that reconstruction project, the City Council could consider directing staff to explore incorporating longer-lasting colored thermoplastic tiles for the crosswalk when the reconstruction has concluded.

VOLUNTEER INVOLVEMENT:

As demonstrated in the recent repainting of the Downtown crosswalk, the installation of an inclusive crosswalk is a project that can easily incorporate volunteers. Since this intersection has not been painted before, staff estimates that preparatory work (measuring and taping) will require additional time compared to the recent Downtown repainting.

Staff estimates that a team of 2-4 City staff paired with 8-10 volunteers could tape the outlines in approximately three hours, and up to 15 volunteers could paint the bars and clean up the site in approximately two hours.

COST:

City staff estimates the cost for the paint and consumable supplies for this project to be less than \$1,500. In addition, staff time will be required to organize the logistics, prepare the pavement, supervise the volunteer work, and complete the final clean-up required to open the intersection. The staff time costs would not be charged to the project.

Staff recommends that the funding for the paint and supplies come from the Road Use Tax Fund, which was the source used to install the original crosswalk Downtown.

OPTIONS:

1. Direct staff to:
 - a. Proceed with the design prepared by staff for an installation of an inclusive crosswalk at the intersection of Welch Avenue and Chamberlain Street
 - b. Plan for installation to occur in May 2022 after ISU's spring semester ends.
 - c. Authorize funds from the Road Use Tax Fund to finance the project.
2. Provide alternative direction to staff regarding the design, timing, and funding source for the project.

STAFF COMMENTS:

The inclusive crosswalk project is a visible symbol of the City Council's commitment to diversity and inclusion. The initial installation in Downtown exceeded staff's

expectations for durability and cost. The project is manageable for a group of volunteers to undertake with City staff supervision.

The Council may recall that prior to the Downtown installation in 2019, the City received notice from the Federal Highway Administration (FHWA) that the installation would not comply with FHWA policy. The City Council requested and received a memo from the City Attorney indicating that the FHWA's letter would not, in and of itself, increase the City's liability.

Following the installation, FHWA issued a letter of non-compliance and requested that the installation be removed. City staff has not received any subsequent communications from FHWA regarding the Downtown crosswalk, nor has staff received any FHWA communications regarding this proposed Campustown crosswalk. It is important to note that neither the Downtown location, nor the intersection of Welch/Chamberlain, is a state or federal highway or classified in the Urban Federal Functional Classification scheme.

As with the Downtown installation, the Public Works engineering staff cannot make a professional recommendation in support of the installation of the decorative inclusive crosswalk knowing it contravenes FHWA policy and could result in a letter of non-compliance. However, the City Council may choose to weigh the information provided in this report and direct staff to move forward with the installation.

Staff Report

**ISSUANCE OF GENERAL OBLIGATION BONDS
FOR INDOOR AQUATICS CENTER**

September 14, 2021

BACKGROUND:

After the conclusion of the public hearing, the City Council will be asked to pass a resolution authorizing the sale of up to \$21,200,000 of General Obligation bonds to help finance a new Indoor Aquatic Center to replace the facility being demolished by the Ames Community School District in order to make way for the construction of their new high school.

The current plan is to construct this new Indoor Aquatic Center at a site currently owned by the Iowa Department of Transportation along Lincoln Way within a newly established Urban Renewal Area. Because of this location, and since the Indoor Aquatic Center is included as part of the urban Renewal Plan, the Iowa Code allows the sale of G.O. bonds for this facility without the requirement of a voter approved referendum, as long as a valid petition is not received by the City Council prior to the public hearing.

FINANCING OF FACILITY:

The most recent estimate for the total project cost in 2023 dollars, as provided by RDG, is \$31,200,000. Through the leadership of Dan Culhane, Executive Director of the Ames Economic Development Commission, approximately \$8,000,000 of private donations for the new facility have been pledged to date. In addition, the City Council has indicated a willingness to commit the approximately \$2,000,000 from the Geitel Winakor bequest for this project. Therefore, our current estimates indicate the need to issue G.O. bonds totaling \$21,200,000 to fund the remainder the Aquatic Center project.

COST TO THE TAXPAYER TO FINANCE THE FACILITY:

Worst Case Scenario - No Reinvestment District Funding

Because there is currently no guarantee that the mixed-use development along Lincoln Way as proposed will move ahead, that the final application for the Reinvestment District incentive funding will be awarded by the Iowa Economic Development Authority, or that estimated state tax revenue projected to be generated and provided to the City from the State will be realized; it seems appropriate to provide the most conservative estimates of the worst case scenario when informing the public of the potential property tax consequences for the proposed Indoor Aquatic Center project. (See Table #1)

Table #1 – Assumes No Reinvestment District Revenue

Estimated Cost of Aquatics Center (2023 Dollars)	\$31,200,000
Sources of Funding:	
Geitel Winakor Bequest	\$2,000,000
Private Donations	\$8,000,000
G.O. Bond Debt	\$21,200,000
Estimated Tax Supported Annual Debt Service (Principal + Interest)	\$1,277,830
Estimated Annual Property Tax Rate Increase For Residential Properties Related to Construction Of The Project	\$0.38 Debt Service Levy Rate Increase Per \$1,000 Of Taxable Valuation
Estimated Annual Property Tax Cost Increase To Residential Properties For Principal & Interest On G.O. Bonds	\$21.58 Per \$100,000 Of Assessed Valuation
Estimated Annual Property Tax Rate Increase To Finance Projected \$400,000 Operating Subsidy	\$0.12 General Levy Rate Increase Per \$1,000 Of Taxable Valuation
Estimated Annual Property Tax Cost Increase For Residential Properties To Finance Projected \$400,000 Annual Operating Subsidy	\$6.92 per \$100,000 Of Assessed Valuation

Best Case Scenario - Receipt Of \$10,000,000 Reinvestment District Funding

The City has received a provisional Reinvestment District Award of \$10,000,000, which is substantially less than is projected to be generated by the Downtown projects in our application to the state. If the mixed-use project along Lincoln Way is constructed as currently planned with a hotel and retail spaces, it is likely that the full \$10,000,000 Reinvestment District award funding will be realized. If this is the case, the property tax impact will be substantially reduced. (See Table #2)

Table #2 – Reinvestment District Revenue Estimate of \$500,000 Annually for 20 Years

Estimated Cost of Aquatics Center (2023 Dollars)	\$31,200,000
Sources of Funding:	
Gital Winaker Bequest	\$2,000,000
Private Donations	\$8,000,000
G.O. Bond Debt	\$21,200,000
Estimated Tax Supported Annual Debt Service (Principal + Interest)	\$777,830
Estimated Annual Property Tax Rate Increase For Residential Properties Related to Construction Of Project	\$0.23 Debt Service Levy Rate Increase Per \$1,000 Of Taxable Valuation
Estimated Annual Property Tax Cost Increase To Residential Properties For Principal & Interest on G.O. Bonds	\$13.14 Per \$100,000 Of Assessed Valuation
Estimated Annual Property Tax Rate Increase To Finance Projected \$400,000 Operating Subsidy	\$0.12 General Levy Rate Increase Per \$1,000 Of Taxable Valuation
Estimated Annual Property Tax Cost Increase For Residential Properties To Finance Projected \$400,000 Annual Operating Subsidy	\$6.92 per \$100,000 Of Assessed Valuation

(Note: It must be emphasized that the estimates that are reflected above in Tables #1 and #2 are based on the current environment and, therefore, are subject to change. For example, these numbers can be impacted if the project costs come in less than the current projection, if the interest rate when the bonds are sold are higher than currently projected, if donations surpass the currently pledged totals are greater than \$10,000,000, etc.)

NEXT STEPS:

The City Council's approval to issue up to \$21,200,000 in G.O. Bonds for the Indoor Aquatic Center does not come with a requirement to issue the bonds within a certain timeframe. This is fortunate since there are several steps that are required prior to proceeding with the Indoor Aquatic Center project. First, an environment study should be performed on the Iowa Department of Transportation site. Second, an approved contract with the Iowa Department of Transportation for the purchase of the site is essential before design work should begin. Third, assuming the City Council will want to move ahead with the Indoor Aquatic Center even if the City is not awarded the Reinvestment District incentive, the next step will be to hire an architecture/engineering firm to design the project. Four, a final total for the private donations must be determined. Five, should the City Council hope to pursue the Reinvestment District incentive, a critical next step will be to finalize an agreement with the developers of the mixed-use project along the north side of Lincoln Way in advance of the February 25, 2022 application deadline.

The authorization to issue G.O. bonds, which is being requested on September 14th, is a key part of the process to proceed with the finalization of the Reinvestment District award and the Indoor Aquatic Center project.

COUNCIL ACTION FORM

SUBJECT: TEXT AMENDMENT TO THE “DSC and CSC” SERVICE CENTER ZONING DISTRICTS TO REDUCE THE NUMBER OF VEHICLE PARKING SPACES REQUIRED FOR THEATERS, AUDITORIUMS, STADIUMS, AND ARENAS

BACKGROUND:

At the July 29, 2021 meeting, City Council received a request from a property owner within the Downtown to initiate a Zoning Text Amendment to eliminate parking requirements for theaters in the “DSC” Downtown Service Center Zoning District. In his letter to Council, Jerry Nelson asked the Council to consider removing the requirement to provide off-street parking spaces in order to facilitate the rehabilitation of the Ames Tribune building (317 5th St.) into a theater and event space. The intended capacity for the Nelson project is approximately 200 seats.

At the August 3rd City Council meeting, the Council responded to Mr. Nelson’s request and directed staff to proceed with initiating changes to the Zoning Ordinance that would allow for no parking requirements for the uses of auditoriums, theaters, stadiums, and arenas in the DSC and CSC zoning districts. **The proposed text amendment would eliminate all requirements for parking for such uses.**

The Zoning Ordinance distinguishes parking rates for Downtown and Campustown (DSC and CSC zoning) from other parts of the community. This is the case because of the availability of public parking and the intention of the City to support intensification of development in these concentrated urban areas. DSC/CSC zoning does not require parking for most commercial/entertainment uses. However, auditoriums, theaters, stadiums, and arenas are required to have one (1) space per four (4) seats of 10 spaces /1,000 square feet, with a minimum of 20 spaces on site. The one space per four seats is itself a higher rate compared to all other zoning districts where the rate is one space per five seats. This increase in parking requirements from other commercial zoning districts seems counter intuitive to the goal of creating vibrant, active urban areas in Downtown and Campustown by encouraging more surface parking and is unclear why it is structured as such historically.

The former Tribune building has no on-site parking as it was developed at a time when parking would not be required with a building. This is the situation for almost all historical buildings in Downtown as well as Campustown. Buildings in Downtown and Campustown can be reused for commercial, office, and restaurant/bar/entertainment uses, without providing for parking. However, creating a performance venue of a theater does require providing for parking under the current standards. In the case of the Tribune building, the property owner could choose to pursue remote/shared parking agreement in order to establish the theater use but securing upwards of 50 parking spaces on private property would be difficult to do Downtown where most parking is public parking. Additionally, tying

up surface parking spaces for the theater use may not be the best long-term solution for supporting other uses and redevelopment options Downtown.

A 2019 Downtown Parking Study determined there is public parking available in Downtown with higher levels of availability in the evening hours. Parking is free after 6:00 pm in all unreserved parking spaces Downtown. The study inventoried 450 on-street parking spaces and 737 off-street public parking spaces within Downtown. Peak demand Downtown was measured at 1:00 pm. The study determined there is a forty-five percent (45%) occupancy rate of parking stalls at 6:00 pm.

Downtown Parking Peak Utilization

Figure 7: Peak Hour Occupancy "Heat Map" – 1 PM



Source: Walker Consultants, 2019

The City reviewed the operations of parking in Campustown in May 2019. The City managed approximately 327 spaces and there are an additional 40 spaces in the Intermodal Facility. Parking is free after 6:00 pm in all unreserved parking spaces located in Campustown. No utilization study was performed at that time as the City considered changes to the duration of parking at metered stalls. No evening parking issues were noted at that time.

The DSC and CSC zoning district parking requirements are the same for all uses. Campustown and Downtown are two very different commercial areas with different parking availability and demands. Additionally, transit service supports both areas, but is more significant in Campustown due to the nature of many businesses oriented to a student customer base compared to Downtown. Although Campustown at one time was the home of two movie theaters, currently, theaters do not exist in either commercial

district and there are few existing buildings that would be able to house such uses as an auditorium or theater. The Tribune building is unique in the size of its space and being able to house a small theater. Despite the lack of existing facilities, it is not possible to predict what redevelopment or rehabilitation projects may occur in the future. Approving the reduction in parking would apply to all future projects and not to just the one request. Under current conditions, the proposed reduction in parking requirements is not viewed as having a significant impact on parking demands given existing development patterns and uses in both districts.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission met on August 18, 2021 to consider the proposed text amendment. Commissioners discussed the appropriateness of allowing a reduction in required parking and asked questions related to the availability of parking in the larger Downtown and Campustown areas. City staff presented additional alternatives based upon facility size as well. Ultimately, the Commission recommended that the City Council adopt the changes to remove parking all parking requirements for auditoriums, theaters, stadiums, and arenas within the Downtown Service Center and Campustown Service Center Zoning Districts. The vote was 3-1-0 in support of the recommendation.

ALTERNATIVES:

1. Approve on first reading changes to remove all parking requirements for auditoriums, theaters, stadiums, and arenas within the Downtown Service Center and Campustown Service Center Zoning Districts.
2. Modify the proposed ordinance and approve on first reading.
3. Direct staff to make additional changes to the draft ordinance and return with an updated ordinance at a future meeting.
4. Decline to approve the proposed changes and maintain the existing parking requirements.

CITY MANAGER RECOMENDATION

The City has purposely reduced parking for uses in Downtown and Campustown acknowledging the uniqueness of the urban environment compared to the City as a whole. There are several existing entertainment uses, for which there are no parking requirements regardless of their size or capacity. The addition of a theater to the list of uses that do not require parking is similar to these types of uses, especially based upon the likely small scale of any theater venue proposed in these areas. Theater parking demand peaks in evening hours, with the exception of large movie theaters that also have peak demand on Saturday afternoons. Data about parking utilization supports there is publicly available parking for this type of use during evening hours and also on weekends.

Staff believes the proposed parking reduction for the proposed use(s) in DSC is appropriate based upon the vision for Downtown described in the Land Use Policy plan as a strong center with a goal for 24-hr activity. Although remote parking is theoretically possible for the use, it is not likely to be accomplished and may be counter to the overall goals for redevelopment if private parking is reserved for these uses in perpetuity. Not requiring the proposed use to provide required off-street parking will increase pedestrian activity creating a livelier area, encouraging people to move throughout the district as they move from public parking locations to different destinations.

A similar urban environment exists in Campustown with more emphasis on residential density accommodating student housing. The Land Use Policy Plan does contemplate supporting a walkable, lively commercial district. Campustown is intended to be a unique district with a great deal of variety in activity and appearance. The uses that are impacted by this parking requirement do not presently exist within the district. However, two movie theaters have operated in the past with similar public parking availability. Public parking is not as plentiful as exists in Downtown as it is a smaller area; however, there is still a large number of public and private parking spaces that exist in the area. Although it has fewer parking spaces, it is a more active area with high density residential, pedestrian friendly features, and has better multi-modal access that all would support allowing for intensification of uses without additional off-street parking.

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

Attachment A – Proposed Minimum Off-Street Parking Requirements Table

Table 29.406(2) Minimum Off-Street Parking Requirements

PRINCIPAL LAND USE	ALL ZONES EXCEPT DOWNTOWN (DSC) AND CAMPUSTOWN (CSC) SERVICE CENTER ZONES	DOWNTOWN (DSC) AND CAMPUSTOWN (CSC) SERVICE CENTER ZONES
RESIDENTIAL DWELLINGS		
One and Two-Family and Single Family Attached (including Manufactured Homes outside RLP District)	2 spaces/Residential Unit (RU)	1 space/RU
Apartment Dwellings	1.5 space/RU; for one-bedroom units 1 space/bedroom for units of 2 bedrooms or more 1.25 space/bedroom for units of 2 bedrooms or more in University Impacted (O-UIE and OUIW) 1 space/residential unit for an Independent Senior Living Facility	<u>DSC</u> Developments with up to 18 units: - 0-2 bedrooms units: NONE - 3+ bedroom units: 1 space/RU Developments with more than 18 units: 1 space/RU
		<u>CSC</u> -All Developments 1 space/RU
Dwelling House	1 space per bedroom	N/A
Family Home	2 spaces plus 1 space/2 full time staff members of the largest shift	NONE
Group Living		NONE
Nursing and convalescent homes	1 space/5 beds, plus 1 space/2 staff members of the largest shift	
College and University housing, fraternities and sororities	1 space/3 bed	
Mobile Home and Manufactured Home in Manufactured/Mobile Home Parks	2 spaces/Manufactured/Mobile Home Space plus 1 space for guest parking/4 Manufactured/Mobile Home Spaces	NONE
Short-Term Lodging Hotel/Motel, including ancillary uses	1 space/guest room; plus 6 spaces/1,000 sf of ballroom, meeting, bar and restaurant areas; plus 1 space/2 employees of the largest shift	1 space/guest room, plus 5 spaces/1,000 sf of ballroom, meeting, bar and restaurant areas; plus 1 space/2 employees of the largest shift
Boarding houses, rooming houses, and lodging houses	1 space/bed	0.5 space/bed
OFFICE		
Medical/Dental office	1 space/143 sf where there is no agreement for shared parking; 1 space/200 sf where	NONE

PRINCIPAL LAND USE	ALL ZONES EXCEPT DOWNTOWN (DSC) AND CAMPUSTOWN (CSC) SERVICE CENTER ZONES	DOWNTOWN (DSC) AND CAMPUSTOWN (CSC) SERVICE CENTER ZONES
	there is an agreement for shared parking or for medical facilities that exceed 50,000 sf	
Other office	1 space / 300 sf	NONE
TRADE AND WHOLESALE		
Wholesale Trade	1 space/500 sf	NONE
Printing	1 space/200 sf of retail area; plus 1 space/2 employees on largest shift; plus 1 space/company vehicle	NONE
Fuel Sale/Convenience Stores	1 space/200 sf; spaces at fuel pump islands may be counted towards this requirement	NONE
Retail Sales and Services-General	1 space/300 sf	NONE
Display store (furniture, appliances, carpets, etc.)	1 space/500 sf	NONE
Financial institution (freestanding or as ground level service area)	Ground level: 1 space/250 sf; other than ground level: 1 space/300 sf	NONE
Entertainment and Recreation Trade	14 spaces/1,000 sf	NONE
Sit-Down Restaurant	9 spaces/1,000 sf	NONE
Fast food restaurant	12 spaces/1,000 sf in dining or waiting area, or 1 space/2 employees if no seating	NONE
Recreation facility, health club	5 spaces/1,000 sf	NONE
Enclosed tennis, handball, racquetball or squash courts	4 spaces/court plus 1 space/200 sf for rest of building	NONE
Bowling Alley	5 spaces/lane. Bar, restaurant and other uses shall provide parking according to the requirement for that use	NONE
INSTITUTIONAL AND MISCELLANEOUS USES		
Auditoriums, theaters, stadiums and arenas	Greater of 1 space/5 seats or 10 spaces/1,000 sf, with a minimum of 20 spaces	NONE Greater of 1 space/4 seats or 10 spaces/1,000 sf, with a minimum of 20 spaces
Places of Worship	When seating is provided in main auditorium: 1 space/4 seats, exclusive of Sunday School and other special areas. When seating is not provided in main auditorium: 1 space/60 sf of worship area	NONE
Private clubs, fraternal	1 space/200 sf	NONE

PRINCIPAL LAND USE	ALL ZONES EXCEPT DOWNTOWN (DSC) AND CAMPUSTOWN (CSC) SERVICE CENTER ZONES	DOWNTOWN (DSC) AND CAMPUSTOWN (CSC) SERVICE CENTER ZONES
organizations, libraries, museums and community buildings		
Funeral Home/Mortuary	1 space/50 sf in slumber rooms, parlors and funeral service rooms	NONE
Vehicle Service Facilities Fuel Sales Only Service/Repair Facilities	3 spaces plus 1/employee 3 spaces plus 2 spaces/service bay	NONE
Car Wash	2 spaces plus 5 stacking spaces/washing bay	NONE
Motor vehicle sales and service	2 spaces plus 1 space/500 sf over 1,000 sf in the showroom, plus 2 spaces/service bay	NONE
Heliport or helicopter landing area	Greater of 1 space/employee or 2 spaces/1,000 sf of patron area, but not less than 10 spaces	NONE
Hospital/medical center	1 space/2 beds plus 1 space/2 staff members of the largest shift	NONE
Schools primarily serving children younger than age 16	Greater of 2 spaces/classroom or 1 space/4 seats in auditorium	NONE
High schools and universities	Greater of 1 space/2 students; or 10 spaces/classroom; or 1 space/4 seats in auditorium	4 spaces/classroom
Sports Practice Facility	2 spaces/1,000 sf of gross floor area	2 spaces/1,000 sf of gross floor area
INDUSTRIAL		
Industrial Service, Manufacturing and Production, Resource Production and Extraction	1 space/500 sf plus 1/space/company vehicle For manufacturing uses exceeding 50,000 sf 1 space/1,000 sf	NONE
Warehouses	One (1) parking space per 5,000 sf	NONE
MIXED-USE DEVELOPMENT	Mixed-use development parking shall be determined as the sum of parking requirements of the individual use components	Mixed-use development parking shall be determined as the sum of parking requirements of the individual use components

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY AMENDING SECTION 29.406(2) THEREOF, FOR THE PURPOSE OF REDUCING THE NUMBER OF VEHICLE PARKING SPACES REQUIRED FOR THEATERS IN THE DOWNTOWN SERVICE CENTER (DSC) AND CAMPUSTOWN SERVICE CENTER (CSC) ZONE; 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 amending Section 29.406(2) as follows:

“Sec. 29.406. OFF-STREET PARKING.

**Table 29.406(2)
Minimum Off-Street Parking Requirements**

PRINCIPAL LAND USE	ALL ZONES EXCEPT DOWNTOWN (DSC) AND CAMPUSTOWN (CSC) SERVICE CENTER ZONES	DOWNTOWN (DSC) AND CAMPUSTOWN (CSC) SERVICE CENTER ZONES
...		
INSTITUTIONAL AND MISCELLANEOUS USES		
Auditoriums, theaters, stadiums and arenas	Greater of 1 space/5 seats or 10 spaces/1,000 sf, with a minimum of 20 spaces	<u>NONE</u> Greater of 1 space/4 seats or 10 spaces/1,000 sf, with a minimum of 20 spaces
...		

...”

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

John A. Haila, Mayor

COUNCIL ACTION FORM

REQUEST: AMENDMENT TO INTEGRATED SITE PLAN SUBDIVISION FOR 1409 AND 1419 BUCKEYE AVENUE INCLUDING FIFTH ADDITION TO SOUTHWOOD SUBDIVISION MAJOR SITE DEVELOPMENT PLAN.

BACKGROUND:

OnPoint Development, LLC, requests approval of an amendment to an Integrated Site Plan, which includes concurrent Final Plat and Major Site Development Plan approval. The request is to amend the site plan for a slight expansion and new configuration of “Building B” at 1409 and 1419 Buckeye Avenue (Attachment A – Location Map). The proposed new building includes five tenant spaces. A corresponding Final Plat amendment is addressed as a separate agenda item. The only change to the platting of the lots is a lot line between Lots 6 and 7 that will move 89 feet to the south to align where a tenant division will exist within the new building. This lot line change is required to meet building code standards.

An Integrated Site Plan allows for subdivision of a site into individual lots but considers the site as a single site for purposes of evaluating access, circulation, maintenance, and compliance with certain zoning development standards (setbacks, landscaping, parking, FAR, etc.) that would otherwise be applicable to individual lots. Approval of an Integrated Site Plan allows for more flexible application of most development standards through the approval of the Major Site Development Plan, although the overall site must meet all minimum standards.

The site is part of a larger commercial subdivision, Southwood Subdivision, originally platted in the 1980s. The land that abuts the site to the north, south and east is all commercially developed and zoned Highway Oriented Commercial (HOC). It abuts the Aspen Ridge townhouse development to the west which is a single-family attached development zoned Floating Planned Residence District (F-PRD).

In 2018, an Integrated Site Plan Subdivision was approved that included retrofitting the former Kmart building into retail tenant spaces on the front, have interior climate-controlled storage in the rear, construction of five additional commercial buildings, and associated parking and landscaping improvements. The work to the former Kmart building has been completed and is occupied, as well as some parking lot and landscaping improvements. The total development proposed was 237,374 square feet with 145,787 square feet of commercial use and 91,587 square feet of climate controlled self-storage. The proposed changes to Building B brings the overall development to a total of 239,006 square feet of existing and future buildings, of which 147,419 square feet are commercial

space.

This Amendment includes a 53,132 square foot building, divided into five tenant spaces. This is an increase of 1,632 square feet from the 2018 plan. Five tenant spaces is consistent with the 2018 plan. There are no proposed changes to any of the other buildings shown on the existing approved Site Plan.

The proposed parking plan includes fifteen (15) new stalls to be constructed at the south end of Building B as was shown in the 2018 plan. This plan shows the retention of existing parking areas and the construction of new parking areas the same as was shown in 2018.

The original Plan includes loading areas in the rear along Buckeye (Attachment B – 2018 Site Plan). Loading areas remain in the rear along Buckeye but have been reconfigured to have one large loading area at the southeast corner with access from Buckeye and a second loading area at the northeast accessed off of the shopping center driveway. The two loading areas are no longer interconnected and this results in additional yard area for landscaping in the middle of the block. The southeast loading area is more prominent than the original approval due to its new orientation to serve the reconfigured building. Loading areas must be designed for the functional needs of tenants and access limitations of the City to public streets. The City's traffic engineer has determined the configuration meets minimum standards for driveway spacing and limitations on driveway width.

Zoning standards require screening of loading areas to the extent practicable. The southeast loading area is the most visible component; and, the applicant relies upon typical front yard landscaping of overstory trees and a mix of shrubs and grasses for minimizing visual impacts. The building's architectural treatments also wrap the side facade to the rear to improve its aesthetic as well.

Pedestrian connectivity is improved with this amendment between Building B and proposed future buildings. Sidewalks are now shown in front of all buildings with ramps and crossings of drives between buildings. Additionally, a new sidewalk provides a connection to Buckeye Avenue on the north side of the building, adjacent to an existing CyRide stop on Buckeye.

The applicant has provided 593 parking spaces for the development. This amount exceeds the amount of required parking by 15 stalls based upon the applicant's proposed mix of retail uses and restaurant uses. However, if the mix of uses changes with the construction of future building, so may the parking requirements. For example, if more restaurant space was added parking requirements would increase. Staff will continue to monitor parking requirements as new buildings are constructed and tenanted.

Typical building elevations are included (Attachment E – Building Elevations). Building B is adjacent to Buckeye Avenue. It has building modulation due to varying tenant sizes and planned loading areas. The building design includes three primary materials of architectural grade concrete block, brick accents, and stucco finishes. Architectural details include parapets with returns, decorative cornice and roof caps, covered entrances

with column supports, and distinguished wainscot or base material deafferentation. The proposed project relies upon front yard landscape and loading area screening standards to soften the building appearance along Buckeye.

The site requires front yard landscaping along all street frontages. Additionally, screening of loading areas is required when visible from a public way. The proposed landscaping plan complies with the front yard landscaping requirements. Landscaping improvements to existing parking lot islands in front of Building B were completed with previous parking lot improvements

A complete analysis of the development with the Major Site Development Plan criteria is included in the addendum.

Planning and Zoning Commission: At its meeting on September 1, 2021, the Ames Planning and Zoning Commission reviewed the proposed Amendment to the Integrated Site Plan at a public hearing. Staff described the proposed changes to the Site Plan and compared to the existing approved plan, including comments on building design, shared landscaping, pedestrian connectivity, and parking. Commissioners ask questions that clarified some of the changes and their impact to the larger development and area.

The Commission voted 6-0 to recommend approval of the Amendment to the Integrated Site Plan with conditions of approval related to finalizing plans for Council approval.

ALTERNATIVES:

1. Approve the requested Major Site Development Plan Amendment, subject to the following conditions:
 - A. Compliance with the City’s Outdoor Lighting Code.
 - B. Provide roof top mechanical equipment screening, located collectively where feasible.
 - C. Note previous conditions of the permit that are not herein modified shall continue to apply to the site.
2. Approve the request for an Integrated Site Plan, which includes concurrent Final Plat and Major Site Development Plan Amendment approval, for the properties at 1409 and 1419 Buckeye Avenue, with modified conditions.
3. Deny the request for an Integrated Site Plan, Final Plat, and Major Site Development Plan.
4. Refer the request back to City staff and/or the applicant for additional information.

CITY MANAGER’S RECOMMENDED ACTION:

The proposed Integrated Site Plan Amendment is to approve construction of a new building, Building B, and approve the stormwater plan for the overall development. The purpose of the Integrated Site Plan Subdivision review is to determine the overall layout, function, and building design meets City standards as a collective site and not as individual lots. Key considerations for the proposal are the design and location of buildings along street frontages, appropriate landscaping and screening, inter-connectivity, mix of uses, access and circulation, and overall parking supply.

The proposed mix of uses in Building B and future buildings is typical for a commercial shopping center. This plan enhances pedestrian connectivity within the site, increases landscaping along Buckeye Avenue, and provides adequate parking. The only noticeable change from the original site plan is the increase in size of Building B by 1,632 square feet and changes to the interface with Buckeye. With the conditions of approval, staff finds that the project meets the design principles of an Integrated Site Plan, subdivision standards, and the standards of the Major Site Development Plan.

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

ADDENDUM

PROJECT DESCRIPTION:

The area of disturbance for the construction of Building B and associated improvements is approximately 2.4 acres fronting on Buckeye Avenue. The proposed development is construction of a new 53,132 square foot retail building with five tenant bays and fifteen parking stalls. (Attachment C – Site Plan). The former Kmart building has previously been retrofitted and includes 120,442 square feet split into 5 separate tenant spaces and a two story of Interior Climate Controlled Mini-Storage. The plan still proposes the future construction of four – five new commercial buildings and associated improvements.

Parking. The parking for the development is spread across nine of the ten lots. Shared access and parking agreements are required. Building B alone requires 177 parking spaces. The parking between Building A (former Kmart) and Building B provides the majority of the available parking. Fifteen new stalls will be added at the south end of Building B. More parking will be added as future buildings develop.

Parking requirements for the overall development will be met if developed as shown, with an excess of fifteen stalls. A change in the mix of uses could result in more required parking, i.e. more restaurants. Restaurant/Fast Food Parking requirements are the highest parked uses at 9 stalls/1,000 square feet of restaurant space. For purposes of calculating the amount of required parking Staff assumed the sit down restaurant ratio since tenants are not known and fast food parking cannot be calculated accurately without a floor plan. Parking will be evaluated as development of new buildings progresses to ensure minimum requirements are met.

Landscaping. Highway Oriented Commercial zoned properties are required to provide a minimum of 15% open space. The benefit of the Integrated Site Plan is that this 15% can be applied across the entire development rather than on a per lot basis. The amount of open space provided continues to meet the 15% requirement. This open space area is made of green space principally along the perimeter of the site and an area of vegetation behind the Staples building.

The front yard landscaping requirements are met along Buckeye Avenue with the appropriate mix of trees, shrubs and grasses. The Zoning Code also requires the screening of loading areas when visible from public ways. Additional landscaping has been added along Buckeye Avenue to screen the loading area to the extent possible.

All sidewalks along public streets exists and will remain. Private sidewalks will be provided along buildings and connection will be provided to public walks.

Building Elevations. Typical building elevations have been included to define the building materials, entrances, and façade design. (Attachment E – Building Elevations).

The rear elevations of the building along Buckeye have no proposed roof line variation or detailing other than a cornice and an occasional brick pilaster. The buildings are located

as close as 25 feet from the street property lines. The facades of Building B have modulation due to differences in tenant space sizing and planned loading areas. Brick pilasters have been added to the sides and rear of the building to break up the façade and provide some visual interest as opposed to long blank walls.

The building elevations do indicate some lighting will be located on the buildings. The drawings give the appearance that the lights may be up lit and not meet dark sky requirements. This is not allowed by code if lights are over a certain amount of lumens. Fixture information was not provided for such lighting. It should be noted that all site lighting on buildings and in parking areas will need to comply with the City's Outdoor Lighting Code.

Infrastructure. The site is fully served by City infrastructure. All public utilities are available to serve the development a small amount of public sanitary sewer and water mains will be installed from Buckeye Avenue south of Building B as part of the development. Electric Services will be supplied by the City of Ames electric service territory.

Storm Water Treatment. The site is subject to conformance with Municipal Code Chapter 5a and 5b requirements for storm water control and treatment. The site must not increase release rates for the overall site and must treat water quality for all new impervious areas of the site. The original approval includes a combination of above ground detention related to the first phase of development located to the northwest of the site behind the Staples building. The second phase initially was approved with underground detention. The amendment includes a revision to the plan to convey water from the second phase to the collection system and detention facility that was part of the first phase. No underground detention would be provided.

Access/Traffic. Vehicular access is provided to the site from 16th Street and Buckeye Avenue as originally approved. Building B proposed two curb cuts to allow the maneuvering of delivery trucks in the loading area. These access drives have been reviewed by the City's Traffic Engineer and are acceptable as shown.

A traffic study was submitted and reviewed by the City's Traffic Engineer with the initial project approval. It analyzed both near term build out and future build out conditions. The study noted satisfactory operations for all facilities with the exception of the left turns from Buckeye to South 16th Street. In 2018, the traffic engineer did not recommend improvements at that time to widen Buckeye to add a third lane for future queuing issues. This still is relevant with the construction of Building B with the proposed amendment. No additional improvements are triggered with the changes to Building B. Improvements to South 16th are planned to be completed with an upcoming City project that will include a median that restricts left turn movements onto Buckeye. This median will negate the identified queuing impact. In the event widening of Buckeye is needed, an additional lane can be configured within existing right-of-way.

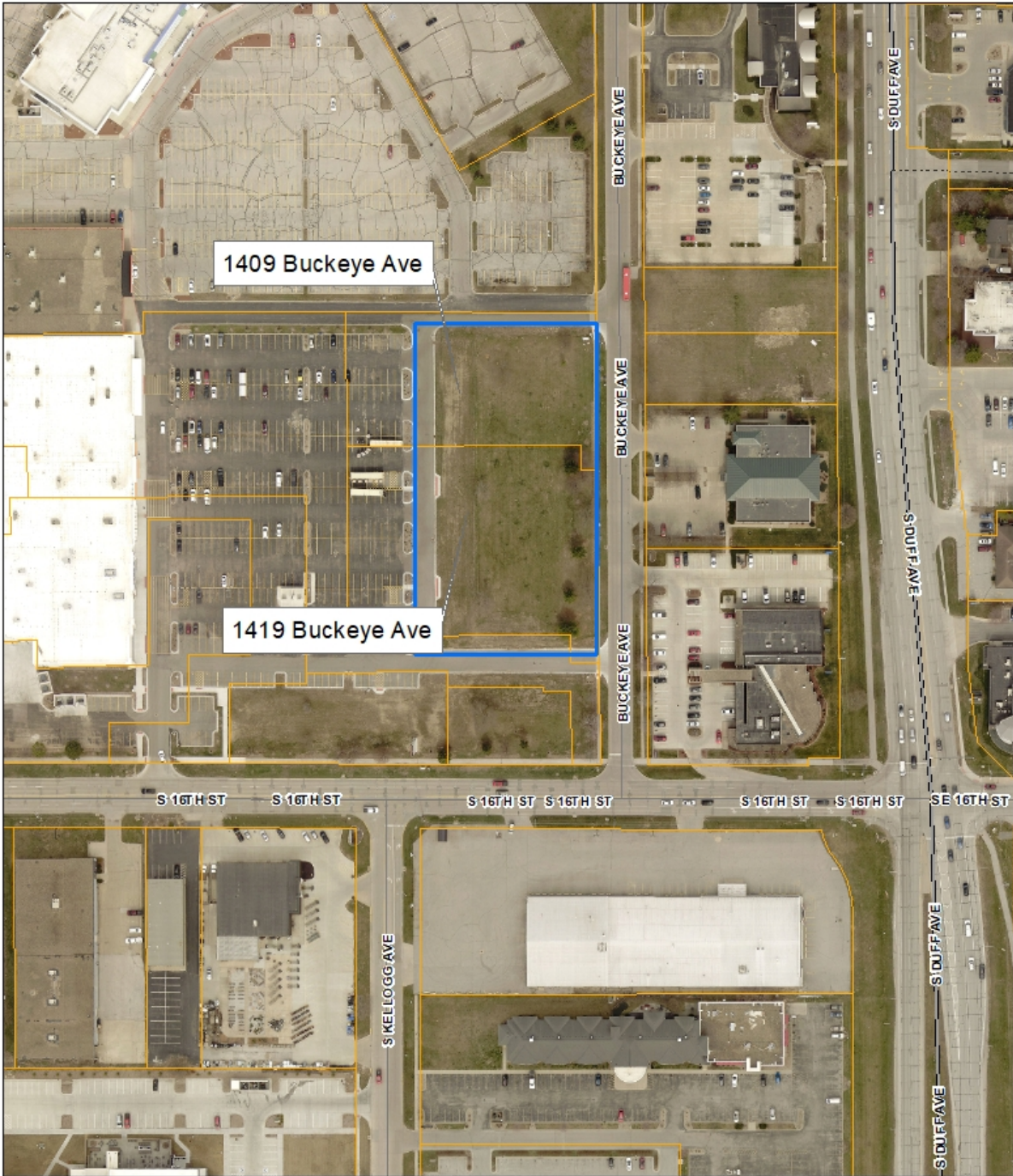
Major Site Development Plan Criteria.

The standards are found in Ames *Municipal Code* Section 29.1502(4)(d) and include the following requirements. *When acting upon an application for a Major Site Development Plan approval, the Planning and Zoning Commission and the City Council shall rely upon generally accepted site planning criteria and design standards. These criteria and standards are necessary to fulfill the intent of the Zoning Ordinance, the Land Use Policy Plan, and are the minimum necessary to safeguard the public health, safety, aesthetics, and general welfare. See Attachment F for a full review of the individual Development criteria for the Major Site Development Plan.*

Public Notice. Notice was mailed to property owners within 200 feet of the subject site and a sign was posted on the subject property. As of this writing, no comments have been received.

Attachment A

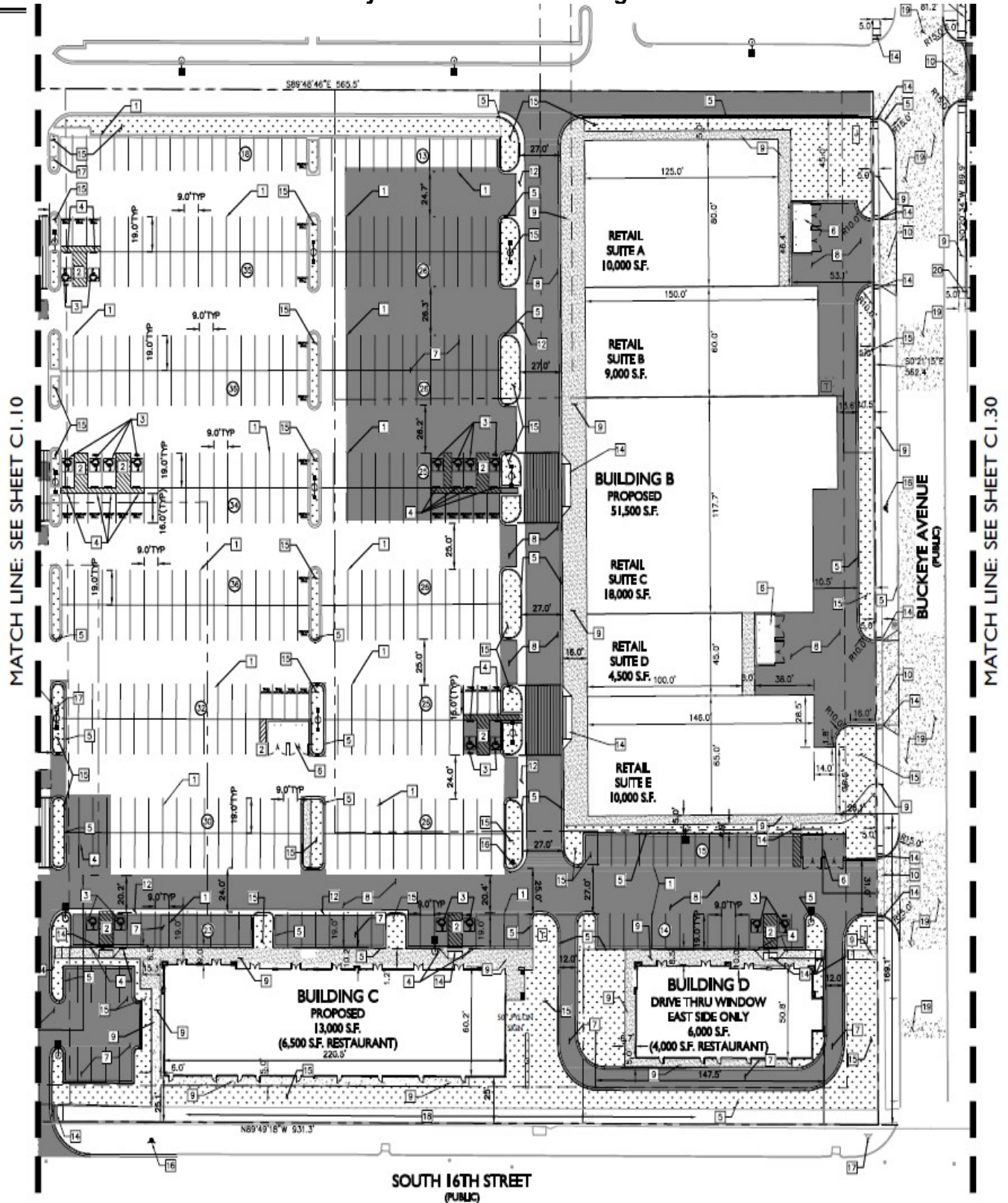
Location Map



Integrated Site Plan Subdivision Amendment 1409 and 1419 Buckeye Avenue Major Site Development Plan

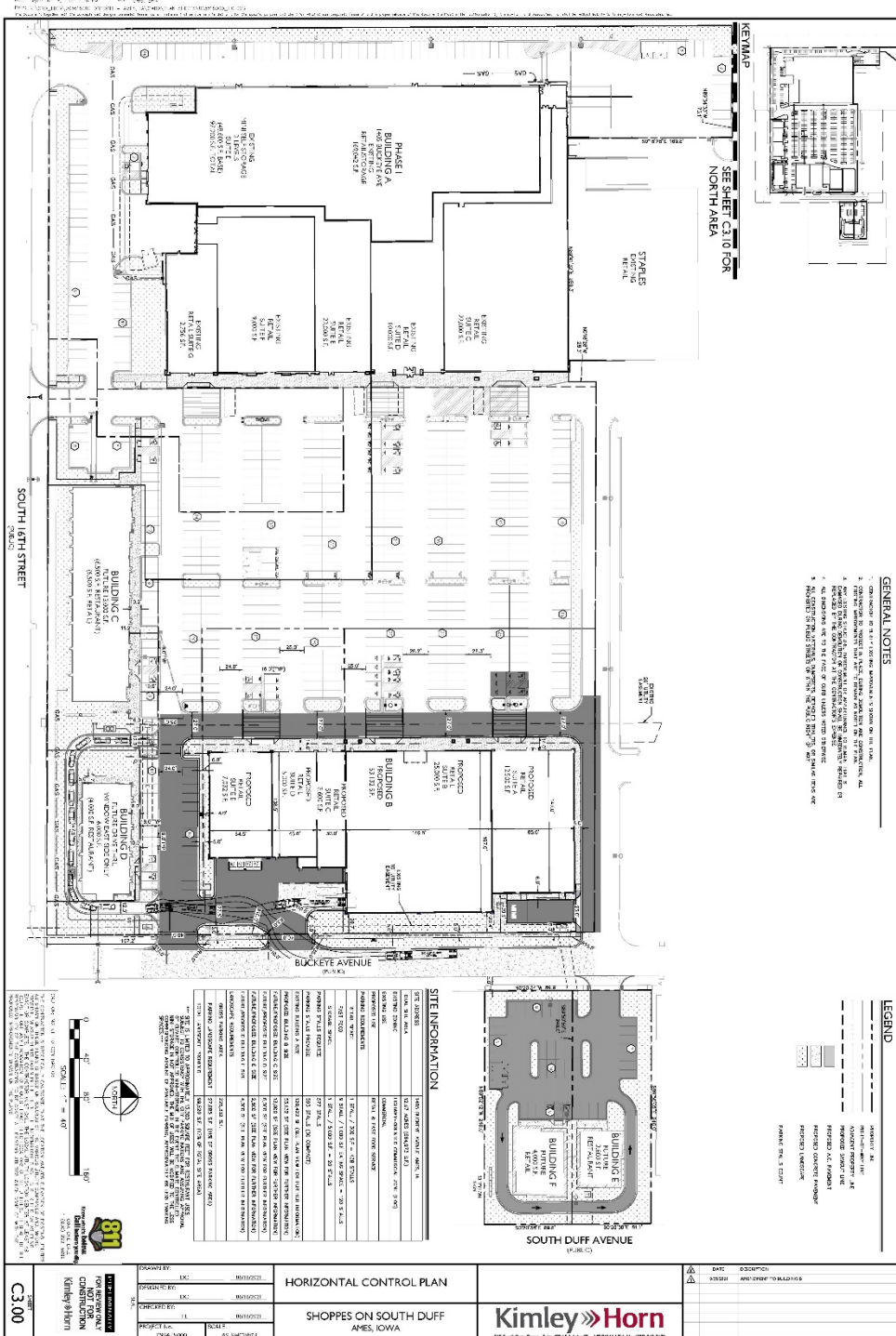
Attachment B

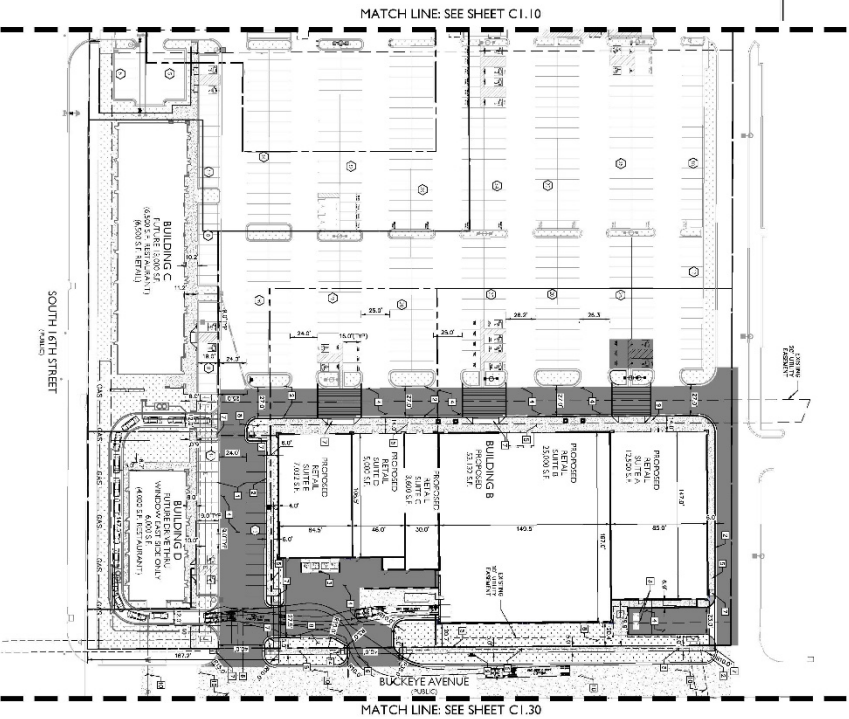
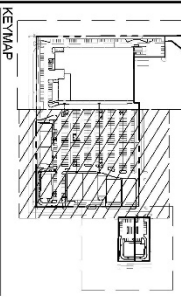
2018 Major Site Plan – Building B



Attachment C

2021 Major Site Plan





LEGEND

PROPERTY LINES

--- RIGHT OF WAY LINE
 - - - - - BOUNDARY SURVEY LINE

CONSTRUCTION

--- PROPOSED CONCRETE FOUNDATION
 --- PROPOSED CONCRETE WALLS
 --- CONCRETE WALL

FINISHING SYMBOLS

--- FINISHING SYMBOLS

0' 10' 20' 30' 40' 50' 60' 70' 80' 90' 100'

SCALE: 1" = 40'

811
 CALL BEFORE YOU DIG
 ONE-CALL.COM
 800-368-8827

GENERAL NOTES

- CONTRACTOR TO VERIFY PERMITS AND REGULATIONS FOR THIS PROJECT.
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SITE INFORMATION

TRACT AREA	442,349 SQ. FT.
NET BARGE AREA	10,317 SQ. FT.
NET CONCRETE FOUNDATION	2,482 SQ. FT.
NET WALL AREA	1,111 SQ. FT.
NET TOTAL AREA	455,759 SQ. FT.
NET TOTAL AREA (EXCLUDING BARGE)	445,442 SQ. FT.
NET TOTAL AREA (EXCLUDING WALLS)	435,125 SQ. FT.
NET TOTAL AREA (EXCLUDING WALLS AND BARGE)	424,808 SQ. FT.
NET TOTAL AREA (EXCLUDING WALLS, BARGE AND FOUNDATION)	414,491 SQ. FT.
NET TOTAL AREA (EXCLUDING WALLS, BARGE, FOUNDATION AND ROADS)	404,174 SQ. FT.
NET TOTAL AREA (EXCLUDING WALLS, BARGE, FOUNDATION, ROADS AND UTILITIES)	393,857 SQ. FT.
NET TOTAL AREA (EXCLUDING WALLS, BARGE, FOUNDATION, ROADS, UTILITIES AND LANDSCAPE)	383,540 SQ. FT.
NET TOTAL AREA (EXCLUDING WALLS, BARGE, FOUNDATION, ROADS, UTILITIES, LANDSCAPE AND TREES)	373,223 SQ. FT.
NET TOTAL AREA (EXCLUDING WALLS, BARGE, FOUNDATION, ROADS, UTILITIES, LANDSCAPE, TREES AND FENCES)	362,906 SQ. FT.
NET TOTAL AREA (EXCLUDING WALLS, BARGE, FOUNDATION, ROADS, UTILITIES, LANDSCAPE, TREES, FENCES AND DRIVEWAYS)	352,589 SQ. FT.
NET TOTAL AREA (EXCLUDING WALLS, BARGE, FOUNDATION, ROADS, UTILITIES, LANDSCAPE, TREES, FENCES, DRIVEWAYS AND PAVEMENT)	342,272 SQ. FT.
NET TOTAL AREA (EXCLUDING WALLS, BARGE, FOUNDATION, ROADS, UTILITIES, LANDSCAPE, TREES, FENCES, DRIVEWAYS, PAVEMENT AND PAVING MARKINGS)	331,955 SQ. FT.
NET TOTAL AREA (EXCLUDING WALLS, BARGE, FOUNDATION, ROADS, UTILITIES, LANDSCAPE, TREES, FENCES, DRIVEWAYS, PAVEMENT, PAVING MARKINGS AND UTILITIES)	321,638 SQ. FT.
NET TOTAL AREA (EXCLUDING WALLS, BARGE, FOUNDATION, ROADS, UTILITIES, LANDSCAPE, TREES, FENCES, DRIVEWAYS, PAVEMENT, PAVING MARKINGS AND UTILITIES, EXCEPTING UTILITIES)	311,321 SQ. FT.
NET TOTAL AREA (EXCLUDING WALLS, BARGE, FOUNDATION, ROADS, UTILITIES, LANDSCAPE, TREES, FENCES, DRIVEWAYS, PAVEMENT, PAVING MARKINGS AND UTILITIES, EXCEPTING UTILITIES AND UTILITIES)	301,004 SQ. FT.

HORIZONTAL CONTROL PLAN

SHOPPES ON SOUTH DUFF AVENUE, IOWA

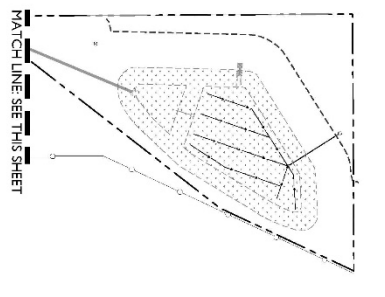
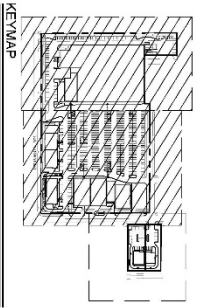
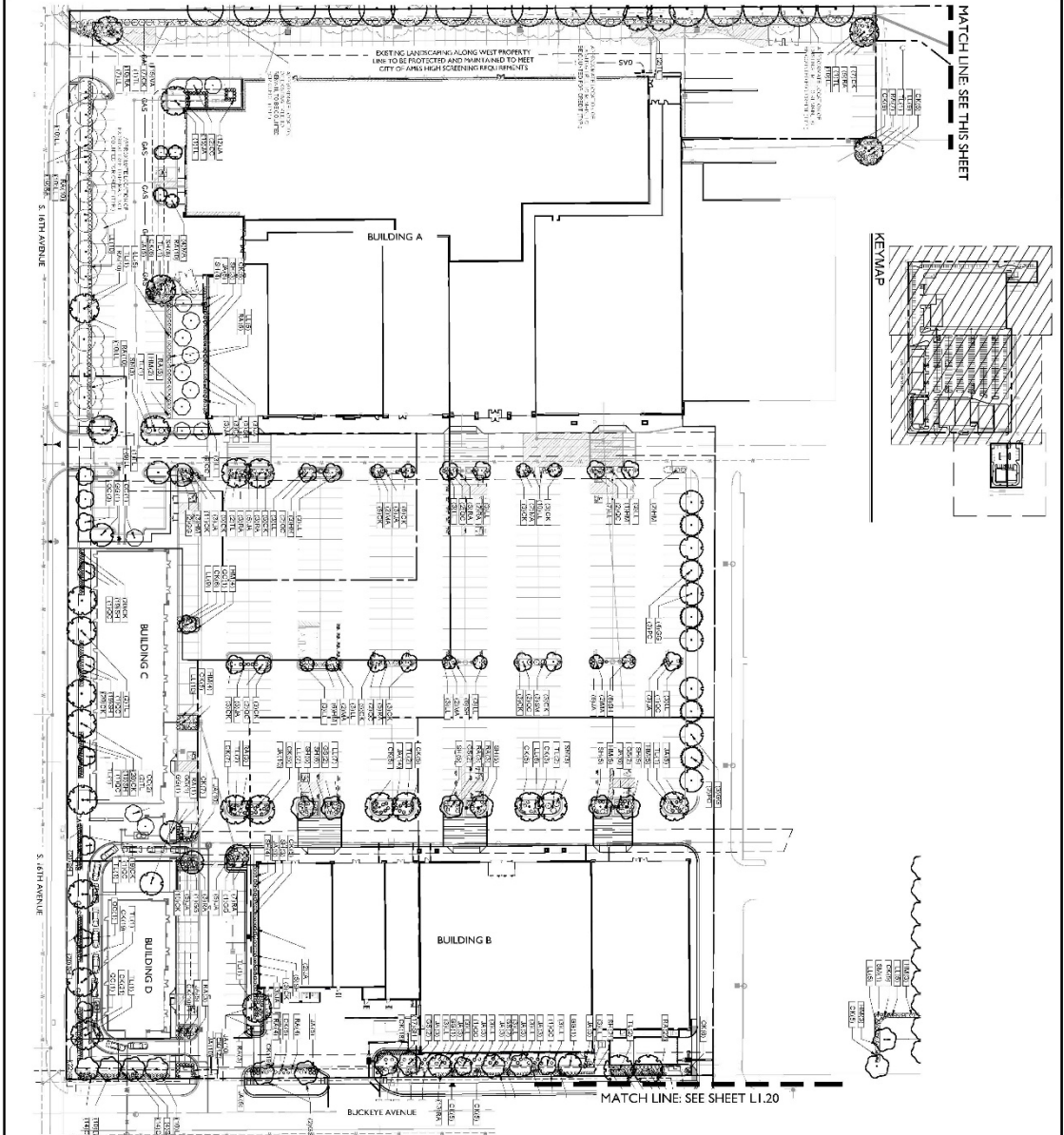
Kimley Horn
 215 South State Street, Suite 400 | Rock Lake City, UT 84111 | Tel: 801-223-1316

PROJECT: SHOPPING CENTER ON SOUTH DUFF AVENUE, IOWA
SCALE: AS SHOWN
PROJECT NO.: 2024110002

DATE: 11/15/24
STATUS: PRELIMINARY

CREATED BY: JAC
DESIGNED BY: JAC
CHECKED BY: JAC
PROJECT MANAGER: JAC

C3.20



GENERAL LANDSCAPE NOTES

1. ALL PLANTINGS SHALL BE INSTALLED IN THE SPRING OR EARLY FALL. ALL PLANTINGS SHALL BE INSTALLED IN THE SPRING OR EARLY FALL. ALL PLANTINGS SHALL BE INSTALLED IN THE SPRING OR EARLY FALL.
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LEGEND

PROPERTY LINE	ADJACENT PROPERTY LINE
EXISTING SIDEWALK	PROPOSED SIDEWALK
EXISTING DRIVE	PROPOSED DRIVE
EXISTING PARKING	PROPOSED PARKING
EXISTING WALKWAY	PROPOSED WALKWAY
EXISTING PLANTING	PROPOSED PLANTING
EXISTING LIGHT FIXTURE	PROPOSED LIGHT FIXTURE
EXISTING SIGN	PROPOSED SIGN
EXISTING FENCE	PROPOSED FENCE
EXISTING UTILITY	PROPOSED UTILITY
EXISTING EROSION CONTROL	PROPOSED EROSION CONTROL
EXISTING BARRIERS	PROPOSED BARRIERS
EXISTING DRIVEWAY	PROPOSED DRIVEWAY



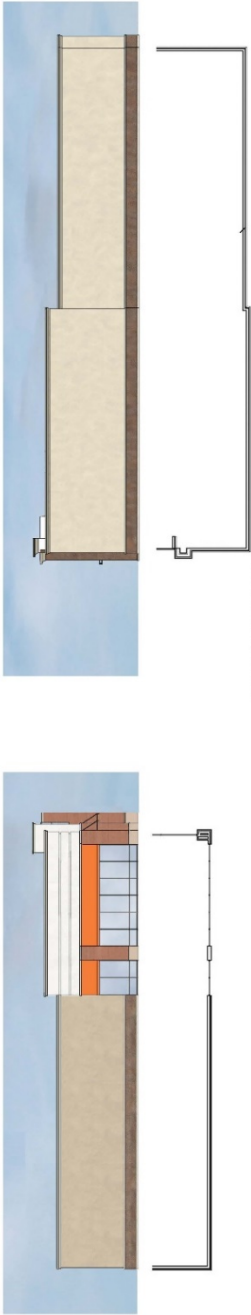
<p>811 COMMUNITY DEVELOPMENT (505) 555-2000 www.811iowa.com</p>	DRAWN BY: JAC DESIGNED BY: JAC CHECKED BY: TL PROJECT NO: 092515002 SCALE: AS SHOWN	<p>LANDSCAPE PLAN</p> <p>SHOPS ON SOUTH DUFF AMES, IOWA</p>	<table border="1"> <thead> <tr> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>09/23/2014</td> <td>PREPARED FOR BUILDING B</td> </tr> </tbody> </table>	DATE	DESCRIPTION	09/23/2014	PREPARED FOR BUILDING B
	DATE	DESCRIPTION					
09/23/2014	PREPARED FOR BUILDING B						
<p>Kimley-Horn 115 South South Street, Suite 400 Des Moines, IA 50319 Tel: (515) 281-3176 Fax: (515) 281-3178</p>	<p>L1.10</p>		<p>FOR REVIEW ONLY NOT FOR CONSTRUCTION KIMLEY-HORN</p>				

Attachment D

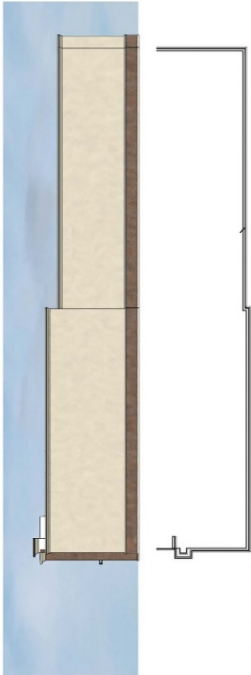
2018 Building Elevations



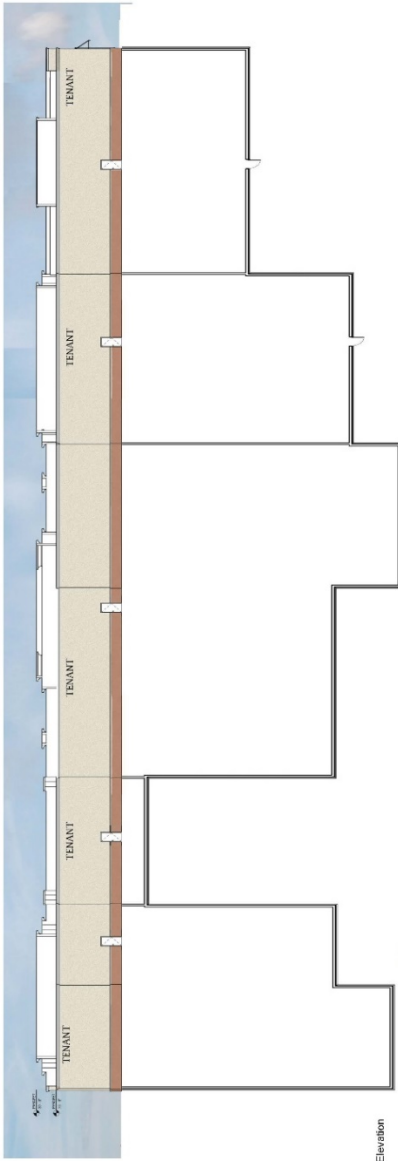
Building B | West Elevation



Building B | North Elevation



Building B | South Elevation



Building B | East Elevation

Kimley»Horn

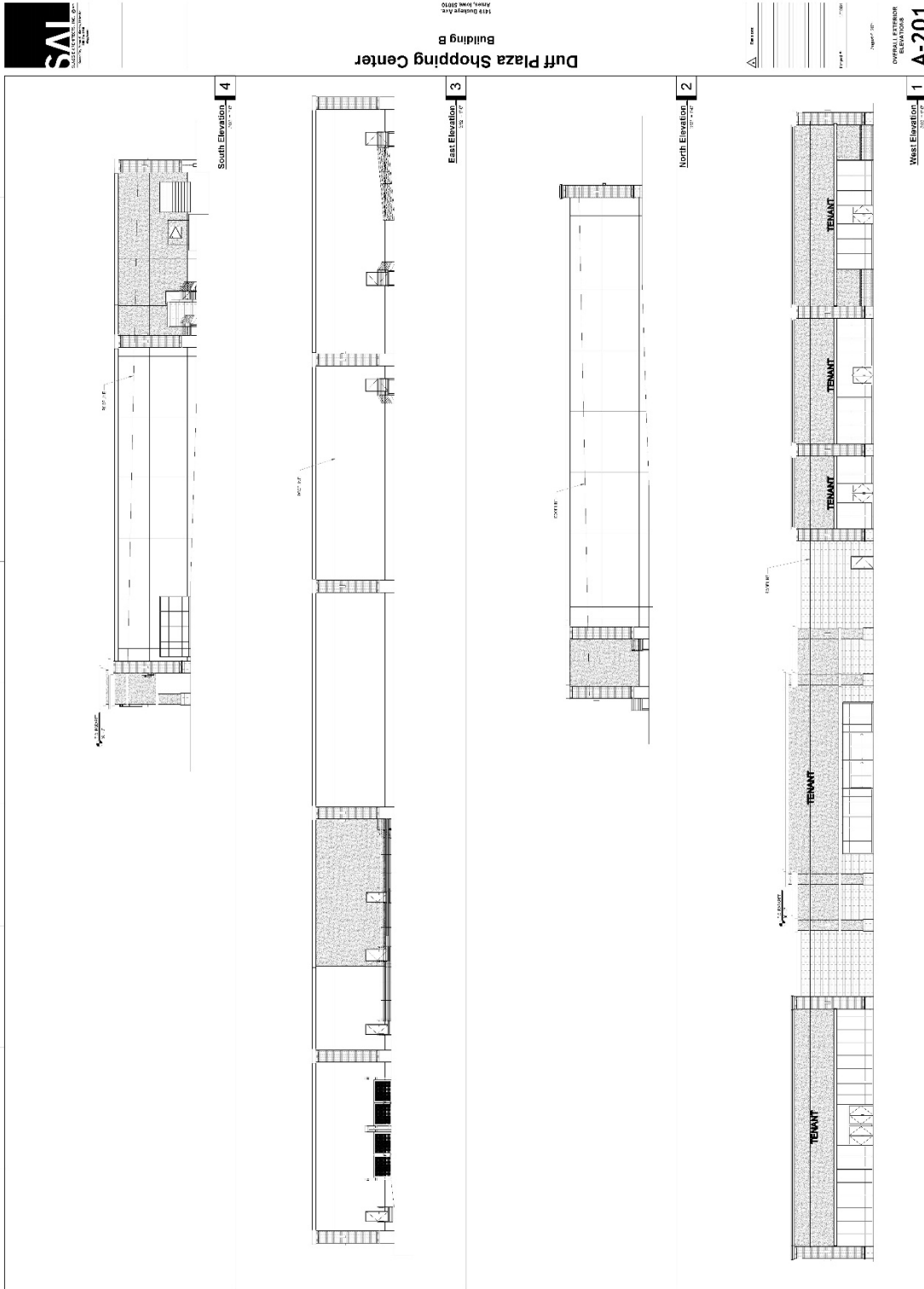
OnPoint
DEVELOPMENT

Duff Plaza
Alhambra, CA

DATE: 08/08/18
BY: JAC

Attachment E

Proposed Building Elevations

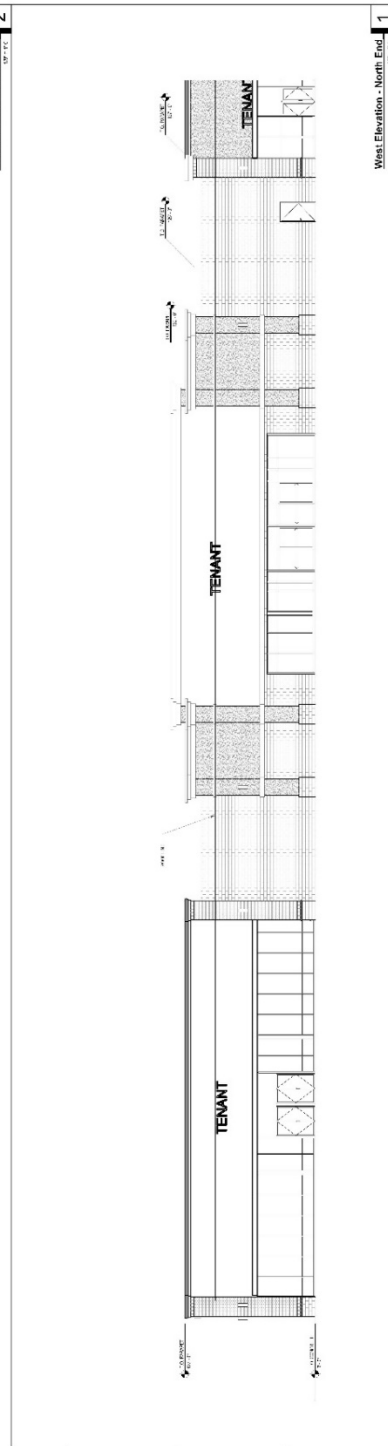
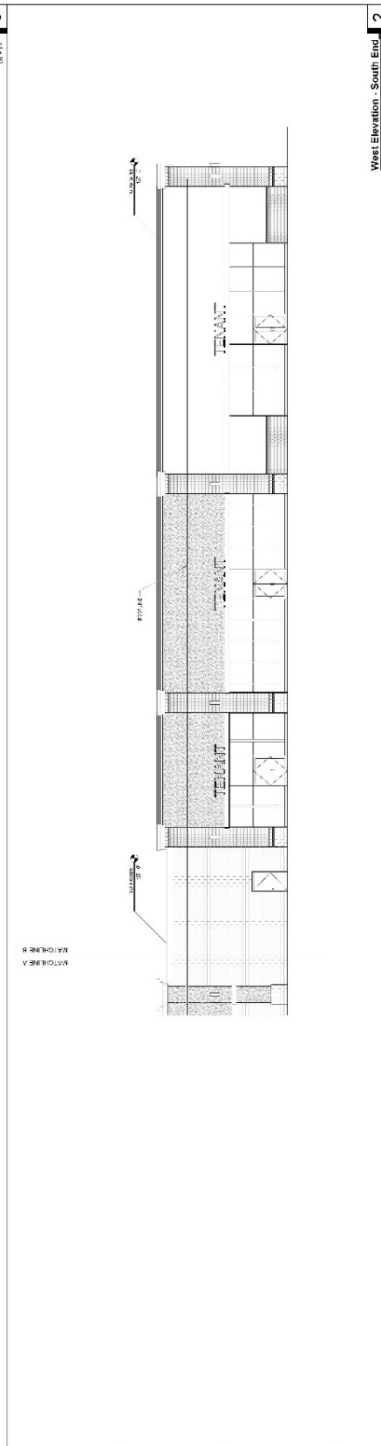
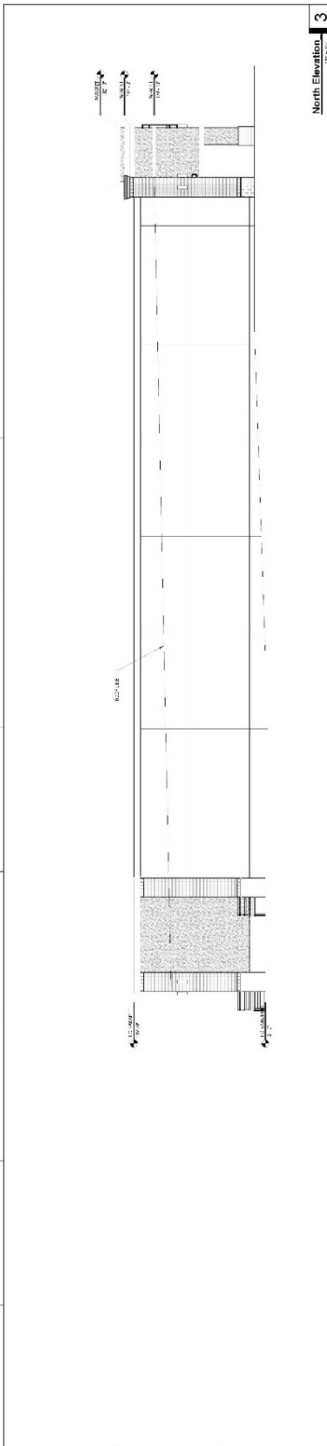




SAI
 S. Associates, Inc.
 11501 Sunset Blvd.
 Suite 1000
 Los Angeles, CA 90025
 Phone: (310) 206-4557
 Fax: (310) 206-8874
 Website: www.sai.com

**Duff Plaza Shopping Center
 Building B**
 1818 Broadway NW
 Kent, Ohio 44204

DATE: 07/22
 DRAWN BY: JG
 CHECKED BY: JG
 PROJECT: 15014
 SHEET: A-202
 SCALE: AS SHOWN

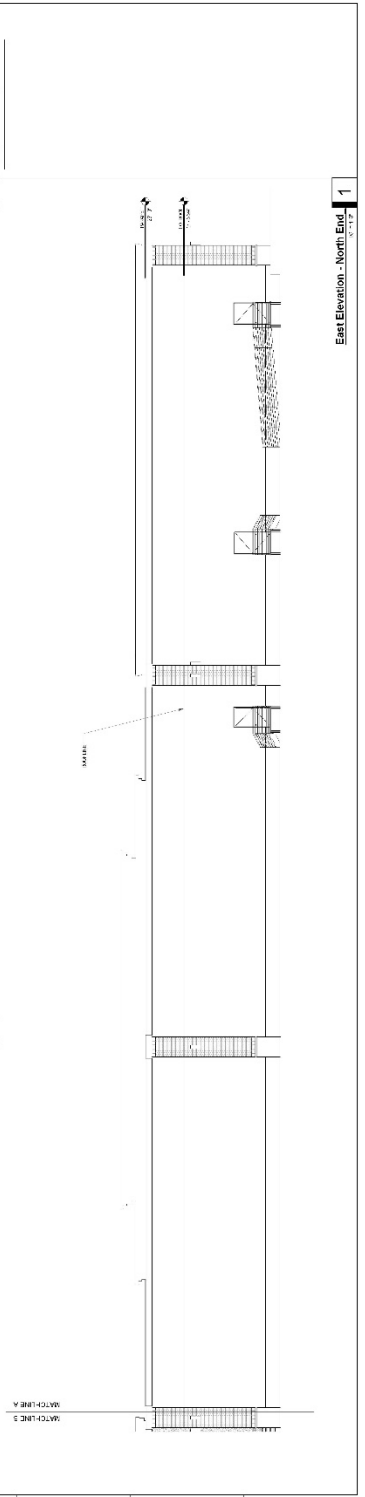
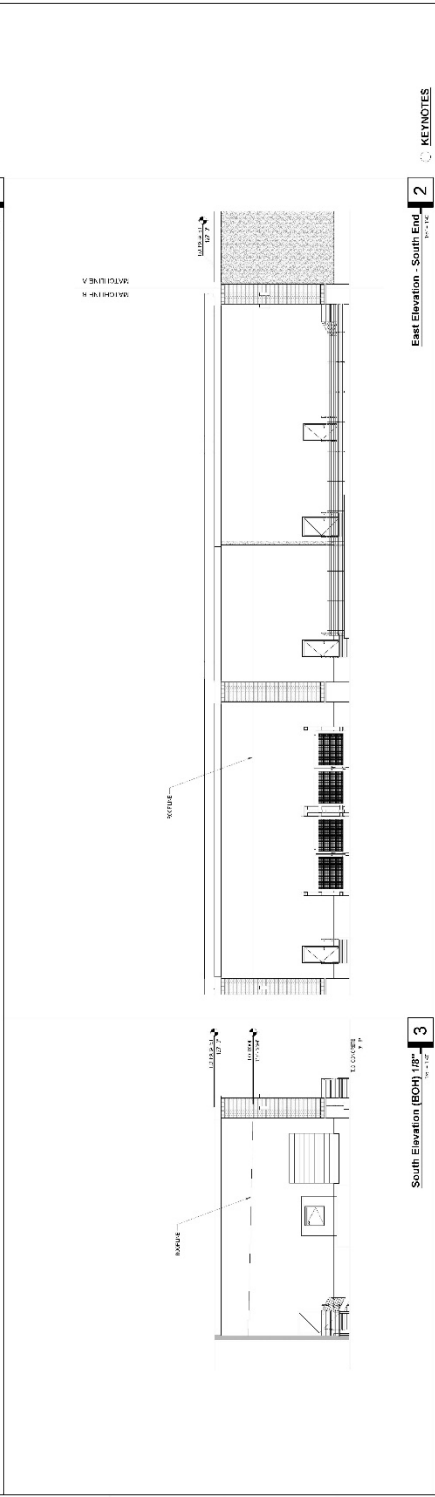
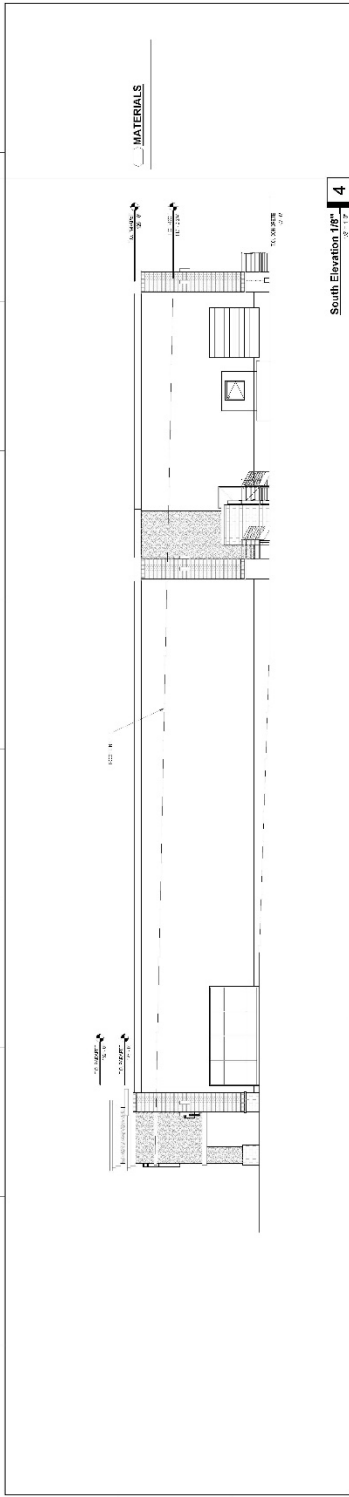


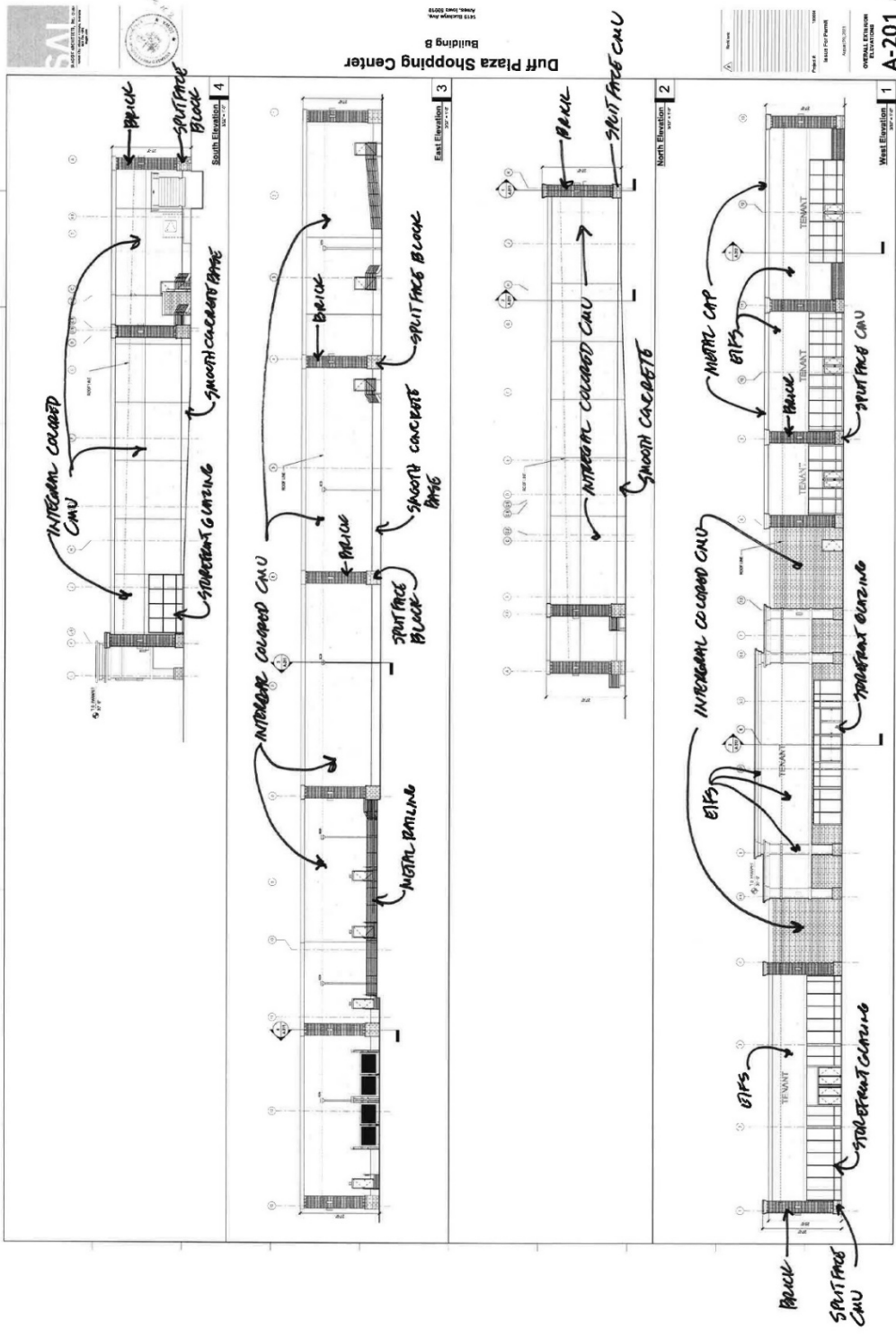


Duff Plaza Shopping Center
Building B
1418 DuPage Ave
March, 2016 (REV)

NO.	DATE	DESCRIPTION

PROJECT NO. 15010
DATE: 03/16/16
DRAWN BY: JLD
CHECKED BY: JLD
SCALE: AS SHOWN
SHEET NO. A-203





12/14/18
 A-201 8/17/21

Attachment F

Major Site Development Plan Criteria.

- 1. The design of the proposed development shall make adequate provisions for surface and subsurface drainage to limit the rate of increased runoff of surface water to adjacent and downstream property.***

The Public Works Department is currently reviewing the storm water management plan. City staff is continuing to work with the developer to finalize the plan. Outstanding comments will not change the plan or calculations. The Storm Water Management Plan will need to be finalized prior to City Council approval of the Site Development Plan.

- 2. The design of the proposed development shall make adequate provision for connection to water, sanitary sewer, electrical, and other utility lines within the capacity limits of those utility lines.***

The existing utilities were reviewed and found adequate to support the anticipated load of the proposed development. There are no offsite upgrades needed to serve the site for any utility.

- 3. The design of the proposed development shall make adequate provision for fire protection through building placement, acceptable location of flammable materials, and other measures to ensure fire safety.***

The fire inspector has reviewed access and fire truck circulation and found that the needs of the fire department are met for access and circulation. However, Inspections Division does have some comments that will need be addressed related to fire code compliance upon issuance of building permits to confirm final details.

- 4. The design of the proposed development shall not increase the danger of erosion, flooding, landslide, or other endangerment to adjoining and surrounding property.***

It is not anticipated that this proposed development will be a danger due to its location on the site. The storm water features have been enlarged to help reduce potential future flooding within this site and the subdivision to the east.

- 5. Natural topographic and landscape features of the site shall be incorporated into the development design.***

The developer is working with the existing topography of the site. Critically, the existing landscape buffer along the west property line is to be retained. The disturbed areas of the site are required to come into compliance with current landscape requirements.

- 6. The design of the interior vehicle and pedestrian circulation shall provide for convenient flow of vehicles and movement of pedestrians and shall prevent hazards to adjacent streets or property.***

The proposed development will provide vehicular access off S 16th Street and Buckeye Avenue as originally approved. All interior private sidewalks will connect with the public sidewalk system that is already in place. Sidewalks will be added in front of new buildings and connections will be provided to allow safe pedestrian connectivity throughout the site, specifically between Buildings B, C, and D.

The traffic division does not recommend this widening at this time due to likely restrictions on left turn from Buckeye to S. 16th Street.

- 7. The design of outdoor parking areas, storage yards, trash and dumpster areas, and other exterior features shall be adequately landscaped or screened to minimize potential nuisance and impairment to the use of adjoining property.***

Much of the existing site parking was retained. The applicant has made some improvement to the existing parking lot. The arrangement of parking serves each of the individual buildings and includes distributed ADA compliance parking spaces.

Dumpster enclosures design will need to be provided with other architectural drawings. If those enclosures are visible to surrounding property owner's addition landscaping has been proposed around the enclosures..

Buckeye will have loading areas for Building B. Front yard landscaping is the primary treatment for screening of this area. Additional landscaping has been added to provide additional screening.

- 8. The proposed development shall limit entrances and exits upon adjacent streets in order to prevent congestion on adjacent and surrounding streets and in order to provide for safe and orderly vehicle movement.***

All existing access into the development will remain at their existing locations.

- 9. Exterior lighting shall relate to the scale and location of the development in order to maintain adequate security, while preventing a nuisance or hardship to adjacent property or streets.***

All lighting will be required to comply with the City's Outdoor Lighting code, Section 29.411. Building lighting must also meet downlighting requirements.

- 10. The proposed development shall ensure that dust and other forms of air pollution, noise disturbances, odor, glare, and other nuisances will be limited***

to acceptable levels as prescribed in other applicable State and City regulations.

The proposed development is not expected to generate any nuisances.

- 11. Site coverage, building scale, setbacks, and open spaces shall be in proportion with the development property and with existing and planned development and structures, in adjacent and surrounding property.***

The proposed layout of the development is not changing and is still consistent with existing surrounding commercial development. The approval of an Integrated Site Plan allows some benefit by allowing some site development regulations to be applied across the entire site rather than on an individual lot basis allowing for a more condensed site compared to individual lot development.

Attachment G Applicable Subdivision Law

23.700 SUBDIVISION FOR INTEGRATED SUBDIVISIONS

23.702. APPLICABILITY.

- (1) The subject site shall consist of one or more legally created lots.*
- (2) The property must be zoned commercial, industrial, medium density residential or high density residential.*
- (3) Residential development under these provisions is limited to apartment dwellings only.*
- (4) The subdivision must be associated with a Major Site Development Plan under Chapter 29.1502. Within this context, the Major Site Development Plan will be considered and referred to as an Integrated Site Plan.*

AMENDMENT PROCEDURE. (23.706)

(1) Amendments or modifications to an Integrated Site Plan Subdivision are processed as both an amendment to the subdivision plat and the associated Integrated Site Plan, being processed simultaneously and under the same review criteria and procedures specified for an initial application for an Integrated Site Plan Subdivision (per Section 23.703), except for Site Plan Amendments. Site Plan Amendments do not require a new Preliminary Plat.

- (a) Site Plan Amendments include the following: Sup #2021-3 23-40 Rev. 07-1-21
 - i. Minor Subdivision Plat for a boundary line adjustment of a lot(s) within the Integrated Site Plan.
 - ii. Site Development Plan changes to site improvements, such as parking, landscaping, building design, stormwater treatment measures that do not affect lot dimensions and infrastructure capacity.
 - iii. Amendments qualified as a Major Amendment per 23.306 are not Site Plan Amendments.

(2) The following types of amendments require the consent of all owners within the subdivision:

- (a) Major amendments as defined in Section 23.306.
- (b) Amendments that are not consistent with recorded covenants and maintenance agreements.

(3) Amendments pertaining to the layout or improvements on individual lot(s), and that do not otherwise fall under the provisions of subsection 1 above, require only the consent of the individual affected lot owners.

(4) If a portion of an Integrated Site Plan Subdivision is vacated, the property subject to the vacated portion shall constitute one lot unless the property is subsequently divided by

an approved subdivision. Development of the vacated lot is subject to an amendment to the Integrated Site Plan Subdivision and associated Integrated Site Plan.
(Ord. No. 4441, 6-22-21)

ITEM #: 34b
DATE: 09-14-21

COUNCIL ACTION FORM

REQUEST: AMENDMENT TO THE INTEGRATED SITE PLAN SUBDIVISION FOR 1409 AND 1419 BUCKEYE AVENUE INCLUDING SOUTHWOOD SUBDIVISION, FIFTH ADDITION – MINOR FINAL PLAT

BACKGROUND:

NLA Duff, LLC. has submitted a final subdivision plat for Southwood Subdivision, Fifth Addition. The Final Plat is required as part of Section 23.706 Integrated Site Plan that requires a Minor Subdivision Plat for a boundary line adjustment of lots within the Integrated Site Plan. The Preliminary Plat was approved by the Council on November 13, 2018. as a part of an Integrated Site Plan that included a Major Site Development Plan. **The applicant proposes to move an existing lot line between Lots 6 and 7 that will move 89 feet to the south to align where a tenant division will exist within the new building.** This is required to meet building code standards.

An Integrated Site Plan allows the subdivision of a site into individual lots with consideration of the site in its entirety for evaluating access, circulation, maintenance, and compliance with certain zoning development standards (setbacks, landscaping, parking, etc.) that would otherwise apply to individual lots. Approval of an Integrated Site Plan allows for more flexible application of most development standards through the approval of the Major Site Development Plan, although the overall site must meet all minimum standards. Typically, a Preliminary Plat is required with an Integrated Site Plan. Section 23.706 of the Subdivision Code makes an exception to allow only a Minor Subdivision for lot line adjustments and amendments to Site Plans.

The proposed final plat has two commercial lots. Building B will straddle the common lot line as allowed by the Integrated Site Plan process for Building B. A Major Site Plan Amendment went before the Planning & Zoning Commission on September 1, 2021 and is a separate agenda item for Council approval. The lot line adjustment will place the lot line in a location where there will be a tenant division. Without adjusting the lot line it would go through and tenant space and this creates conflicts with the Building Code requirements.

The Final Plat and accompanying Major Site Plan meets all of the requirements of an Integrated Site Plan. The only public improvement change relates to the storm water. Detention will no longer be underground as originally proposed and will instead be conveyed to an above ground facility at the rear of the site. Storm water plans were reviewed as part of the Major Site Plan Amendment. All other public improvements are the same as proposed in 2018. Additionally, no changes are required to the development agreement that was approved with the Southwood 4th Final Plat in 2019.

ALTERNATIVES:

1. The City Council can approve the Final Plat of Southwood Subdivision, Fifth Addition, based upon findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, and plans.

Note: The applicant must submit an update Treasure's Certificate prior to the City Council's approval of the Final Plat.

2. The City Council can deny the Final Plat for Southwood Subdivision, Fifth Addition if it finds that the development creates a burden on existing public improvements or creates a need for new public improvements that have not yet been installed.

CITY MANAGER'S RECOMMENDED ACTION:

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

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

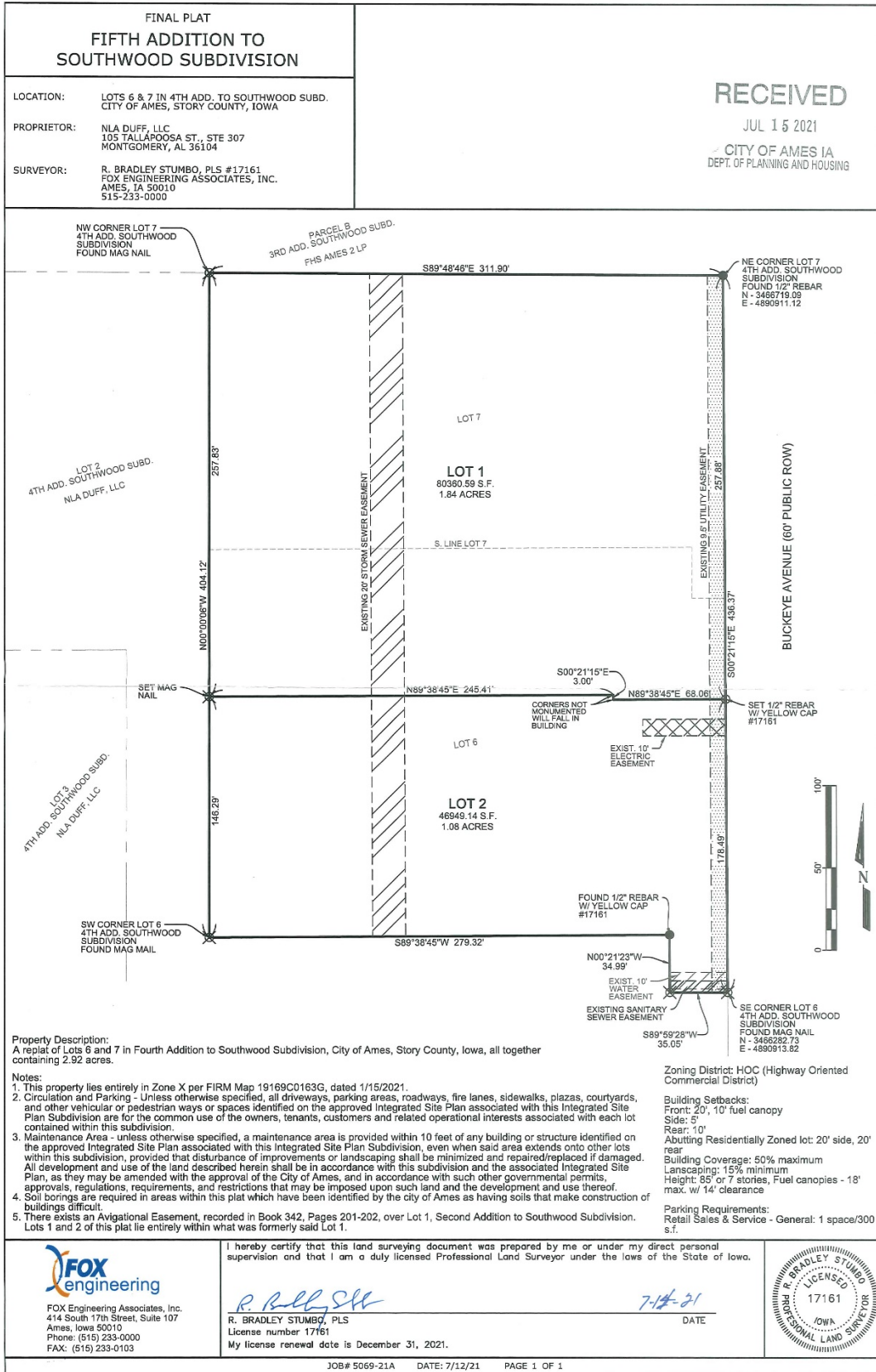
It must be emphasized that although the applicant initially submitted a Treasurer's Certificate, as required by State law, an updated certificate must be received by the City and approved by the City Attorney before Alternative #1 can be approved by the City Council.

Attachment A: Location Map

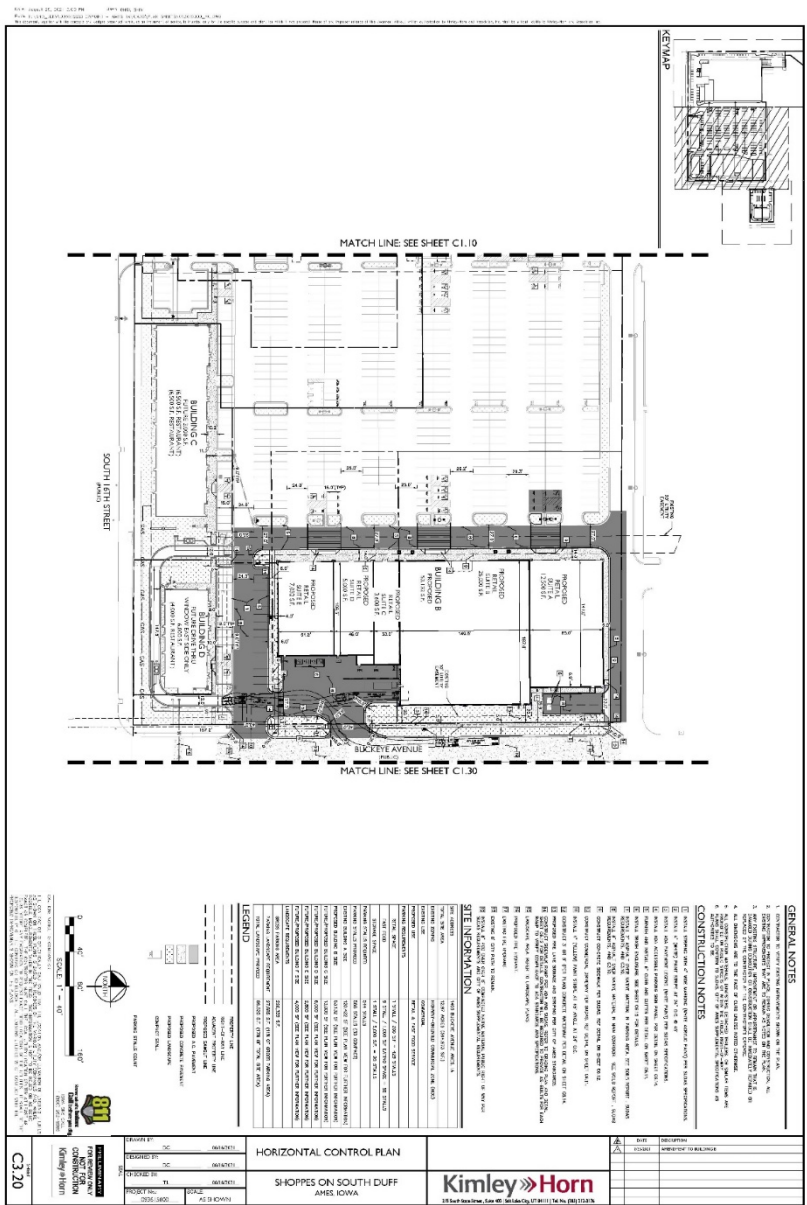


1409 & 1419 Buckeye Ave Amendment to Integrated Site Plan

Attachment B: Final Plat



Attachment C: Major Site Plan



GENERAL NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
2. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
4. THE CONTRACTOR SHALL MAINTAIN ADEQUATE EROSION CONTROL MEASURES THROUGHOUT CONSTRUCTION.
5. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE SYSTEMS TO PREVENT FLOODING AND WATER POLLUTION.
6. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES.
7. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING AND DOCUMENTATION OF ALL CONSTRUCTION ACTIVITIES.
8. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING AND DOCUMENTATION OF ALL CONSTRUCTION ACTIVITIES.
9. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING AND DOCUMENTATION OF ALL CONSTRUCTION ACTIVITIES.
10. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING AND DOCUMENTATION OF ALL CONSTRUCTION ACTIVITIES.

CONSTRUCTION NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL RESIDENTIAL CODE (IRC).
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL RESIDENTIAL CODE (IRC).
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LEGEND

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SITE INFORMATION

PROJECT NAME	SHOPPES ON SOUTH DUFF
CLIENT	AMES KOWA
DATE	10/15/2020
SCALE	AS SHOWN
DESIGNER	KIMLEY-HORN
PROJECT NO.	2020-1465

Kimley-Horn 18 East Second Street, Suite 400, Independence, MO 64050 Tel: 816.224.0000 Fax: 816.224.0001	HORIZONTAL CONTROL PLAN SHOPPES ON SOUTH DUFF AMES KOWA	<table border="1"> <tr> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>10/15/2020</td> <td>PREPARED BY BALANCE</td> </tr> </table>	DATE	DESCRIPTION	10/15/2020	PREPARED BY BALANCE
DATE	DESCRIPTION					
10/15/2020	PREPARED BY BALANCE					
PROJECT INFORMATION PROJECT NO.: 2020-1465 SHEET NO.: C-3.20	DESIGNER KIMLEY-HORN 18 EAST SECOND STREET, SUITE 400 INDEPENDENCE, MO 64050 TEL: 816.224.0000					

Attachment D: Applicable Subdivision Law

The laws applicable to this Preliminary Plat Subdivision include, but are not limited to, the following: (verbatim language is shown in *italics*, other references are paraphrased):

Code of Iowa Chapter 354, Section 8 requires that the governing body shall determine whether the subdivision conforms to its Land Use Policy Plan.

Ames Municipal Code Chapter 23, Subdivisions, Division I, outlines the general provisions for subdivisions within the City limits and within two miles of the City limits of Ames.

Ames Municipal Code Section 23.303:

Sec. 23.303. MINOR SUBDIVISIONS FINAL PLAT.

(1) Minor Subdivision Procedure:

(a) The Applicant shall file an Application for Final Plat Approval of a Minor Subdivision with the Department of Planning and Housing at least 15 days prior to a regular meeting of the City Council. No preliminary plat is required for the Minor Subdivision process.

(b) An Application for Final Plat Approval of a Minor Subdivision shall include:

(i) a completed Application Form (entitled "Application for Final Plat Approval of a Minor Subdivision") available from the Department of Planning and Housing;

(ii) sixteen paper copies no larger than 24"x 36" and one blackline copy no larger than 11"x17" of a Final Plat prepared in accordance with subsection 23.504. The Planning and Housing Director may allow for electronic submittals of Plat documents in lieu of all or some of the required paper copies;

(iii) an electronic format portable document file (PDF) as approved by the City;

(iv) An electronic file of a Computer Aided Design Drawing of the Final Plat to City specifications, if required by the Public Works Director and

(v) any filing fee established by the City Council.

(Ord. No. 4441, 6-22-21)

(2) Staff and Agency Review of Final Plat Approval for Minor Subdivision: The Department of Planning and Housing shall distribute a copy of the Application Form and the Final Plat to the Department of Public Works and such other departments, persons, and utility companies as it determines may be necessary or appropriate for their review, comments, and recommendations. The Department of Planning and Housing shall assemble, review, and report on any comments or recommendations submitted to it for consideration by the City Council.

(Ord. No. 4441, 6-22-21)

(3) City Council Action on Final Plat for Minor Subdivision:

(a) All proposed subdivision plats shall be submitted to the City Council for review and approval in accordance with Section 354.8 of the Iowa Code, as amended or superseded. Upon receipt of any Final Plat forwarded to it for review and approval, the City Council shall examine the Application Form, the Final Plat,

Sup #2021-3

23-11

Rev. 07-1-21

any comments, recommendations or reports examined or made by the Department of Planning and Housing, and such other information as it deems necessary or reasonable to consider.

(b) Based upon such examination, the City Council shall ascertain whether the Final Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan and to the City's other duly adopted plans. If the City Council determines that the proposed subdivision will require the installation or upgrade of any public improvements to provide adequate facilities and services to any lot in the proposed subdivision or to maintain adequate facilities and services to any other lot, parcel or tract, the City Council shall deny the Application for Final Plat Approval of a Minor Subdivision and require the Applicant to file a Preliminary Plat for Major Subdivision.

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

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

Ames Municipal Code Section 23.706:

23.706. AMENDMENT, MODIFICATION AND VACATION.

(1) Amendments or modifications to an Integrated Site Plan Subdivision are processed as both an amendment to the subdivision plat and the associated Integrated Site Plan, being processed simultaneously and under the same review criteria and procedures specified for an initial application for an Integrated Site Plan Subdivision (per Section 23.703), except for Site Plan Amendments. Site Plan Amendments do not require a new Preliminary Plat.

(a) Site Plan Amendments include the following:

Sup #2021-3

23-39

Rev. 07-1-21

i. Minor Subdivision Plat for a boundary line adjustment of a lot(s) within the Integrated Site Plan.

ii. Site Development Plan changes to site improvements, such as parking, landscaping, building design, stormwater treatment measures that do not affect lot dimensions and infrastructure capacity.

iii. Amendments qualified as a Major Amendment per 23.306 are not Site Plan Amendments.

(2) The following types of amendments require the consent of all owners within the subdivision:

(a) Major amendments as defined in Section 23.306.

(b) Amendments that are not consistent with recorded covenants and maintenance agreements.

(3) Amendments pertaining to the layout or improvements on individual lot(s), and that do not otherwise fall under the provisions of subsection 1 above, require only the consent of the individual affected lot owners.

(4) If a portion of an Integrated Site Plan Subdivision is vacated, the property subject to the vacated portion shall constitute one lot unless the property is subsequently divided by an approved subdivision. Development of the vacated lot is subject to an amendment to the Integrated Site Plan Subdivision and associated Integrated Site Plan.

(Ord. No. 4441, 6-22-21)

ITEM #: 35
DATE: 09-14-21

COUNCIL ACTION FORM

SUBJECT: CYRIDE 2022 HVAC IMPROVEMENT PROJECT REPORT OF BIDS

BACKGROUND:

Plans and specifications for the CyRide 2022 HVAC Improvements Project were approved by Council at the August 10, 2021 meeting. The CyRide 2022 HVAC Improvement Project was released on August 11, 2021. Plans and specifications called for replacing aging heating, ventilation and air conditioning (HVAC) equipment that serves the maintenance repair bays and the south-west bus storage area. The project would combine existing HVAC units and reduce the total number of units on the roof by two.

Alternate #1 called for the reutilization of two existing roof openings created by the reduction of HVAC units to install sky lights. Alternate #2 called for integrating the HVAC equipment into the building mechanical controls system.

On September 8, 2022, bids for this project were received as follows:

Bidder	Base Bid	Alternate #1	Alternate #2
Stein Heating and Cooling Inc.	\$ 453,300	\$ 18,000	\$ 46,300
Mechanical Comfort, Inc.	\$ 485,275	\$ 11,450	\$ 34,975
ACI Mechanical, Inc.	\$ 595,000	\$ 43,300	\$ 63,800

The cost estimate for the project was \$450,711. The project budget contains \$576,577 in available funding from the following sources:

Funds Available	Dollars
2020 State of Iowa PTIG Funds	\$ 86,126
2021 State of Iowa PTIG Funds	292,093
CyRide Capital Budget	198,358
Total Available	\$ 576,577

Due for the need for Transit Board approval, this action form is only for the report of bids. The decision to approve the project or reject all bids will be brought back to Council at a later date, after the next planned Transit Board meeting.

ALTERNATIVES:

1. Accept the report of bids for the CyRide 2022 HVAC Improvement Project and delay award to allow for Transit Board approval.
2. Direct staff to make changes to this project.

CITY MANAGER'S RECOMMENDED ACTION:

The City of Ames Purchasing Policy requires that bid results be reported to Council at the next Council meeting. Prior to Council's approval, this project needs approval from the Transit Board.

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

COUNCIL ACTION FORM

SUBJECT: PRIORITIZATION OF ACTION STEPS FROM “POLICING IN AMES” REPORT

BACKGROUND:

On September 29, 2020, the City Council received a report entitled *Policing in Ames: A Path Forward*. This original report contained 21 recommendations in response to concerns voiced by community members about policing methods, policies, transparency, and philosophies.

On October 10, 2020, the City Council again reviewed the report and provided direction regarding the action steps to advance further. The [final report](#) was amended and delivered on November 10, 2020, reflecting the Council’s direction.

Staff met with outside groups to gather feedback about which action steps to prioritize for earlier implementation. However, there was difficulty in gaining consensus. **Staff has prepared the attached document outlining the actions that have been completed and the anticipated timeframe for completing the remaining recommendations approved by the City Council.**

ALTERNATIVES:

1. Approve the prioritization of the action steps from the “Policing in Ames” report as outlined in the attached document.
2. Modify the prioritization of the action steps from the “Policing in Ames” report.

CITY MANAGER’S RECOMMENDED ACTION:

City staff has made progress in implementing several of the action steps from the “Policing in Ames” report. The attached document describes a plan for implementing the remaining action steps.

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

Rec. #	Responsibility	Page #	Recommendation	Complete	Q1	Q2	Q3	Q4	Comments
1	CMO	Page 3	The values that drive our Excellence Through People initiative will be revised to include the new values of Diversity, Equity, and Inclusion.	X					Diversity, Equity and Inclusion are now officially a value for the City of Ames.
6	PD	Page 23	As modifications are made to Police Department policies, revised versions will be updated for the public by way of print, electronic, and other appropriate means of communication.	X					This recommendation is done. The Ames Police Department policy manual is available on the police website and updated when changes occur. We will work with the Library to make the policy manual available there as well. https://www.cityofames.org/government/departments-divisions-i-z/police
8	PD	Page 23	As new laws are adopted at the federal and state levels and clarified by the courts, the City will continue to use Lexipol to review the Ames Police Department's existing policies to ensure compliance with the law and commitment to fair and impartial policing. Lexipol will continue to recommend new policies to address areas where policies do not yet exist.	X					The Police Department is still utilizing Lexipol and will continue to ensure policies are updated.
15	PD	Page 35	Make forms to document complaints more readily available by way of print, electronic, and other appropriate means of communication to provide ample opportunities for the public to register their concerns about incidents.	X					Currently, a person may file a complaint in-person at the Ames Police Department, by phone, by email, or by clicking the link on the Ames Police Department website. Soon, a resident may also file a complaint with any member of the ARPAC.
12	PD	Page 29	Publish quarterly reports regarding the use of force statistics, with a breakdown of race and other demographics, where known by way of print, electronic, and other appropriate means of communication.	X					At least quarterly summaries will be posted on social media, published on the department website, made available by request at the police department via print or electronically and will also be made available at the Ames Public Library.
11	PD	Page 28	Publish quarterly summaries regarding citations (e.g., traffic tickets) and arrests, with a breakdown of race and other demographics, where known by way of print, electronic, and other appropriate means of communication.	X					At least quarterly summaries will be posted on social media, published on the department website, made available by request at the police department via print or electronically and will also be made available at the Ames Public Library.
16	CMO/CC	Page 35	Create an Ames Resident Police Advisory Committee (ARPAC) according to the model identified on pages 35-37.		X				In Process now. Staff is preparing an ordinance in the format recommended by staff and approved by City Council.
14	PD	Page 29	Conduct periodic studies of traffic stop statistics to identify whether racial disparity exists in the traffic stops conducted by the Police Department and publish this data by way of print, electronic, and other appropriate means of communication.		X				The Traffic stop report from 2018 and 2019, once released, will be available on the police department webpage along with a link to it from the Ames Public Library. Due to the pandemic, 2020, 2021 and possibly 2022 data will
18	Chief of Police	Page 39	Provide periodic updates to the public from the Chief of Police regarding activities, current events, policies, and less understood aspects of the Police Department by way of print, electronic, and other appropriate means of communication.		X				The Chief of Police will write periodic columns with updates about the police department and policing available on social media, website and local media who choose to use it.
7	PD	Page 23	An independent review of the Police Department policies will be periodically undertaken by a citizen committee. See Recommendation #16 regarding the creation of an Ames Resident Police Advisory Committee (ARPAC).			X			Once the ARPAC has been established, they will be tasked with this recommendation.

Rec. #	Responsibility	Page #	Recommendation	Complete	Q1	Q2	Q3	Q4	Comments
13	PD	Page 29	Create a new system for citizens to report bias incidents; publish this data by way of print, electronic, and other appropriate means of communication; and share these reports with the Human Relations Commission for follow-up (Bias incidents are events where there is a connection to racial bias, but do not meet the requirements for a hate crime).			X			This has proven somewhat more complicated than previously thought. The police department is currently working on a system to track bias based incidents with the ability to share with the Human Relations Commission.
2	CMO/HR	Page 3	The City Manager will recommend for the FY 2021/22 budget a new full-time position of Diversity, Equity, and Inclusion Coordinator.				X		This recommendation has been approved in the city budget and the job description is currently being written.
5	PD	Page 10	The City Manager will recommend for the FY 2021/22 budget to convert a vacant, authorized Police Officer position to an administrative sergeant position.				X		The position was approved in the budget for FY 2021/2022. It is anticipated this position will be filled in 2022 after other police officer positions are filled.
3	HR	Page 7	Realizing that all individuals have some form of implicit bias, the Human Resources staff will explore additional validated evaluation tools to use in the Police Officer selection process to determine whether candidates have a propensity to inappropriately act upon bias.					X	Once the DEI Coordinator has been hired, they will assist HR with this recommendation.
4	HR	Page 10	The Human Resources Department will develop a more formalized training curriculum for officers regarding diversity and bias topics.					X	Once the DEI Coordinator has been hired, they will assist HR with this recommendation.
19	PD/CMO	Page 39	Refresh the Police Department pages of the City's website to ensure the information is clear, concise, and user-friendly for community members.					X	Staff will solicit feedback from the ARPAC and other groups to refresh the Police Department webpage to make it easier to navigate and locate information.
9	LEGAL	Page 27	Adopt an ordinance prohibiting any member of the City of Ames organization from racial profiling or taking actions that are indicative of bias in the delivery of City services.					X	Legal is currently researching how to put an ordinance like this together.
10	LEGAL	Page 27	Adopt a local ordinance that prohibits filing false reports or providing false information to police against an individual because of race or another protected characteristic.					X	Legal is currently researching how to put an ordinance like this together.
17	Steve	Page 39	Adopt the City Council-approved recommendations from the ISU Community and Regional Planning class(es) regarding the best communication techniques to reach under-represented populations in Ames, and explore potential for continuing relationship with these classes.	?	?	?	?	?	The City Council continues to work with a Community & Regional Planning class at ISU as the students seek to evaluate the best techniques for engaging the under-represented groups in our community.
17A	CMO	Page 39	City Council to host community conversations with representatives from the marginalized communities in Ames and agencies that work with them, with the goals of 1) obtaining input about the policy issues (not just policing issues) of importance to these groups as well as 2) establishing an ongoing "communication pipeline" with them.	?	?	?	?	?	The City staff began discussions with Edna Clinton and Pastor Kebbie to develop a plan to accomplish this meeting. It was determined that, at this point in time, the City has not developed the level of trust that is necessary for these under-represented groups to feel comfortable enough to meet with the Mayor and Council.
20	CMO	Page 42	The City Council will adopt a policy that no surplus armored military vehicles may be purchased or accepted for City use.			X			In order to adequately document this directive, it has been determined that the City's Purchasing Policies should be amended to prohibit the purchase or acceptance of surplus armored military vehicles.
21	CMO	Page 42	Make sure that the topic of "social justice" is made part of the discussion when the City Council once again considers ASSET funding priorities for FY 2022/23.					X	The next opportunity to discuss the topic of "social justice" as it relates to the City's ASSET funding priorities will be in June/July 2022 when the FY 2023/24 priorities are established.

COUNCIL ACTION FORM

SUBJECT: AMES RESIDENT POLICE ADVISORY COMMITTEE (ARPAC)

BACKGROUND:

On September 29, 2020, the City Council received a report entitled *Policing in Ames: A Path Forward*. This report contained 21 recommendations in response to concerns voiced by community members about policing methods, policies, transparency, and philosophies.

On October 10, 2020, the City Council again reviewed the report and provided direction regarding the action steps to advance further. The final report was amended and delivered on November 10, 2020, reflecting the Council's direction. Among the recommendations to implement, the [final report](#) proposed the creation of an "Ames Police Resident Advisory Committee" (ARPAC). The discussion regarding accountability in complaint handling and discipline, including the specific recommendations regarding the creation of ARPAC, can be found on pages 30-37 of the final report.

GOALS OF ARPAC:

The *Policing in Ames: A Path Forward* report noted that there are a variety of laws and policies that constrain the ability of an entity such as ARPAC to be the ultimate authority regarding personnel matters. These constraints include Iowa Civil Service law, Collective Bargaining law, and the Iowa Peace Officers' Bill of Rights. With these constraints in mind, the City Council directed staff to prepare for an advisory committee with the following goals:

1. Provide a resident perspective to the Chief of Police into the evaluation of complaints against the Ames Police Department (APD)
2. Provide thoughtful recommendations regarding the policies and practices of the APD
3. Report concerns regarding complaint investigation outcomes to the City Council

(note: the final report indicates these concerns should be reported to the City Manager, but elsewhere the report indicates that concerns should be included in the ARPAC's annual report to the City Council. For consistency, this goal has been adjusted to report concerns to the City Council).

4. Increase public confidence in the professionalism and accountability of the APD

ARPAC'S SCOPE OF RESPONSIBILITIES:

To accomplish the goals outlined above, City staff recommends the scope of responsibilities that follows below:

1. Accept complaints from the public regarding the conduct of sworn Police Officers and forward such complaints to the Ames Chief of Police for appropriate investigation.
2. Advise the Chief of Police regarding complaints from the public.
 - a. ARPAC may review complaints from the public related to:
 - i. Police Department policy violations
 - ii. Improper or inadequate investigation
 - iii. Excessive force
 - iv. Discrimination
 - v. Harassment
 - vi. Any other complaint in which the Chief of Police determines ARPAC review would be desirable
 - b. When such a complaint is received from the public by the APD either directly or by ARPAC referral, it will be investigated in accordance with APD policies and applicable law. At the conclusion of the investigation into a complaint, the Chief of Police will convene the ARPAC to discuss the investigation and seek ARPAC's input, prior to the Chief making a decision as to personnel action. A summary of the input received from ARPAC also will be provided to the City Manager.
 - c. ARPAC's review and recommendation will be advisory in nature. ARPAC's role is separate from the formal, internal investigation process and from the disciplinary process.
3. Review departmental policies and procedures and provide comments and suggestions for improvement to the Chief of Police and City Manager.
4. Conduct outreach to individuals and groups in the Ames community regarding:
 - a. Concerns related to public safety and police actions or procedures
 - b. Rights and responsibilities of residents in law enforcement interactions
 - c. Processes and resources for filing complaints

5. Provide feedback to the Chief of Police regarding whether an officer's conduct merits commendation, in instances where a commendation is being considered.
6. Issue an annual report to the City Council containing the following information:
 - a. The number of complaints reviewed and the nature of such complaints
 - b. Demographic information of complainants, where disclosed by complainants
 - c. A summary of policies reviewed and any changes recommended
 - d. A summary of Committee training received
 - e. A summary of outreach activities conducted
 - f. Concerns regarding complaint investigation outcomes, if any

ARPAC MEMBERSHIP:

The original proposal for ARPAC included the following membership characteristics:

1. Seven individuals
2. Representative of the diversity of the community
3. Appointed by the Mayor with the consent of the Council
4. Trained after appointment in contemporary policing practices and legal standards based on recommendations from the National Association for Civilian Oversight of Law Enforcement (NACOLE)
5. Committed to impartiality and to a review of complaints based only upon facts and evidence. Members must not be prejudiced in favor of complainants or police officers
6. Subject to confidentiality requirements

At the November 10, 2020 meeting, the City Council discussed several points relating to the membership aspects of ARPAC. First, the Council adopted a motion for staff to explore potential options for term limits that would be more inclusive to having Iowa State University students be able to serve. Most City boards and commissions have three-year terms for members. Two commissions provide for one of the positions to have a special 1-year term, and two others have special student positions (see table below).

BOARD/COMMISSION	REGULAR TERM	1-YEAR TERM OPTION?
Ames Human Relations Commission	3 years	X
Ames Int'l Partner Cities Ass'n	3 years	
ASSET	3 years	
Board of Review	6 years*	
Building Board of Appeals	3 years	
Campus and Community Commission	3 years	No, but ISU student positions are indefinite terms
Civil Service Commission	4 years*	
Commission on the Arts (COTA)	3 years	
EUORAB	3 years	
Historic Preservation Commission	3 years	
Library Board of Trustees	3 years	
Parks and Recreation Commission	3 years	X
Planning and Zoning Commission	3 years	
Property Maintenance Appeals Board	3 years	
Public Art Commission	3 years	
Transit Board of Trustees	2 years	2 students with 1-year terms
Zoning Board of Adjustment	5 years*	

*term length set by state law

These positions are intended to provide a greater opportunity for ISU students to participate, since a three-year commitment may be challenging for a student who may graduate. In the event an ISU student does not apply for one of the ISU student positions, a non-student is typically confirmed to fill the one-year term.

It is possible to create a special one-year term for an ARPAC appointee to be an ISU student. However, City staff has concerns about the ability of an ARPAC appointee to become trained and fully functional in a one-year period. ARPAC is expected to involve a significant amount of member education and training around legal standards, policies, and practices. It would be difficult to absorb this education and then apply it in a one-year period. The draft ordinance does not include a one-year term position. However, it remains possible to appoint a student who is able and willing to serve multiple years on the advisory committee.

In addition to the Council's formal motion regarding student terms, the City Council discussed the topic of member selection at the November 10th meeting (but made no motions providing direction to staff). In particular, Council Members inquired as to: 1) the application process, 2) the selection process, and 3) whether the Mayor would provide the Council a rationale for those chosen. The Council Members also discussed the idea of an automatic sunset to ARPAC.

City staff envisions that applications would be taken for ARPAC using the standard Board and Commission application form, but supplemental statements would be requested of ARPAC applicants to gauge the commitment of applicants to impartiality, as described in the Committee's charge. **The ordinance creating ARPAC has been drafted to reflect this. However, further information could be collected from applicants if City Council desires.**

The draft ordinance has also been prepared to include a requirement that the Mayor submit nominees along with a rationale for their appointment. If the City Council desires to include a sunset for the Committee, it would be appropriate to direct staff to modify the ordinance for second reading to include a sunset date.

Once the ordinance is approved, City staff will prepare orientation, training, and ongoing educational plans for the group.

ALTERNATIVES:

1. Approve on first reading the attached ordinance creating the Ames Resident Police Advisory Committee, as reflected in the revised “Policing in Ames: A Path Forward” report dated November 10, 2020.
2. Approve first reading of the attached ordinance with modifications to term length, sunset date, application process, or other aspects as directed by the City Council.
3. Do not approve the attached ordinance and decline to proceed with the creation of ARPAC.

CITY MANAGER’S RECOMMENDED ACTION:

The City Manager’s Report regarding “Policing in Ames: A Path Forward” identified the creation of an advisory committee to be a key step in improving the involvement of community members in the Ames Police Department. The proposed ARPAC provides an opportunity to gather a resident perspective more intentionally regarding policies and complaints.

A committee such as ARPAC is constrained by limits in state law and collective bargaining agreements. Since these rules differ from state to state and community to community, there are many different examples of models for a policing committee. The proposed ordinance allows for formalized resident input, while remaining compliant with the laws and policies that govern employment actions.

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

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 2.50 THEREOF, FOR THE PURPOSE OF ESTABLISHING AN AMES RESIDENT POLICE ADVISORY COMMITTEE, 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 enacting a new Section 2.50 as follows:

“Sec. 2.50. AMES RESIDENT POLICE ADVISORY COMMITTEE ESTABLISHED.

There is hereby established the Ames Resident Police Advisory Committee (ARPAC) for the City of Ames, Iowa.

Sec. 2.51. CHARGE.

The mission of the Ames Resident Police Advisory Committee is to provide a resident perspective to the Chief of Police into the resolution of complaints against the Ames Police Department, provide thoughtful recommendations regarding the policies and practices of the Ames Police Department, report concerns regarding complaint investigation outcomes to the City Manager, and increase public confidence in the professionalism and accountability of the Ames Police Department.

Sec. 2.52. MEMBERSHIP.

(1) The Committee shall consist of seven members appointed by the Mayor with the approval of the City Council. The members of the committee shall be representative of the diversity of the community, insofar as practicable.

(2) Applicants for the Committee shall provide with their application a statement of their commitments to serve impartially, to review complaints based only upon facts and evidence, and to remain unprejudiced for or against police officers or complainants. Applicants must agree to hold in strict confidentiality any record or deliberation that qualifies as a confidential record or deliberation under Iowa law. When presenting a prospective Committee member for City Council approval, the Mayor shall include a statement describing the rationale for selecting the appointee.

(3) The term of office shall be three (3) years, and shall begin April 1 of the year of appointment, except that the Mayor may prescribe a shorter term for any appointment or reappointment in order to stagger terms. Vacancies shall be filled for any unexpired term in the same manner as original appointments. No member who has served six (6) consecutive years is eligible for reappointment.

(4) The Committee shall elect one of its own members to be chairperson and another to record minutes of its proceedings.

(5) Any member or all members may be removed from office at any time by the Mayor with the approval of the City Council, for good cause.

Sec. 2.53. RESPONSIBILITIES.

The Ames Resident Police Advisory Committee shall have the following responsibilities:

(1) To accept complaints from the public regarding the conduct of sworn Ames police officers and forward such complaints to the Chief of Police for investigation in accordance with Police Department policies and applicable law.

(2) To review policies and procedures of the Police Department and provide comments and suggestions for improvement to the Chief of Police and City Manager.

(3) To conduct outreach and engage individuals and groups in the Ames community regarding concerns related to public safety and police procedures, rights and responsibilities of residents in law enforcement actions, and processes and resources for filing complaints.

(4) To provide feedback to the Chief of Police regarding whether a police officer's conduct merits commendation, in instances where a commendation is being considered.

(5) To issue an annual report to the City Council containing the number of complaints received and the nature of such complaints, demographic information of complainants (when disclosed by complainants), a summary of policies reviewed and any changes recommended, a summary of training provided to the Committee, a summary of outreach activities conducted, and concerns regarding complaint investigation outcomes, if any.

Sec. 2.54. COMPLAINT REVIEW PROCESS.

(1) When a complaint regarding the Ames Police Department or one of its sworn officers is received, the complaint shall be investigated in accordance with Police Department policies and applicable law.

(2) At the conclusion of an investigation into a complaint, the Chief of Police shall convene the Committee to discuss the investigation and seek the input of the Committee, prior to making a decision as to personnel action, if any. A summary of the input received from the Committee regarding a complaint shall be provided to the City Manager. The review of the complaint by the Committee shall be advisory in nature and separate from the formal internal investigation and disciplinary processes.

(3) The Chief of Police shall seek the review of a complaint by the Committee when the complaint concerns Police Department policy violations, improper or inadequate investigation, excessive use of force, discrimination, or harassment, or any other complaint in which the Chief of Police determines a review by the Committee to be desirable.

(4) The Committee is authorized to convene in closed session upon advice of the City Attorney to discuss confidential records and other matters as prescribed by and in accordance with the procedures outlined in state law. All meetings held in closed session will be attended by the Chief of Police or designee.

(5) To preserve impartiality, once a complaint has been filed, members of the Committee may not engage in communications with a party to that complaint until the complaint has been disposed of.

Sec. 2.55. MEETINGS, RESOURCES, AND TRAINING.

(1) The Committee shall hold regular meetings not less than four times per year and shall hold special meetings as needed to review complaints upon the request of the Chief of Police. The Police Department shall provide meeting space and materials as necessary for the Committee to conduct its meetings. The Chief of Police or designee shall attend meetings to serve as a resource to the Committee; however, the Committee is not empowered to direct the Chief of Police or the activities of the Police Department.

(2) The Police Department shall allocate funding in its budget each year for the operations of the Committee, including for supplies, materials, training, and other resources.

(3) Committee members shall receive ongoing education and training in subjects recommended by the National Organization for the Civilian Oversight of Law Enforcement, including local ordinances, state law, City and departmental policies, organization and roles of the Police Department, traffic stops, searches, seizures, arrests, booking, use of force, police equipment and facilities, the investigative process, biased-based policing, officer selection and training, and other pertinent matters.

Section Two. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of the conflict, if any.”

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor

COUNCIL ACTION FORM

SUBJECT: DOWNTOWN PLAZA ICE SKATING RIBBON

BACKGROUND:

When discussing the vision for the Downtown Plaza, City Council determined the Plaza should be a year-round destination which included ice skating. The conceptual design done by Confluence in January 2021 included an ice-skating ribbon. This design received positive feedback from the Parks and Recreation Commission, City Council, and the public.

There are two options regarding ice for the skating ribbon, 1) Synthetic Ice, or 2) Real (Natural) Ice. As we are in final design, a decision needs to be made regarding these two options as other components (i.e. building, storage, etc.) will be impacted by what option is chosen.

Confluence has sub-contracted with American Arena, Burnsville, MN, to design the ice-skating portion of the Plaza. American Arena investigated the two ice options and their findings are shown in Attachment A and summarized later in the report. **As a reminder, City Council was informed at its July 27, 2021 meeting that if the decision is made to proceed with an ice system utilizing real (natural) ice, there will be \$52,000 in additional design fees.**

Additionally, City staff travelled to Arden Hills, MN to skate on synthetic ice before making a recommendation. Feedback on synthetic ice versus real ice was solicited from members of the US Rink Association and these comments are found in Attachment B.

ICE SKATING OPTIONS:

Synthetic Ice

Synthetic ice is a plastic/resin product that is made in 4' X 8' sheets and 3/8" to 1/2" thick. These sheets are laid down on a flat surface and connected to provide an ice-skating surface. The product includes a lubricant embedded in the plastic that helps with gliding while skating. Regular ice skates can be used on these sheets, but will lose their edge quicker than on real ice.

Pros:

- Lower capital cost
- Lower maintenance costs (labor, equipment, supplies)
- Lower annual contractual costs (refrigeration service)
- Could have a longer season
- Maintain ice in unseasonably warm weather

Cons:

- Different skating experience than real ice (more effort needed to glide across the ice)
- Potential safety issues with the seams between plastic sheets
- When water gets under the panels and freezes, the seams could pop creating an unlevel area of ice and a skating safety hazard
- The need for two or more “speed bumps” to cover six-inch expansion joints
- Installation of panels will be time consuming and difficult due to many small pieces
- Small pieces may not be able to connect to anything resulting in loose pieces that create a safety concern
- With a ribbon style rink, the panels will not be able to be flipped thus shortening the life of the panels
- Snow and ice removal will be challenging with floating pieces of plastic
- Snow and ice removal will take longer as much of this work may need to be done manually
- Skates will lose their edge quicker on synthetic ice thus requiring sharpening more often

Real Ice

A real ice surface is one that involves natural ice that is made through an ice rink chiller (refrigeration system) to cool a surface to about 20 degrees so that ice can be made using water. The chiller is connected to tubing embedded in the concrete and the refrigeration process cools the concrete so ice can be made. Water is added to the top of the concrete until the desired ice depth is achieved.

Pros:

- Creates a true skating experience
- Different skating experience than synthetic ice (less effort needed to glide across the ice)
- People are familiar with real ice
- Staff is familiar with maintaining real ice

Cons:

- Higher capital cost
- Higher maintenance costs (labor, equipment, supplies)
- Specialized equipment needed to maintain the ice
- The restroom building will need to be sized to accommodate the chiller unit which

- will run the ice system
- Could lose ice in unseasonably warm weather

CAPITAL COST COMPARISON:

A comparison of the capital costs between the two systems is shown below.

ESTIMATED ICE RIBBON CONSTRUCTION COSTS

	SYNTHETIC ICE	REAL ICE
Embedded Ice Piping/Insulation	N/A	\$ 200,000
Synthetic Ice Product	\$ 125,000	N/A
Chiller	N/A	\$ 400,000
Ice Resurfacing Equipment*	N/A	\$ 50,000
Railing System	\$ 130,000	\$ 130,000
Estimated Total Project Costs	\$ 255,000	\$ 780,000

*This amount includes resurfacing equipment and a tractor to pull it.

The current estimated budget has \$715,000 for the ice-skating ribbon.

ALTERNATIVES:

1. a. Approve proceeding with designing an ice-skating ribbon in the Downtown Plaza utilizing real (natural) ice.
 - b. Approve Change Order 1 to increase the Confluence contract by \$52,000 for additional design fees associated with designing an ice system utilizing real (natural) ice.
2. Approve proceeding with designing an ice-skating ribbon in the Downtown Plaza utilizing synthetic ice.
3. Do not approve installing an ice-skating ribbon in the Downtown Plaza.
4. Refer back to staff.

CITY MANAGER’S RECOMMENDED ACTION:

There are pros and cons to both synthetic ice and real ice with real ice having capital costs approximately three times that of synthetic ice. When staff reviewed the two options, the factor that kept coming up was user experience. The City strives for

excellence in everything it does, and this is no exception. Skating on synthetic ice does not deliver the same experience as real ice. Staff experienced that in Minnesota; it is referenced in the American Arena report; and it is mentioned in the feedback from US Rink Association members.

Staff feels synthetic ice is good for some applications, but could not find an outdoor skating ribbon constructed using synthetic ice. The safety of the synthetic ice due to potentially small pieces that are not connected also concerns staff. The Parks and Recreation Commission discussed this topic at its September 9, 2021 meeting and recommended City Council approve proceeding with a real (natural) ice system.

Therefore, it is the recommendation of the City Manager that the City Council support Alternative #1 thereby 1) approving moving ahead with designing an ice-skating ribbon in the Downtown Plaza utilizing real (natural) ice and 2) approving Change Order #1 to increase the Confluence contract by \$52,000 for additional design fees associated with designing an ice system utilizing real (natural) ice.



Ames Plaza – Ribbon style ice rink

The purpose of this analysis is to compare natural (real) ice to synthetic ice and how these two surfaces would affect the success of this community ice rink. We will present pros and cons to both the surfaces to help the city of Ames, Iowa understand what is involved with each of the two types of ice surfaces being considered.

Definitions

Real Ice – A real ice surface is one that involves natural ice that is made through using an ice rink chiller (refrigeration system) to cool a surface to about 20 degrees so that ice can be made using water. This system includes a chiller plant where the refrigeration process takes place along with piping that goes from the chiller to tubing embedded into the floor of the rink that is used to cool the concrete surface. Real ice is made once water is applied to the floor and built is up to a level to able to be used for ice skating.

Synthetic Ice – Synthetic ice is a plastic/resin product that is made in 4' x 8' sheets and approximately 3/8" to 1/2" thick. This plastic is laid down and connected to provide a surface that can be skated on using regular ice skates. The shape of the surface can be customized and cut to fit many different configurations for the facility.

Pros and Cons of each system

Pros of a real ice system – A real ice surface creates a true experience of what ice skating is all about. The feel of skating on real ice versus synthetic ice is completely different. The effort required to glide across real ice versus synthetic ice is considerably different. With real ice, a skater has a true sense of gliding across the ice rink with minimal effort. With an outdoor rink in a northern climate (where users may have been exposed to ice skating in the past) area such as Ames, Iowa, the look and feel of a natural ice rink surface will take on a vastly different experience as compared to skating on a plastic surface. Real ice rinks also allow for logos and other signage to be placed within the ice surface for promotional purposes or even for sponsorship opportunities.

Cons of a real ice system – Cost of the system as well as increased maintenance. The cost of a real ice system is capital intensive as you need a chiller plant as well as a refrigerated floor surface to allow for ice making. This chiller plant can be rented monthly, or one can be purchased for long term use. To keep the ice in great condition, maintenance, and resurfacing must take place on a regular basis. The city will have to allow space (indoor or outdoor) to house the chiller unit that will run the ice system. This needs to be considered when facilities are planned for this space.



Pros of a synthetic ice system – The cost of this system is considerably lower than a real ice system as noted above. There is less maintenance involved as the surface does not have to be resurfaced as often as needed with real ice. There is no need to have a commercial refrigeration company hired to do annual service on the mechanical system as needed compared with a chiller plant used with a real ice system. Staffing levels may be slightly lower with a plastic ice surface due to the lower level of required ongoing maintenance and resurfacing.

Cons of a synthetic/plastic ice rink – As mentioned above, the feel of skating on plastic ice is completely different than real ice and many people that have skated on real ice will not enjoy the experience of skating on plastic. I have included information from a well-established national Ice Rink Management company below that has experience with both real ice and synthetic to give you their opinion on how they feel on the two options. This company generates revenue based on the number of users that pay to skate on these same types of rinks and they have some strong feelings on this topic of what type of ice is required to generate the level of interest from users of these rinks.

Plastic rinks are put down in sheets and are very susceptible to expansion and contraction of these sheets of plastic which can lead to safety issues with skaters, especially beginner skaters that could trip and fall over these “ridges” in the surface. Some synthetic ice manufactures will recommend having built-in gaps to allow for this expansion, but this further minimizes the experience of trying to skate.

Installation and tear down of the synthetic ice can be very complicated when used for a ribbon style rink. Due to the shape of the rink being considered, complete 4’x8’ sheets will be used in approximately 30-40% of the floor. The initial installation process of cutting 4’x8’ sheets to size will be a significant project as 60% or more of the sheets will have one or more cuts to make. Any imperfection in this cutting process will be very visible as gaps in the floor and pose a potential safety and liability risk. The rink floor will be a huge jigsaw puzzle that must be marked in a manner that it can be put back together the next season. There will be many very small pieces that will be smaller than 1 square foot and various shapes that will need to be fit back into place every year. The interlocking connection design of these panels will not be usable on many of the smaller panels which will cause issues as they will just be “floating” on the concrete sub-floor. All these smaller pieces will be on the perimeter boarder of the rink, causing a safety issue for skaters when the small panels move (which they will shift around as they cannot be connected to adjacent floor panels). These smaller “floating” panels will also be a significant issue when removing snow or shavings from the surface as there will be nothing



holding them in place and the staff will be putting these small pieces back in place every time the plastic surface is cleaned.

Many beginner skaters on plastic ice will not skate for more than 5-10 minutes as they find they are essentially walking on the plastic sheet with ice skates (according to Lance Curren, Tri State Rink Management). If you don't have a much experience skating, it is difficult to quickly learn to glide when on a plastic surface as it is much stickier as compared to real ice. Ice skates that are used on plastic ice will lose their edge much quicker than on real ice requiring resharpener daily or even more often depending on how often they are used.

Ice Rink Management Companies Experiences

There are several Ice Rink Management companies in the US that are hired by both private and publicly owned agencies to manage ice rink facilities. Most commonly, these companies are paid a fee to operate the complete facility once it is built and handle the day-to-day operations including promotion, maintenance, and staffing. It is very common that these companies are also compensated based on the number of users of a facility so they have a lot of incentive to do whatever they can to drive high numbers of people to the ice rink facility.

American Arena has worked with a couple of the prominent management companies in this industry:

***Tri State Ice Management* “www.tristateicemanagement.com” based out of Annapolis, MD. Contact person is Lance Curren – contact phone 443-995-4002**

Tri-State manages approximately 6-10 ice skating facilities per year across the US. Most of these are outdoor rinks but they have experience with indoor skating facilities as well. The large majority of the ice rink facilities that Tri State has worked with over the past 25 years have been real ice. Tri State has managed three facilities that started with synthetic ice (Ford Center in Detroit, Cleveland Science Center in Ohio and The Met in New York). All three have either closed or switched to real ice due to low participation levels at their facility, according to Tri State Ice Management.

***Rink Management Services Corp.* – www.rinkmanagement.com based in Mechanicsville, VA Contact person is Jim Littlejohn – 804-986-3976**

RMS is a very similar company to Tri State as mentioned above. They compete for the same business of managing ice rink facilities across the US. RMS has worked with over 75



facilities in the past and they can only recall two that have been synthetic ice. Their experience with these two facilities that were built with synthetic ice is noted below.

1) Stony Point Fashion Park Mall - Richmond, VA Started with synthetic ice and changed to real ice within a few years as the rink did not draw the people as expected and the synthetic ice “wore out” according to the Mall Facilities staff. They have had real ice for the past 5 years and they have significantly more users compared to the 3-4 years that they have synthetic ice.

2) The Shops at Fallen Timbers – Maumee, OH This rink was managed by RMS. It was built with synthetic ice and charged admission in year one. Attendance was not as expected, and the mall decided to offer the skating as a free amenity in year two. Attendance did not improve, and the rink was closed after two years in operation. RMS believes strongly that there was very little interest in large part because it simply was not a “real” ice skating experience for the clientele.

Summarizing the thoughts of the two ice rink management companies mentioned above – both companies feel there is a place that synthetic ice makes sense. These would include locations in the southern US where more users will not have previous experience with real ice. Indoor locations such as malls, smaller recreation centers and other similar set ups that utilize square or rectangular rink designs that would be conducive and more efficient to use and maintain (set up and tear down).

Kwik Rink – Manufacture of synthetic ice systems

Kwik Rink has provided their synthetic ice product to be used at the rink including to be used for the first time this season in Johnston, Iowa. Unfortunately, we don’t have any relevant performance history to draw upon with this rink since it will be used for the first time this winter. I asked the owner (Don Mason) of Kwik Rink for references of any other public ice rink facilities (specifically ribbon style rinks) that I could use for this report. I was provided a list of three facilities that use his product for public ice skating (Pikeville, KY, Mighty Children’s

Museum in Chillicothe, OH and another museum in Kernersville, NC). All three of these rinks were rectangular rinks approximately 30’ x 60’ and the two museum rinks oriented towards younger children as part of their museum experience. Don also referenced a few locations that have used his product for smaller facilities and for training locations where users practice shooting and for hockey goalies train for their sport. Kwik Rink has customers that include NHL hockey teams that have used his product for these types of uses. None of the reference provided



were similar to the rink design (ribbon shape) being considered in Ames and they are all relatively new (within 2-5 years old).

Budgetary cost estimates of both types of ice systems

	<u>Synthetic Ice</u>	<u>Real Ice</u>
Embedded ice piping/insulation	N/A	\$200,000
Concrete surface	Included in other budgetary line item	
Synthetic Ice product	\$125,000	N/A
Chiller rental	N/A	\$12,000 per month
Chiller purchase (with install)	N/A	\$400,000
Ice Resurfacing machine	N/A	\$30,000 - \$90,000
Railing system interior and exterior of rink	\$ 130,000	\$130,000

In summary, there is a place for both types of ice rink surfaces to be used but it really comes down to how much money the client is willing to spend to build an ice system and how important it is for their customers to have a “true” skating experience at their facility. The opinion expressed by Tri-State Ice Management is that if you want to have a successful ice rink facility and get the community excited about using the ribbon rink and coming back for more, the only option to consider is a real ice system. If the city is unable to spend the dollars on a real ice system, a synthetic surface is an option that is available but understand that the experience of the users of this rink will be different and the overall number of users of the rink will be quite different with the two types of surfaces under consideration. Additionally, due to the nature of the rink design and the total number of smaller pieces of plastic ice, there will be considerable maintenance, safety, and liability issues to contend with on a regular basis for the city.

American Arena appreciates the opportunity to provide the analysis above and we welcome the chance to answer any follow up questions to assist you in making the best decision for the city.

Sincerely,

Dan Metcalfe - American Arena

ATTACHMENT B

Real Ice vs. Synthetic Ice

Comments from US Rink Association Members

1. "No comparison when it comes to drag coefficient. Never seen plastic that has characteristics of ice."

David Loverock, Vice President at Jet Ice

2. "Never seen the plastic but for folks just doing the Sunday skate thing that may work fine."

John Towler, Buffone Arena, Worcester, Massachusetts

3. "Omaha has tried it, nobody likes it. It just isn't very close to the same thing."

Maddy Joey Vasquez, Omaha, Nebraska

4. " It has a lot to do with the details. If you maintain the rental skates well and keep a 5/8 or 3/4 hollow on them and sure people who bring their own know what works best on it, synthetic isn't too bad. It's not ice but at the end of the day it is a lot cheaper. The new stuff doesn't require Glyde enhancer like my sheet does. I haven't had my full sheet up yet but I have skated on a few of the panels. My rink is a 2013 model that came from Jupiter, FL. IT was the city rink. People loved it and it went over well, until they couldn't staff to maintain the rental skates. At that point people quit coming and it was put on ebay."

Ryan Alex, Poynette, Wisconsin

5. "I've worked with both. Pros and cons to both but overall the synthetic came out and refrigeration went in its place. Synthetic is great for a basement/garage/backyard for practice (knowing that you can't really "skate" on it). For a community reink I've seen it be a novelty and once people tried it and really didn't have the same glide factor, they were disappointed and didn't return. Synthetic ice has its place in the market. It is very expensive if not marketed correctly and your business model fails."

Chad Hrehor, CMH Rink Builders, Johnson City, New York

6. "Dave (comment 1) is 100% correct. It's like comparing sand to boulders."

Bernie Hurley, Oromocto, Canada

7. "What Dave (comment 1) said."

BJ Gagnon, Abbotsford, British Columbia

8. "Ice, Ice...Baby."

Larry Thatcher, East Alton Ice Arena, East Alton, Illinois

9. "Skating on Synthetic Ice is akin to riding a bicycle with flat tires."

Art Sutherland, Accent Refrigeration Systems, Victoria, British Columbia

10. "I trained hockey players on Synthetic Ice for 13 years. Then Art Sutherland and his guys put in real ice 4 years ago. We should have gone real ice years ago!!!"

Darren Hersh, Loudoun Ice Centre, Sterling Virginia

11. "Synthetic Ice is best used for the entertainment world."

Paige Carroll Scott, San Francisco, California

12. "Wouldn't do synthetic! Check out the outdoor rink work in Phoenix. Can't recall the name, amazing though! Skate Westgate in Glendale! Synthetic is a tough sell to skaters!"

Gary Paterson, City of Nanaimo Government, Nanaimo, British Columbia

13. "Skip the plastic ice...they drag that stuff out every 5 years, give it a crazy new name and say it is almost as good as ice...it isn't! Install a real ice rink and you won't regret it."

Bob Mock, Alpha Ice Complex, Pittsburgh, Pennsylvania

14. "Real Ice. Did it in Vegas. Fake Ice doesn't cut it."

Kollin Johnson, Super Rink, Minneapolis, Minnesota

15. "Plastic ice is like skating on plywood. And dulls skates."

Rich Szturm, Northland Ice Center, Evendale, Ohio

MEMO

Legal Department

To: Mayor Haila and Ames City Council

From: Mark O. Lambert, City Attorney

Date: August 17, 2021

Subject: Ordinance correcting conflict in the Ames Municipal Code regarding terms of office of MGMC Trustees.

At the August 24, 2021 Ames City Council meeting, the Council directed the City Attorney to draft an ordinance correcting a mistake in Ames Municipal Code Section 6.2(4) regarding the terms of office of Mary Greeley Medical Center (MGMC) Trustees.

Ames Municipal Code section 6.2(4) (“Elections” section) incorrectly states that the terms of office of hospital trustees shall be six (6) years.

Ames Municipal Code section 12.2 (“Hospital trustees” section) correctly states that the terms of office of the hospital trustees shall be four (4) years.

State law specifies that terms of office of city hospital trustees are four (4) years, at Iowa Code section 392.6(1).

The attached ordinance corrects the mistake in Section 6.2(4). **As the city election is November 2, 2021, staff feels it would be best if Council suspended the rules to pass this ordinance at one Council meeting, to have this correct in our Code well in advance of the election.**

ALTERNATIVES:

1. Approve the ordinance on first passage. **Suspension of the rules to adopt the ordinance at one Council meeting requested.**
2. Do not approve the ordinance.

RECOMMENDATION:

This matter is clearly a mistake in our Municipal Code; Section 6.2(4) conflicts with another Municipal Code section and with state law.

It is the recommendation of the City Manager and the City Attorney that Council adopt the ordinance correcting the error in Section 6.2(4).

#

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTION 6.2 (4) AND ENACTING A NEW SECTION 6.2(4) THEREOF, FOR THE PURPOSE OF AMENDING THE TERMS OF ELECTED OFFICERS; 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 enacting a new Section 6.2(4) as follows:

“Sec. 6.2. TERMS OF ELECTED OFFICERS.

• • •

(4) The term of office for members of the Ames Municipal Hospital Board of Trustees shall, subject to the foregoing, be four (4) years.”

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

John A. Haila, Mayor